









Rev. 13: 4. And all of world wondered after the beast. And they worshipped the dragon which gave power unto the beast: for they said, who is like unto the beast? who is able to make war with him?

Mat. 23: 23





*Januarii 3. 1664.*

**Imprimatur,**

**WILL. MORICE.**



THE  
**SECOND TOME**  
 OF AN EXACT  
**CHRONOLOGICAL VINDICATION**  
 AND  
**HISTORICAL DEMONSTRATION**  
 OF OUR  
*British, Roman, Saxon, Danish, Norman, English Kings*  
**Supream Ecclesiastical Jurisdiction.**

Over all Prelates, Persons, Causes, within their Kingdomes and Domi-  
 nions: From the *First Year* of the *Reign of King John*, Anno Dom.  
 1199. till the *Death of King Henry the III.* in the year 1273.

WHEREIN

The several branches of our *Kings Ecclesiastical Sovereignty* are truly stated; the *Popes* usurped *Universal Monarchy*, subverted, by their own *Popish Assertions* concerning the *Virgin Mary*, *Transubstantiation*, and *Christs corporal presence* on earth in every *Hostia*. *Popes*, *Popish Prelates* *Intollerable USURPATIONS* on, *Unchristian Practises* against the *Persons*, ancient undoubted *ECCLESIASTICAL, TEMPORAL PREROGATIVES, JURISDICTIONS, RIGHTS* of these *KINGS CROWNES, PRIVILEGES, the LIBERTIES, PROPERTIES* of the *Churches, Kingdomes, Clergy, Nobility, Commonalty* of *ENGLAND* and *IRELAND*; By *Legates, Nuncios, Delegates, Bulls, Palls, Exemptions, Dispensations, Non-obstantes, Decretals, Canons, Appeals, Citations, Journeys to Rome, Inhibitions, Sequestrations, Provisions*; *Ratifying void, vacating legal Elections, Presentations to Ecclesiastical Dignities, Benefices*, at their pleasures; By *Crossadoes, Procurations, Tenths, Firstfruits, illegal Oathes, Extortions, Rapines, Excommunications, Interdicts, Absolutions from Oathes, Vowes, open Treasons, Rebellions, Wars*, to depose, enslave our *KINGS, KINGDOMES*, and make them *HOMAGERS, VASSALLS, TRIBUTARIES* to the *SEE OF ROME*: With their, and our *Parliaments, Nobles, Clergies, Commons* successive memorable *Complaints, Oppositions, Letters, Writs, Prohibitions, Proceedings* against them, in the height of *Popery*. The principal *Transactions of State* between these *Kings*, and the *Popes, Cardinals, Legates, Court of Rome*; with their unparallel'd *Avarice, Bribery, Simony, Treachery, Tyranny, Frauds, Impieties, Extortions, Corruptions*; are impartially related; out of the best *Historians* in or next that age, and irrefragable rare *Records* in the *Tower*, not formerly published; With *Usefull Observations* on, from them: And several *Indexes* to this *Tome*.

By *WILLIAM PRYNNE* Esquire, a *Bench*er and *Reader* of the *Honourable Society* of *LINCOLNES INNE*.

*Tit. 3. 1. Put them in minde to be subject to Principallities and Powers, to obey Magistrates, to be ready to every good work.*

*2 Pet. 2. 14, 15. An hear they have exercised with covetous practises; cursed children, which have forsaken the right way, and are gone astray, following the way of Balaam, who loved the wages of unrighteousnesse.*

LONDON:

Printed for the Author by *Thomas Ratcliffe*, 1665. and are to be sold by *Abel Roper* at the *Sun* over against *S. Dunstons Church* in *Fleetstreet*; *Gabriel Bedell* at the *Inner Temple Gate*; and *Edward Thomas* at the *Adam and Eve* in *Little Britaine*.



THE  
SECOND VOLUME

OF AN EXACT  
CHRONOLOGICAL NARRATION  
AND  
HISTORICAL DEMONSTRATION  
OF OUR

British, Roman, Saxon, Danish, Norman, English Kings  
Supremacy Ecclesiastical Jurisdiction

Over all British, Irish, French, Spanish, Italian, and other  
Kingdoms, and the Pope of Rome, from the first  
of the Kings of the Britons to the present time.

1665  
fP973

By WILLIAM BURNET, D.D. Bishop of Salisbury.  
LONDON, Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, 1677.



To the Right Honourable

EDWARD

Earle of

CLARENDON,

Lord High Chancellor of ENGLAND, Chancellor of  
the University of OXFORD, and one of His MAJESTIES  
most Honourable Privy Counsell.

MY LORD,



It is the Institution of God and Nature, that all things (by a divine and natural right) should terminate in their Original, and revert to the Spring from which they issue: Hence St. Paul (the (a) Apostle of the Gentiles, and of our (b) British Isle,) resolves; that as (c) all things in heaven and earth, visible and invisible, whether Thrones Dominions, Principalities, Powers, or other Creatures, were and are created By; so likewise TO and FOR GOD, their (d) ALPHA and OMEGA. Yea King Solomon long before him, not only concluded in point of Divinity, (e) The Lord hath made all things FOR HIMSELF; but thus demonstrates it by natural experimental Philosophy, (f) All rivers run into the Sea; unto the place from whence

(a) Acts 22.

21. Rom. 11.

13. c. 15, 16.

2 Tim. 1. 11.

(b) See Tom.

1. Book 2.

ch. 1. p. 3. 7.

(c) Rom. 11.

36. Col. 1.

16.

(d) Rev. 1. 8.

(e) Prov. 16

4. See Ifay

43. 21.

(f) Ecclef. 1.

7.



The Epistle Dedicatory.

whence the Rivers come, THITHER THEY RETURN AGAIN.

This Contemplation hath excited, yea obliged me (in point of Right, and Equity) not only to return, but dedicate this Large Chronological Vindication, and Historical Demonstration, to Your Lordship, from whose unexpected Voluntary Motion, and Subsequent Encouragements, (to collect, publish it for the Honour of our Kings, Nation, Church, Kingdome, and benefit of Posterity) it received its Original Conception, Augmentation, Production, at vacant hours (borrowed for the most part from my natural rest and repasts) without the least neglect of my other distracting publick Employments. Which may justly excuse all Defects of Ornament, Method, Stile, Substance, any Curious Eyes shall discover therein; or in my yet uncompleted Preceding or Succeeding Tomes of the same heroick subject; not hitherto at large, historically discussed by any Antiquary, or Historian I have seen.

<sup>g</sup> Gen. 38.  
29.

I have prefaced this Tome (brought forth into the VVorld, like <sup>g</sup> Pharez, before its elder brother) with a brief, necessary Introduction, to supply the want of my Larger Introduction comprised in the First Book of the First Tome, not yet compleated, over-large to be annexed to this, as I at first designed: Where-

<sup>h</sup> Page 1, 2,  
3, 4, 5.

in I have <sup>h</sup> truly stated that antient Sovereign Ecclesiastical Jurisdiction claimed, exercised (as there was occasion) by our British, Roman, Saxon, Danish, Norman, English Kings, which I have historically vindicated in Fact, and Right, in this and my other intended Tomes. Whereunto I have subjoyned a short

<sup>i</sup> Page 5, 6, 7,  
8, 9.

Synopsis of <sup>i</sup> Roman Popes and their Parasites impudent

## The Epistle Dedicatory.

dent Claims, to a Universal Antimonarchical, if not<sup>k</sup> Antichristian Sovereign Monarchy over all Churches, Empires, Kingdomes, Nations, Emperors, Kings, Prelates, Priests, persons throughout the world, as well in Temporals as Spirituals, under their own forged Titles, of Christs Universal Vicars, His, and St. Peters Successors; which Supremacy they have for sundry ages attempted to exercise and enlarge upon all advantages, by scandalous Bulls, Excommunications, Interdicts, Treasons, Rebellions, Absolutions of Subjects from their Oathes, Allegiance; depofals of Christian Emperors, Kings: wresting their Crownes, Regal Authority. and Kingdomes out of their hands, by force, and fraud, to the grand disturbance of all Christian Realms, to which they have "forged Titles.

The "sandy foundations of this their pretended Papal Monarchy, I have utterly subverted in a new way, by the avowed practises of their own Popes, Church, and Articles of their Romish Faith; concerning the ° Universal Empire, yea<sup>r</sup> Deification of the Virgin Mary: whom they have not only<sup>a</sup> seated Soul and body in the very Throne of the sacred Trinity in heaven, but elevated<sup>r</sup> above God the Father, and Christ her Sonne, intituling her to all their<sup>c</sup> Sovereign Power over all creatures in heaven, earth, hell: to all their<sup>e</sup> Divine Attributes, Titles, Offices, Worship; "invoking, adoring her in their publike, private authorized Devotions more then them; yea ascribing to her a<sup>x</sup> commanding power over them in heaven it self. And by their Doctrine of<sup>v</sup> Transubstantiation, or Christs real presence, both in his human body, soul, Deity, in every consecrated Host, adoring it as God, Christ himself; seconded with their Legends of his frequent<sup>t</sup> corporeal

<sup>k</sup> 2 Thes. 2.  
3. 4. Bishop  
Abbot, Dr.  
Squire, Dr.  
Beard, o-  
thers in their  
Books of  
Antichrist.

<sup>1</sup> See Philip  
de Mornay  
Hist. Papatus

<sup>m</sup> Page 9.  
291.

<sup>n</sup> Page 10,  
&c. 65, 67,  
68.

<sup>o</sup> Page 16,  
to 64.

<sup>p</sup> Page 16,  
23, 26, 38,  
39, 53, 55,  
56.

<sup>q</sup> Page 20,  
21, 22.

<sup>r</sup> Page 24,  
25, 54, 55.  
<sup>s</sup> Page 27.

<sup>t</sup> Page 25,  
40, 42, 43,  
48, 49,  
54.

<sup>u</sup> Page 28,  
29, 39, 40,  
50, 51, 52,  
53, 54, 55.

<sup>v</sup> Page 21,  
22, 27, 28,  
39, 40,

49, 53, 55.  
<sup>w</sup> Page 66,

67, 68.  
<sup>x</sup> Page 68,

<sup>y</sup> 74.



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*real real visible apparitions* on earth : which infallibly overturn the foundations whereon they build *St. Peters* and their own Supremacy. Upon which occasion I have briefly, and I hope irrefragably refuted by new *Topicks*, (not hitherto used, or not fully pressed by *Protestant Divines* ) their *idoltrous Invocations, Adorations* of the *Virgin Mary* and other *Saints*; wherein they not only imitate, but far exceed the antient *Idolatri, Heresie* of *Pagans*, & the *Collyridian hereticks* : Together with their pretended *Doctrines, Miracle* of *Transubstantiation*; ( the *Great Dianaes* of the *Pontificians* now most insisted on ) to reduce them from their *Romish Idolatri, Superstition, Errors*, and keep unstable *Protestants* from apostatizing to them in this and succeeding ages, by the seducements of their *superabounding active Emissaries*.

<sup>a</sup> Page 56,  
57, to 64.

<sup>b</sup> Page 56,  
57, 58.

<sup>c</sup> Page 58, to  
63.

<sup>d</sup> Page 75,  
to the end of  
80.

<sup>e</sup> Page 55,  
56.

This *Tome* (as those intended to succeed it) principally consists of *memorable Records* (preserved in the *Tower of London* ) not formerly published : intermixed with observable *Historical passages* (pertinent to my *Theam*) taken for the most part out of our best antientest *Historians* of the *Roman Religion*, writing in, or nearest the reigns of *K. John* and *Henry* the 3d, which I have printed at large in their proper *Dialects*, as most *authentick*, the better to communicate them to *forreign Nations*, and prevent all *Cavills* of *Pontifician* or other *Criticks* against their *translations* : with some *usefull Observations* on, & *Deductions* from them, for the *Readers* information, or *Romanists* refutation, if not conviction; all which I hope are so *genuine, solid, impartial*, that no *carping Zoilus*, nor *Advocate* for *Popes* or the *Court of Rome*, shall be justly able to *quarrell* with, much lesse to *refute* or *contradict* them.

All

## The Epistle Dedicatory.

All the *Records* herein transcribed, were perused with *my own eyes*, and carefully examined, re-examined by the *Originals*: which are of so venerable, irrefragable authority, (being carefully enrolled in the respective years they bear date, by sworn Clerks, without any rasure, alteration, diminution, and so remaining till this present) that no person by our *Common Lawes*, (g) may, or ought to averr against them. By their Verdict I have here not only corrected some mistakes, ratified, illustrated sundry obscure, dubious passages in our *Historians*, *Chronologers*; and King *Johns* printed *Charter*, but also supplied many observable defects, omitted, or pretermitted *Bulls*, *Letters*, *Patents*, *Writs*, *Records*, *Transactions* relating to the *Ecclesiastical Supremacy* of our *Kings*, the *Church-affairs*, *Archbishops*, *Bishops*, *Clergy*, *Lawes*, *Customs*, *Spiritual*, *Temporal Courts*, *Jurisdictions*, proceedings in *England*, and *Ireland*, not extant in, nor remembered by any *Histories* or *Law-books* whatsoever; not unworthy the knowledge, if not of his *Sacred Majesty*, yet of the greatest, learnedest *Counsellers*, *Officers of State*, *Prelates*, *Divines*, *Judges*, *Professors of the Common*, or *Canon Lawes*, the studious *Nobility*, *Gentry*, (whether *Protestants*, or *Pontificians*) of both these *Kingdoms*; from whose *publike*, if not *private view*, they have hitherto been concealed.

If these my crude *Historical Collections* (which I had neither sufficient time, nor leisure to digest, polish according to the dignity of the *subject matter*) shall through the *Almighties* blessing on, and Your *Lordships* favourable *Acceptation* of them, produce any *Glory to God*, any *honour*, *advantage* to our *Reformed Protestant Religion*, *Churches*, *Realms*; any satisfactory

Vin-

(g) 21 E. 3.  
f. 40. 21 H  
6. f. 20.  
Brook A-  
verrment  
14.

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*Vindication of His Majesties, or His Royal Predecessors Sovereign Ecclesiastical, Civil just, antient Rights, Prerogatives, against the injurious claimes, pretences of Usurping Romish Popes, or Prelates; any reformation of revived old Ecclesiastical Usurpations, Excommunications, Vexations, Corruptions, Exactions, Extravagances, redressed, suppressed by these and our other Kings Writs, Prohibitions, even in times of Popery; any conviction, conversion, reduction of seduced Pontificians, or Romish Profelytes to due obedience to his Majesty, and the bosom of our Church, by discovering to them the manifold unchristian, if not Antichristian Practises, Corruptions, Vices, Frauds, Errors, Exorbitances of Popes, (the Visible Heads,) & Popish Cardinals, Legates, Nuncios, Prelates, the chief pillars, hinges of the Roman Church; and the manifold just occasions given by them to our Kings, Kingdoms, to renounce all dependance on, all communion with them; Or, if they shall contribute any increase of knowledge, or other benefit, to the honourable Profession and Professors of the Law, whereof Your Lordship under his Majesty is, (and long may you still continue in all splendor and felicity to be) the most eminent Patron, as well as Member, (all which particulars were the chief ends aimed at in this Undertaking) I shall then repute my extraordinary expense, paines therein, sufficiently remunerated; and be thereby encouraged, with greater vigor and all possible expedition, through Gods gracious assistance, to compleat the anteceding and succeeding Tomes of this Chronological Vindication. Which, if God shall vouchsafe me life, health, opportunity to finish; I hope I may crave leave, to sue forth my *Quietus est*, from any future labours of this nature; because*



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*The Epistle Dedicatory.*

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cause it will then be high time for me only to prepare for another world, & conclude with (b) Paul, the aged, (b) Philemon 9.  
(i) I am now ready to be offered, and the time of my departure is at hand. I have fought a good fight, I have finished my course, I have kept the faith; Henceforth there is layd up for me a Crown of righteousness, which the Lord the Righteous Judge shall give me at that day; and not to me only, but unto all them also who love his appearing. (i) 2 Tim. 4: 6, 7, 8.

Which Crown of Righteousness, that this Sovereign (k) Lord of Lords, and King of Kings, may most graciously bestow upon Your Lordship in Heaven, (k) 1 Tim. 6. 15. Rev. 17. 14. c. 29. 16.  
after You have long served, honoured both HIM, His MAJESTY, His Realms, Churches in your (l) Generation upon earth, shall be the daily prayer (l) Acts 13. 36.  
of

*Your Lordships most Humble, Devoted,*

From my Study in *Licolas Lane*,  
May 29. 1665. the most joy-  
full day, Festival of his Ma-  
jesty's Birth and Resurrection to  
his Royal Throne at *Whitehall*.

*Obliged Servant,*

WILLIAM PRYNNE.

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To the Candid and Ingenious Readers, especially  
Professors, or Students of the Common Laws, in  
England and Ireland.

Kinde Readers,



Here present to your View and Censure, The  
Second Tome of An Exact CHRONOLOGICAL VINDICATION, and HISTORICAL DEMONSTRATION of our British, Roman, Saxon, Danish, Norman and English KINGS SUPREMACY ECCLESIASTICAL JURISDICTION over all Prelates, Persons, Causes within their Kingdoms and Dominions, &c. A Subject heretofore cursorily handled, debated by Sir Edward Cooke, in the First Part of his Fifth Reports, Of the Kings Ecclesiastical Law; by Sir John Davis in his Irish Reports, The Case of Præmunire; by Sir Christopher Sybthorp Knight, one of His Majesties Iustices of the Court of Chief Place in Ireland, in his Friendly Advertisement to the pretended Catholicks of Ireland, Dublin 1621. Part 1. Concerning the Kings Supremacy, and the Oath in that behalf to be taken: and of late by my learned Friend, Sir Roger Twisden, in his elaborate, acute Vindication of the Church of England, in point of Schism, as it stands separate from the Church of Rome, and was reformed 1 Elizabethæ, London 1663. But never yet Chronologically and Historically Vindicated, Demonstrated, by any Lawyers, Antiquaries, Historians, Chronologers, or Divines, in such ample manner, as the Dignity of the subject matter, demerits; or as some learned (a) French, and (b) German Lawyers, Antiquaries, Writers, have Vindicated the Sovereign Ecclesiastical Prerogatives, Rights, Liberties of the Kings, Emperors,

a Carolus Molinæus Comment. ad Edict. Hen. 2. contra parvas Datas et Abusus Curiz Romanæ. De Excellentia Regni Francorum, et Coronæ Franciæ, Claude Fauchet, & Pierre Pithou Preuves des Libertez

de L'Eglise Gallicane. Philippus de Morney Historia Papatus: Laurentius Bochellus, Decreta Eccles. Gallicanæ. b Melchior Goldastus, Monarchia Romani Imperii, Tom. 3. Antonii de Rosellis, Monarchia, and others.



## The Epistle to the Readers.

Churches of France and Germany, in large Folio and Quarto Volumes; when as our Histories, Annals, Records afford us more copious Presidents, more numerous, eminent Monuments of this kinde, then France, Germany, or any other Christian Kingdom throughout the World, as I hope to evidence in due time, for the Honour of our Kings, Kingdoms, Churches, Nation, if God send life, health, oportunity, encouragements to accomplish such an heroick Undertaking, not hitherto essayed by any of our own or other Nation.

If any shall demand, why I preposterously (against my Chronological Method) published this Second Tome before the Edition of the First? I answer; Because in my primitive undertaking of this Subject, (upon the motion of an Honourable Great Officer of State) I designed it to be the First, beginning my Collections from the First Year of King John, when the Charter, Clause, Fine, Liberate, and Patent Rolls in the Tower begin; All the rest, (except some few Chartæ Antiquæ of former Kings reignes never transcribed into Rolls,) being long since perished, or lost beyond recovery: and accordingly fitted it for the Presse; But afterward upon second thoughts, and motions, mounting my Chronological Collections, (in relation to the Kings of our Isle) as high as the first preaching, embracing of the Gospel therein by the Apostles, or their Disciples, and to Lucius our first Christian King, and deducing them down to King John, in a more copious manner then I originally intended; (a Work of much pains, search, study, difficulty, requiring farr longer time to compile then this Tome, & swelling to another large Folio Volume;) and my Chronological Introduction to it from Adam, (the first Monarch in the World) till Christs Ascension into Heaven; and from thence, (in relation to the Roman, Greek, German Emperors, and other Christian Kings in forreign parts, till our modern age, thought fit to be superadded) amounting to another Volume, requiring a larger proportion of time then I can yet promise to my self, had I no other publike or private Divertions to interrupt its progresse: I was thereupon not only induced, but in some sort necessitated to prapone this Second Tome in point of publication, before the First, lest death or sickness should deprive posterity of both. Whereas if God shall preserve my life, health; afford leisure and encouragement, I intend to publish the First, with other ensuing Tomes with all convenient expedition.

What the General, and particular Contents of this large Volume are, the Title Page, the Table of the Books and Chapters, and

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and Index in the cloze thereof, will fully satisfie the perusers. If any require an account from me, What persons may probably receive information or benefit thereby? I answer with all humility, and sobriety, That (if I be not much mistaken,) Our KINGS Themselves, their Great Officers of State in England and Ireland, the reverend, learned Prelates, Divines, Judges, Lawyers, Nobility, and Gentry in both these Kingdoms; and all studious professors of the Protestant Faith, or Romish Religion, may receive more or less advantage thereby in these particulars.

First, our Kings and Counsellors of State may herein discern, the antient Ecclesiastical and Civil Prerogatives, Jurisdictions, Rights, Liberties of the Kings, Crowns, Kingdoms, Churches, Clergy, Subjects of England and Ireland, herein vindicated; and by what Papal artifices, frauds, conspiracies, policies, treacheries, violences, instruments they were gradually invaded, undermined, encroached, usurped upon, and trodden under foot by Popes, their Legates, Nuncios, Agents, Confederates; how they were countermined, opposed, and those recovered from them by degrees.

2ly. Our Protestant Bishops, Clergy may here learn and discover, how treacherous, rebellious, seditious, undutifull, their Popish predecessors frequently were to our Kings, Kingdoms, Churches, yea to their own interests; how oppressed, fleeced, tyrannized over, vexed, squiesed, enforced to trot to and from Rome, and other foreign parts, whiles under the Tyrannical Usurped Jurisdiction, Citations, Censures, arbitrary Power, Rapines, Provisions, Oppressions of Popes, their Legates, Nuncios, and other Agents sent from Rome; and what just cause our Kings, Kingdoms, Churches had, in point of conscience, as well as policy for their publick ease, liberty, safety, tranquillity, prosperity, to cast off their Usurpations, Innovations, Oppressions, and renounce all subjection to, or communion with the Roman Pontifs, See, Court, for their manifold Corruptions, Extortions, Abuses, Frauds, unsatiable Avarice, detestable Tyranny, Bribery, Simony, Injustice, Ambition, Pride, Treachery, antimonarchical, and antichristian practises, which even our Popish Kings, Nobles, Commons, yea sundry of our most conscientious Romish Prelates, Monks, Priests, Historians publikely abominated, and protested against, with highest detestation. Which if now duly pondered by those of the Romish perswasion, may justly move, perswade them to reject both the pretended Authority, Sanctity, Infallibility, and real Corruptions of the Popes, Court, See, Church of Rome, and return to  
B 2 their

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## The Epistle to the Readers.

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their due Allegiance to our Kings, and unto the bosom of our Reformed Church; wherein the true worship of God is more sincerely performed, his Word more orthodoxly, powerfully preached, his Sacraments more purely administred, then in any of the Roman Churches, or in the Popes own Chappels.

3ly. All Judges, Practisers, Students of the Common Laws in England or Ireland, may here peruse some memorable resolutions and Records concerning points of Law; many Excellent Rare Writs, Prohibitions, Patents, and other Records not formerly published, (for the most part hitherto unknown;) against the illegal Constitutions, Canons, Assemblies, Oathes, Inquisitions, Interdicts, Excommunications, Provisions, Extorsions, Rapines, Oppressions, Vexations, Citations, Appeals, & other Usurpations of Popes, Legats, Nuncios, Delegates of Rome; yea some of our Popish Archbishops, Bishops, Archdeacons, and their Ecclesiastical Officers, Courts, upon the Rights, Prerogatives of the Crown, the Kings Temporal Courts, Lawes; the Advowsons, rights, Properties of Patrons; the Liberties, consciences of the Subjects in England and Ireland, when ever invaded, or endangered by them.

4ly. The learned Nobility and Gentry of both Nations studious of History, Antiquity, Church or State-affairs, may herein peruse many rare, usefull Records, never formerly brought to publike view, illustrating divers obscure, rectifying some mistaken passages, supplying sundry defects in our Histories and Annals in the reigns of King John, and Henry the III. especially concerning the Archbishops, Bishops, Bishopricks, Affairs of Ireland, and sundry transactions between these Kings, their Embassadors, Procurators, and the Popes, Cardinals, Legates, Nuncios, Court of Rome, not extant in former Histories or Authors.

Perchance some Readers may demand, why I printed all the Records in their proper Latin or French Dialect, and most of the Historical passages interwoven with them out of Matthew Paris, Matthew Westminster, and other Latin Historians, Writers, in their own Language? I answer, I did it upon 3. accounts, 1. Because I conceived they would be more authentick, usefull, gratefull (especially to Lawyers and Gown-men) in their original proper Dialects, then in the best English Translation. 2ly. To avoid all cavills, exceptions of Criticks, or Romanists, against their translations, wherewith they would evade, when as now they cannot deny nor disprove their authority, being presented to them in their



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their proper words: 3ly. To make them more communicable and diffusive to Statesmen and Scholars in forraign parts.

If any Chronologers shall find fault, that some few Records and Historical passages herein mentioned are inserted out of their due Chronological series, or years to which they relate; If they consider, that this was occasioned, either by the continued series of the History to which they relate, hapning in divers years, which could not well be dis-joyned without greater inconveniences; or to unite some Records or Stories of the same kind together, illustrating or ratifying each other, though different in time; or else by casualty or oversight at the Press; and will if they observe how the distinct years, rolls of every Record, and of most Historians, are truly cited, quoted in the Text or Margin: I hope it will be reputed no Solecism, nor just ground of complaint.

Perhaps some other curious Perusers of this Work, may charge me with Tautologie, or surplusage, for inserting several Letters, Procurations of our Kings to Popes, Cardinals, and Proctors sent to Rome, or several Patents, and Prohibitions to distinct persons, Courts, running almost in the same words; But I hope the rarity and novelty of them, never formerly published in print, their confirmation and explanation of each other, (especially in cases of Prohibitions) and the matters contained in them, not mentioned in Story, together with my care to avoid the censure of omitting or concealing any records of this nature wherewith others might upbraid me: And the constant Practice of the Clergy, Popes, Prelates, Church and Laicks of Rome, (most likely to pick quarrels with me) in repeating sundry dozens, scores, if not hundreds of Pater-Nosters together on their Beads, (though that prayer was purposely instituted by Christ himself, to avoid and condemn all such repetitions) and likewise Reiterations of Ave-Maries, of the name of Jesus, and other Petitions, ejaculations in their Primers, Letanies, Missals, Jesus Psalters, Breviaries, Offices, Howers of the Virgin Mary, Manuals of Prayers, and other their Bookes of publike and private Devotion; will at least acquit, if not justifie me against this exception.

That which I deem some polite, dainty Readers will most censure me for, is want of Elegant, lofty, eloquent language, embellishments and transitions: But this defect, my declining age, want of competent time to review, polish every passage, together with the gravity, variety of the subject matter, the usual Vulgar stile of most of  
our

\* Mat. 6, 7,  
8, 9, 10.

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The Epistle to the Readers.

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\* Zeph. 1. 8.  
1 Pet. 3. 3.

our Records and Law-books, will apologize for this defect: A plain English Garbe, modest natural beauty, busb, being in Gods and wise mens judgements, better, decenter, commendabler, then any fantastick \* outlandish habit, a painted, spotted face, or effeminate, powdred, frizled head, not of Gods or Natures making, but the Barbers or Tyre-womans.

To conclude, all I shall desire of my ingenuons Readers, is, a friendly construction and kinde acceptation of these my Lucubrations, a free pardon of all defects, or involuntary oversights, ( if any shall occur therein ) together with their cordial prayers for Gods assistance, and enablement of me in the compleating of the remaining Tomes, if they shall be judged usefull for the publike, or gratefull to posterity: there being few or none I know, or hear of, who will probably be at the pains or cost to carry on or compleat them, when I am translated hence to a better world, and shall rest from all my Studies, labours in this. Farewell.

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THE

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**The GENERAL CONTENTS of the BOOKS  
and CHAPTERS contained in this Second Tome;**  
*All the particulars whereof, being many and various,  
are comprised in the TABLE.*

**BOOK 3: CHAP. 1. page 227.**

**C**ontaining Evidences of King John's Supream Ecclesiastical Jurisdiction over all Bishops, Religion and Ecclesiastical persons, Causes, Bishopricks, Monasteries, Tithes, Advowsons, in granting Licenses to elect, and to approve or reject Bishops, Abbots, when elected; Examining the Jurisdictions of all Ecclesiastical Courts, Imprisoning, banishing Bishops, Clergy-men, seizing their Bishopricks, Spiritualities; Confiscating their Goods, Benefices, for their Contempts, Rebellions, Treasons against him, and obedience to the Popes Interdicts, and other unjust Commands: with other particulars; and his strenuous, vigilant defence of the Rights of his Crown, against Provisions, and other Papal and Prelatical Usurpations in England and Ireland, till the 15. year of his Reign.

**CHAP. 2. page 270.** Of King John's most unworthy prostitution; not only of the undoubted Rights and privileges of his Crown, but of Himself, his Diadem, Kingdomes of England and Ireland, after so many years Glorious Contests, to the Tyrannical Usurpations of Pope Innocent, and his own Trayterous Bishops and Clergy; Of his resignation of his Crown and Kingdomes by Two supposed Charters, (but in truth only by one) to the Pope and his Successors, and resuming them as their Feudatory, under an Annual Rent. His Oath of Homage and Fidelity to the Pope, The Validity of this Charter, these Rents, and their payment debated; the present and subsequent Oppositions against them: This Kings Opposition against the Encroachments of his Treacherous, Rebellious Bishops and Clergy, who dealt most perfidiously with, and stirred up the Barons warrs, Rebellions against him, after they had forced him to resign his Crown, and protested against his unkingly actions, when accomplished by their own procurement and designs; with other memorable particulars and Records, relating to these transactions; and this Kings Charters, proceedings in Ecclesiastical Elections, Affairs, as Supream Patron within his own Dominions.

**BOOK 4. CHAP. 1. King Henry the 3. his succession to King John; his Coronation, necessitated Oath, Homage, Subjection to, Transactions, compliance with**



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## The Contents, &c.

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*with the Pope and See of Rome, against his own and the Nobles wills; his and their Complaints, Oppositions, Prohibitions against the Popes, Bishops, Clergies Incroachments, Exactions both in England and Ireland; with the chief passages concerning Ecclesiastical affairs in them during the first 20 years of his young and troublesome reign.*

CHAP. 4. pag. 447. *Containing sundry Records, Patents and Historical passages, evidencing this Kings Supream Jurisdiction in and over Ecclesiastical persons, Courts, Affairs, in England and Ireland: The intollerable Usurpations, Extortions, Oppressions, Innovations, Proceedings of Popes, their Legates, Agents, Instruments, to the prejudice of the Rights, Priviledges, of the King, Church, Kingdom, Subjects in both these Realms, with the severall Complaints and Oppositions against them: The English and Irish Bishops, Convents, Courts Christians Encroachments upon the Kings Temporal Courts, Rights, Royal Dignity, and Subjects Liberties; The Prohibitions, Writs, Oppositions against them; with the principal Ecclesiastical Affairs and transactions in relation to England and Ireland; from the beginning of the 21. to the end of the 40th, year of King Henry the 3d. his reign.*

CHAP. 3. p. 872. *Comprizing sundry evidences out of Law-books, Histories, and Records, manifesting this Kings Sovereign Ecclesiastical, as well as Temporal Authority, over all Ecclesiastical persons, Courts, Causes in England and Ireland. The Popes and his Instruments intollerable Extortions, Oppressions, Innovations, Encroachments both upon the Kings Prerogative, and Subjects Liberties, Properties, and their respective Oppositions, Complaints against them. Together with our Popish Prelates, and Ecclesiastical Synods, Courts illegal Usurpations upon the Kings Temporal Rights, Courts, Crown, Dignity, and Peoples Priviledges; with the severall Prohibitions, Writs, Mandates issued to restrain them: And some other Ecclesiastical Affairs, transactions between the King, Pope, and Court of Rome, from the end of the 40th, Year of King Henry the 3d. till the expiration of his Reign, Anno Domini 1272.*

A Brief, Necessary INTRODUCTION to An  
Exact Chronological Vindication, &c. wherein the Antient  
Sovereign Ecclesiastical Jurisdiction claimed and exercised by  
our Christian British, Roman, Saxon, Danish, Norman, and  
English Kings within their Dominions, is particularly stated; The Usurped  
pretended Universal Monarchy and Supream Authority of St. Peter, and  
Popes his imaginary Successors in his Chair at Rome, as well in Ecclesiasticals  
as Temporals, with their Claims, Titles to, and Grounds thereof, are concisely  
related, and fully refuted, subverted, even by the contradictory Practises, Devotions,  
Resolutions, Principles, Assertions of their Roman Church, Popes, Doctors,  
Votaries, concerning the Virgin Mary, and Christ; in opposition to our  
Reformed Protestant Churches and Religion.



His Second Tome being brought forth to the World's View before the First, I repute it not only convenient, but necessary, by way of Introduction to the Chronological and Historical part thereof, to present you with a Brief Account of these 2. particulars.

First, What Sovereign Ecclesiastical Jurisdiction it is; that our Christian Kings and Monarchs, as **GODS Chosen**, have claimed, exercised over all Prelates, Spiritual or other persons; causes within their Kingdoms and Dominions by an antient undoubted Right in all ages, from

their first Conversion to Christianity, as Supream Heads or Governors of them next under God, upon all emergent Occasions, unlesse when forcibly or fraudulently interrupted therein by Popes and Popish Prelates: and in what particular branches it principally consists:

Secondly, What pretended claims, the Popes or Bishops of Rome of later ages have made, and still make to the Supream, Universal Ecclesiastical, and likewise to the Sovereign, absolute Temporal Jurisdiction or Monarchy over all Patriarchs, Bishops, Clergymen, Emperors, Kings, Princes, Nobles, Laicks, Churches, Empires, Kingdoms, Nations throughout the World, whether Christian or Pagan; and particularly over our Kings, Kingdoms, Isles of Great Britain and Ireland:

Thirdly, By what fictitious Titles, Deeds or Conveyances, they derive and appropriate this Universal Ecclesiastical and Temporal Monarchy, wholly and solely to themselves and their successors in the See of Rome.

Fourthly, That the very Practises, Resolutions, and established Doctrines of their own Popes, Doctors, concerning the Virgin Mary, Christ, and Transubstantiation, refute, yea totally subvert this their pretended Title, Rights, unto this their Sovereign Universal Monarchy.

For the first of these: The Sovereign Ecclesiastical Jurisdiction claimed, exercised by our Kings, Monarchs, as **GODS Chosen**, over all Prelates, Persons, Causes within their Kingdoms, and Dominions in all ages, from their first conversion to Christianity, as Supream Heads or Governors of them next under God, upon all emergent occasions, is not (as our Romish Antagonists would perswade their seduced Protestants) an actual absolute authority to Administer the Word, Sacraments of Baptism &c. the Lords Supper, or confer holy Orders by their own actual imposition of hands, or exercise the Priests or Bishops peculiar ministerial Offices; nor yet by their Laws, Edicts, or Royal commands to abrogate, repeal, contradict, or dispense with any divine **Laws, Precepts, Ordinances, Institutions, Duties**, enjoined or prescribed by GOD himself to Nations, Articles of Religion, An. 1562. Artic. 36. confirmed by the Statute of 13 Eliz. ch. 12. Articles of Ireland, n. 57, 58. By which Speech in the Castle Chamber at Dublin, 22 Nov. An. 1628. Concerning the Oath of Supremacy, Lond. 1634.

See Bishop Jewels Defence of the Apology of the Church of England, part 1. ch. 2. divil. 3. part 6. ch. 11. 12, 13, 14, 15, 16. Queen Elizabeths Injunctions

his Church or Christians in the Old or New Testament; nor to set up or countenance any Idolatry, Heresie, Sect, False Doctrine, Worship, Superstition, Innovation, Corruption, Vice repugnant to the Word of God; which all true Christian Monarchs, Kings, how great soever, have utterly disclaimed: but it<sup>b</sup> principally consists in these ensuing branches, which will best define and explain it.

<sup>b</sup> See Bishop Jewel & Bishop Usher in (a) Sir Roger Twissden his Historical Vindication of the Church of England, chap. 5. A learned pithy Treatise to this purpose.

First, in a Sovereign power by their Lawes, Edicts to command, enjoyn all Ecclesiastical and other persons whatsoever within their Dominions, to serve, worship, professe, fear, love, obey the only true God: to believe, embrace the Holy Scriptures, and Articles of Faith revealed in them; to observe, keep, use all Gods moral Commandements, Evangelical Precepts, Sacraments, Institutions; perform all religious publike and private duties prescribed to them in their respective places, callings, as Christians, relating unto God, as well as to men; and to punish all such by themselves or their subordinate Ecclesiastical or Civil Magistrates, who shall obstinately, willfully or supinely offend in any of the premises, with Ecclesiastical or Civil censures, according to the quality of their persons and offences.

2ly. To prohibit, suppress, and extirpate to their power all Atheism, Blasphemy, Heresie, Idolatry, Paganism, Irreligion, False worships, Religions, Errors, Superstitions, Sects, Schisms, Prophanations, Crimes, tending to Gods dishonor, the prejudice or scandal of the true Religion, the endangering of their Subjects souls, or disturbance of the Churches as well as Kingdoms publick peace, by Laws, Edicts, and suitable punishments; inflicted on all who are guilty of such offences, as opportunity shall require.

3ly. To protect, maintain, countenance, encourage the Churches, Ministers, and people of God committed to their care in the faithfull publick and private discharge of their Christian duties both towards God and man.

4ly. To provide a competent number and succession of pious, holy, learned, painfull, able Bishops, Ministers, Pastors, diligently to preach, teach Gods Word, catechize, instruct both by Doctrine and Conversation; pray with, for, administer the Sacraments duely, and perform all other Episcopal, ministerial offices to them, and all their Subjects throughout their Realms; To provide competent maintenance for them: to enjoyn them diligently, faithfully to discharge their pastoral duties; avoid all scandals, offences, exorbitances in Doctrine, Life: And to rebuke, correct, remove, deprive them for negligence, Heresie, Scisme, Simony, Scandalous Crimes, and other offences in, or against their sacred places and Functions.

5ly. To prescribe, institute publike standing Sacred dayes, Festivals, Fasts for Gods ordinary publike worship; and Church-meetings, extraordinary Festivals, Fasts, Humiliations upon extraordinary emergent Occasions, (as Mercies, Victories, Dangers, Wars, Pestilences or other Judgements) and see them religiously observed.

6ly. To erect new Churches, Chappels, Parishes, Bishopricks, Archbishopsricks, Colleges, Houses of Religion; divide, unite, or dissolve old; to translate Bishops Sees from one City to another; yea Abbies, Priories into Bishopricks, & Bishopricks into Archbishopsricks; To endow them with what Ecclesiastical Priviledges, Franchises, Jurisdictions, Exemptions they please: to limit the bounds of their Diocesses, Provinces; exempt what peculiars, Churches, Free Chappels, Religious Houses, Societies they think meet from their Archiepiscopal or Episcopal Visitations, Jurisdictions, Censures; To settle their respective precedencies in all publike Councils, Solemnities, and determin all Controversies concerning the same.

7ly. To elect, nominate, approve, confirm; (yea antiently to invest *per Annulum & Baculum*) all Archbishops, Bishops, Abbots, Priors, and present to all Ecclesiastical Dignities, Offices, Benefices any ways belonging to their Crowns by patronage, lapse, or other prerogative, upon vacancies by death, translation, Simony, resignation or deprivation. To grant Charters, Licenses to Deans, Chapters, Convents or other persons to elect Bishops, Abbots, &c. yet so as to approve, or disapprove their Elections, when made and tendred to them for their approbation, upon just exceptions; To alter the manner of such elections for special reasons: To command Archbishops, Bishops, & other Officers by their Writs to ordain, consecrate, install, admit, institute, induct them when elected, approved, or Clerks presented by them, at such convenient times, places as they shall prescribe; and to punish them for their contempts or neglects therein: To remove, translate Archbishops, Bishops, Abbots, Priors, Priests, and other Religious Persons; yea transfer their Temporalities, Revenues, Glebes, Tithes,



Tithes, Reliques at their royal pleasures, from one Archbishoprick, Bishoprick, Abbey, Priory, Benefice, Order, Church to another, upon just or necessary reasons of piety, or state polity for the publike good.

8ly. To seise, sequester, and enjoy to their own proper uses, the Temporalities, revenues of all Archbishopricks, Bishopricks, and other Ecclesiastical dignities, during their Vaeancies, with all incident profits any wayes belonging thereunto, till they in their piety, justice or prudence shall deem convenient to fill them with successors.

9ly. To seise, sequester, confiscate the temporalities, real, personal estates; and indict, arraign, imprison, out-law, judge, condemn, banish, execute the persons of all Archbishops, Bishops, Abbots, Priests, or other Ecclesiastical orders, for their Contempts, Treasons, Rebellions, Conspiracies, Seditions, Murders, Felonies, or other civil Crimes against their Crowns and dignities, even in their temporal Courts, in as ample manner as any of their Lay-Subjects, notwithstanding Papal exemptions.

10ly. To demand and receive for the publike defence of the Church, Realm, and safety of their Government, persons, both Dismes, Aydes, Subsidies, Firstfruits, and Oathes of Homage, Fealty, Allegiance and Supremacy, from all their Prelates, Clergy; as well as from their Nobility or Commonalty.

11ly. To summon National, Provincial, Parliamentary Councils or Synods, at such times and places as they shall deem convenient, upon all just occasions; to compile out of the Scriptures, and publish formes of Creeds, Confessions of Faith, Articles of Religion, Liturgies, Laws, Canons, for the suppression or reformation of Atheism, Blasphemy, Heresies, Schismes, False Doctrines; Corruptions, neglects in matters of Religion, Doctrine, Divine Worship, Sacraments, Ceremonies, or circumstances belonging to them; or concerning the manners, lives, good government, ordering, disposing of all Ecclesiastical persons, Fabricks, Glebes, Tithes, revenues, or other Church-affairs whatsoever, and reforming of any abuses in them. To preside in their proper persons, or by such as they shall appoint, in all such Councils; Synods; to direct all their proceedings; to alter, reject, approve, or ratifie by their Edicts all or any of their Confessions, Articles, Laws, Canons, Votes, Decisions, Sentences, as they shall see just cause, when presented to them for their approbations: And to remove, prorogue, or adjourn such Councils, Synods, & dissolve them at their royal pleasures.

12ly. To receive, hear and determine; by themselves, their Assistants or Delegates, all final Appeals from, or Complaints against the irregular Proceedings, or unjust Sentences of any Ecclesiastical Councils, Synods, Archbishops, Bishops, Courts, or Jurisdictions whatsoever; (who have no more, nor other Ecclesiastical Jurisdiction nor consance of any causes whatsoever, commonly stiled \* *Spiritual or Ecclesiastical*, but what they by their Lawes, Charters, Concessions under their Great Seals have conferred on them; and what they derive by, from, under them, and execute in their rights, steads, names, by their authority.) To prohibit, restrain, redresse by their Prohibitions and other Writs from time to time (wherewith our Records abound) all such illegal Vsurpations, Encroachments of Jurisdiction upon their Royal Prerogatives, Temporal Courts, Jurisdictions, Lawes, or the Properties, Rights, Liberties, Consciences of their Subjects, by Ecclesiastical Constitutions, Canons, Visitations, Convents, Inquisitions, Oathes, Vexations, Interdicts, Excommunications, Sequestrations, Exorsions, Procurations, or any other Extravagances.

13ly. To prohibit any Ecclesiastical Prelates, Persons, to resort to General Councils beyond the Seas; unless specially licensed, elected, sent, or permitted by them; or assemble in any Synods or Convocations within their Realms, without their summons, or to debate, conclude any thing in them to the derogation or prejudice of their Crowns or Kingdoms; or \* *excommunicate* any of their Barons, Officers, Tenants in Capite, or any persons inhabiting within their Cities, Burroughs, Castles, Manors, ancient Demesnes, without their precedent privy and license, if within the Realm, or license of their Lieutenants, Chief Justice, or the Chief Officers of such Cities, Boroughs, Castles, Manors, or Demesnes: And command them when they or other Subjects are unjustly or illegally excommunicated, to absolve, and release them too; if imprisoned upon a *Capias Excommunicatum*, \* *without any Oath at all, or pledges ad remanendum*, upon caution or pledges given, only to stand to the judgement of the Church.

14ly. To appoint Vicegerents general, or other Commissioners of their natural born Subjects, by their Letters Patents under the Great Seal, to visit the Ecclesiastical State, persons, and punish, correct, order and redresse by Ecclesiastical Cen-

\* See 37 H. 8. c. 17. 1 E. 6. ch. 2. Sir John Davis his Irish Reports, p. 96, 97, 98.

\* See the Statutes and Customs of Clarendon, Tome 1. Book 2. ch. 11. p. 611, 612, to 616. Tome 2. Book 4. ch. 2. p. 799.

\* 26 H. 8. c. 3. 28 H. 8. c. 10. 31 H. 8. c. 10. 36 H. 8. c. 17. 1 Edw. 6. c. 2. 1 Eliz. c. 1. 8 Eliz. c. 1.

tures in their rights and by their authority all Heresies, errors, crimes, offences, contempts whatsoever, punishable by the Ecclesiastical or Spiritual Lawes of their Realms.

15ly. To nominate and appoint what Archbishop or Bishop should annoint, crown, or re-crown Them or their Queens, Sons; and at what times, places; notwithstanding any pretences of custom, or prescription to the contrary.

16ly. To license Archbishops, Bishops, Clergy-men to make Wills, devise goods, Legacies, or to hold other Ecclesiastical promotions, benefices, ( by way of *Commenda* ) with their Bishopricks; and exempt Clerks employed in their special service from residing on their benefices during such imployments and their royal pleasures, without Episcopal coercion or censure for *Non-residence* : To deraign or enable Monkes, Nuns, and other religious persons, to purchase lands, or take farms, or sue, elect, marry, upon special occasions.

17ly. To prohibit the alienation of Lands from, by, or in mortmain, unto any Ecclesiastical or religious persons, houses; or the appropriation of any benefices to them, without their special License; or the ordination of the sonnes of Villains by Ordinaries to be Priests, Deacons, or the admission of them, or any Infants to be Monks or Nunnes, by Abbots, Priors, Abbesses, without their Lords or Parents previous assents.

18ly. To admit, install, induct Clerks into Prebendaries and other Benefices, and collect Subsidies granted by the Clergy, by Lay hands, or other persons particularly authorized by their Patents for that purpose, when Ordinaries, Archdeacons, Prebends, or other Ecclesiastical Officers neglect, or refuse to do their duties therein.

19ly. To denounce Anathemas, Execrations, and Excommunications by their own royal Charters, as likewise with and by their Bishops, against all infringers or violators of their Charters, and the Donations, Priviledges, granted in or by them to Monasteries, religious Houses, or to the generality of their Subjects, by the Great Charters of the Liberties of *England*, and the *Forrest*, and by other publike or private Charters; And to command their Bishops to excommunicate all such as should take up arms against, or deprive them of their just Rights.

20ly. To prohibit all their Archbishops, Bishops, Clergy, Subjects to own, acknowledge, or receive any person for Pope, ( especially in cases of Schismes and pluralities of elected Popes ) but such as themselves should first receive, admit, and proclaim to be a lawful Pope, upon due examination of the legality of their Electors, claims in Councils or Synods specially summoned by them for that purpose. To disown them, their Papal authority, Legates, Bulls, when and whiles they opugned, disowned their just Regal Jurisdictions, Rights, Lawes, or requests: and To set up new Popes in opposition against them upon just occasions.

21ly. To prohibit all Appeals to Popes or the Court of *Rome*: All resort of any of their Archbishops, Bishops, Abbots, Priors, or other Ecclesiastical persons to the Popes presence, Court of *Rome*, Councils upon summons or otherwise, without their special license first obtained, under pain of High Treason, banishment, confiscation of their estates, and other penalties: nor yet during Papal schismes or vacancies of Popes, to seek for any confirmations, Dispensations, or Faculties from *Rome*, but only from their own Metropolitans.

22ly. To permit no Popes Legate *à latere*, Nuncio, or Agent to come into their Dominions, unlesse by their special previous request, or license; nor yet to enter, land in, nor passe through their Realms to *Scotland*, *Ireland*, or other places, without first taking a special Oath, or giving caution, to bring, receive, act or do nothing in their going, staying, or returning, to the Kings or kingdoms prejudice, nor against the rights or prerogatives of the Crown.

23ly. To prohibit any Bulls, Letters, Messengers, to be sent out of, to, or brought from Popes, or the Court, Agents of *Rome*, into their Realms or Dominions, ( especially in times of jealousy, discord or variance between our Kings and Popes, Bishops ) under pain of imprisonment and other mulfets; and command all Officers of the Cinque-ports and other Havens, diligently to search after and seise such Bulls, Letters, and the importers or exporters of them, with care and diligence.

24ly. To prohibit their Papal Laws, Canons, Decretals to be read, used, taught, professed or executed in their Realms, and order their books to be torn, burnt; the

the professors of their Canon Lawes to be silenced, as inconsistent with, repugnant to the Lawes, Customes, Peace, Profit of the Realm; the Rights, Privileges of their Crowns, and oppressive, vexatious to their Subjects. To order all Canons made by their own Bishops, Convocations, without or against their Royal assents and their Nobles in Parliament, or in derogation of their Lawes, Crowns, Rights, or Subjects Liberties, to be null'd, revoked, suppressed.

25ly. To prohibit under paines of *Premunire*, and other severe punishments, all Papal Provisions, or Donations of Bishopricks, Ecclesiastical Livings, Dignities or Preferments; All Collections of Annates, Firstfruits, *Peter-pence*, Croysadoes, Procurations, Dismes, Tenths, and other Extortions by Popes and their Agents; To banish their Legates, Nuncios, *Italian* or other Merchants, Usurers, Brokers, and other instruments of Rapine, Oppression, Extortion; with their forreign beneficed Clergymen, (who devoured, transported the wealth, disclosed the secrets of their Realms, but starved the souls of their Subjects,) out of their Dominions; Yea Popes themselves, with their whole Papal usurped Jurisdiction, Errors, Superstitions, Innovations, repugnant to Christs institutions, and the sacred Scriptures.

In these respective Heads, and some other particulars of lesse moment, which may be reduced under them, the Sovereign antient Ecclesiastical Jurisdiction claimed and exercised by our Kings from time to time, doth principally consist, as our Histories and Records attest beyond contradiction. Which (though sometimes hindred, interrupted by the unchristian Interdicts, Excommunications, and antimonarchical Practices of insolent Tyrannical Domineering Popes; seconded with the execrable Treasons, Conspiracies, Rebellions of their own Prelates, Subjects, or forreign potent Enemies excited by and confederating with these Roman Pontifs) they still claimed and retrieved at last.

For the 2<sup>d</sup>. The Popes of Rome, (as St. Peter's pretended Successors in his wooden Chair reserved at Rome (for which Pope <sup>a</sup> Paul the 4th. Anno 1557. instituted an Annual solemn Festival to be celebrated by all the Catholick Church, on Jan. 18. and to which the Popes pretended Supremacy and Infallibility are annexed) and as Christs Universal Vicars, Successors, in his Regal and Sacerdotal Sovereign Power over all powers, creatures, both in heaven, earth, and under the earth,) do challenge to themselves, a General Sovereign Monarchical Jurisdiction, as well in Temporal, as Spiritual and Ecclesiastical things, over all Churches, Empires, Kingdoms, Nations, Bishops, Clergymen of what degree soever, and all Emperors, Kings, Princes, Potentates, Persons throughout the World, as well Pagan as Christian; not only to feed and instruct them, as their Universal Pastors, but likewise to root out, pull, or throw down, destroy, plant, build up, remove, depose, rule, correct them with Ecclesiastical and Temporal censures, and to dispose of, transferr, their Dominions, Crowns, Scepters, Bishopricks, Benefices, as they shall seem meet, and give them to whomsoever they please; yea their usurped power is so absolute, that to use their own words, instances in some, not all particulars; *Papa de plenitudine potestatis, potest declarare, limitare, et dispensare, contra Jus divinum, et contra Apostolum; Potest tollere jus positivum sine causa.* <sup>d</sup> Est super omnia Concilia, quæ interpretatur, tollit, corrigit et alterat. Potest omnes res Ecclesiæ alienare, etiam si jurasset non alienare, quia sibi non potest imponere legem etiam jurando. Potest ultimas voluntates mortuorum alterare et commutare, and that sine causa, (against Gods and all other mens resolutions, Gal. 3. 15.) In brief, *Papa est Juxta Ordinarius omnium hominum totius mundi, et potest citare et judicare quemlibet ubicunque existentem. Papa omnia potest de plenitudine potestatis quam solus habet, cæterorum Principum nullus; Yea ejus sententiæ est standum, etiam si contradiceret Ecclesiæ: For Papa solus potest sententiam definitivam proferre in Episcopos totius orbis: Yet he alone is so supertranscendently paramount all other persons whatsoever, that Papa nec de, nec pro ullo crimine deponi, judicari, redargui, vel accusari, potest etiam si esset incorrigibilis, et perseveret in peccato notorio, vel turbaret statum Universalis Ecclesiæ, quoniam superiorem caret coram quo posset accusari, et ex quo non potest ab alio judicari, frustra esset denunciatio et admonitio; none being obliged so much as to admonish him privately for the most notorious scandalous crimes, but only those Grandees qui circa ejus latus sunt, sed rereverenter, non per modum correctionis;*

II.

a Ribadeniera  
Les Fleurs des  
Vies Saints,  
Part 1. p. 150.  
De la Chaire  
de Sainte Pi-  
erre a Rome.  
b Sé Dr. Mar-  
ta Pars 1. c. 17.  
n. 15 c. 25. nu.  
1. 7. c. 24. n.  
1. 9. 28. c. 42.  
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c Dr. Marta  
De Jurisdictione,  
pars 1. c.  
24. n. 40, 41.  
pars 4. Cal. 79.  
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n. 3. 14 Pars  
2. c. 37. n. 2. 5  
d Marta, Pars  
2. c. 43. n. 61.  
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n. 4, 5. Pars  
4. Cal. 195.  
n. 14. 25. Cal.  
74. n. 1, 6, 7.  
c Marta, Pars  
4. Cal. 56. n. 12  
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n. 14. c. 18. r.  
34. c. 19. n. 8.  
c. 9. n. 9, 5.  
f Alvarus Pel-  
gius de Plandiu  
Eccles. 1. 1 c. 14  
to 79. Marta  
Pars 2. c. 37.  
n. 3, 33, 34.



h De Romano Pontifice l. 4. c. 14. See Augustinus Bellarminus Enervatus, l. 3. c. 6, 7.

\* Alvarus Pelagius de Planctu Eccles. l. 1. Art. 37. Marta pars 1. c. 9. n. 4. i Marta, Pars 1. c. 41. n. 1. 19, 20, to 36.

k Marta Pars 1. c. 9. n. 14. & c. 15. n. 12. c. 16. n. 7. c. 17. 6. c. 29. n. 16. Pars 4. cap. 56. n. 3. cap. 198, 199. l Idem Pars 4. cap. 56. n. cap. 59. n. 1, 5, 11.

m Idem Pars 4. Cap. 1, 2, 3, 4, 6, 10, 20. Cap. 61 n. 17. & Pars 2. c. 44.

n Ibid. Pars 4. cap. 42.

o Idem, Pars 4. Cap. 11. n. 13. cap. 10. nu. 6. cap. 64. n. 4, 5, 6. Pars 2, cap. 6.

rectionis, sed per reverentiam charitatis: Yea, if<sup>h</sup> Cardinal Bellarmine may be credited, Si Papa erraret præcipiendo vitia, et prohibendo virtutes (as some Popes have done) tenetur Ecclesia credere vitia esse bona, et virtutes malas, nisi vellet contra conscientiam peccare, nec de hac re dubitare, sed simpliciter obedire: Or, if he should send innumerable souls to Hell (by illegal Excommunications, or such impious commands, his evil example, or absolute will) yet, nemo potest illi dicere, Domine cur ita facis? And this must be believed, \* de necessitate salutis, under pain of Heresy and Damnation..

I shall instance in more considerable branches of the Popes Monarchical Power, insisted on by Dr. Marta and others quoted by him, to wit, <sup>1</sup> Papa potest excommunicare et privare omnes Reges et Principes sua dignitate, et absolvere eorum subditos a Sacramento, ne eis fidelitatem obserbent, recusantes stare capitulationi pacis, of Popes prescribing: et potest Regna, Civitates, vel Castra interdicerere, vel auferre uni et dare alteri, pro bono pacis: et propter pacem publicam, potest remittere omnia damna et injurias subditorum. <sup>2</sup> Appellandum est ad Papam ex transmarinis Ecclesiis, ab Episcopis totius Orbis, a Conciliis, ab Imperatore et Regibus, et ab omnibus potestatibus, et eorum sententia ad Papam: Sed non a sententia Papæ ad Imperatorem, vel Concilium est appellandum. <sup>3</sup> Statutum vel Privilegium a Papa concessum, nullo modo potest prohibere, ne habeatur recursus vel appellatio ad Papam, quia Pontifex Summus est Iudex Ordinarius omnium hominum totius mundi, et Ecclesia Romana est Refugium omnium oppressorum. Sed a Judicibus Laicis appellatur ad Papam, quando injustitia Imperatoris vel Regis, aut aliorum Principum non recognoscentium superiorem, est notoria. Non solum ratione peccati commissi propter notoriam injustitiam, vel quia ipsius causa potest turbare pacem universalem, sed etiam ratione propriæ temporalis Jurisdictionis quam Summus Pontifex habet in Universo. Yea, <sup>4</sup> Leges Principum Secularium etiam ad publicam utilitatem et necessitatem conditæ, nullo modo ligant Ecclesiasticos, nisi fuerint a Pontifice confirmatæ. Clerici et Ecclesiæ, etiam volentes et cum Episcopi auctoritate, non tenentur ad onera publica, vel subsidia, vel annona, vel tributa, nisi consulto et approbante Romano Pontifice: That the Pope (and Bishop too) may

repeal, null all Laws of Emperors, Kings, kingdoms, against the Priviledges, Canons, Constitutions of the Church or Clergy: Et quod possit præcipere Laicis, ut cassent hujusmodi statuta de libro Statutorum, alias submittere locum interdicto. Yea Bishops, Clergymens persons, lands, estates, goods, are so wholly exempt frõ any Secular Jurisdiction by the Laws of God (as they stile their Canons) & the Church, that

<sup>5</sup> Nullus Clericus etiam in flagranti crimine repertus, vel de fuga suspectus, potest nullo modo capi, vel prehendi per Laicos, vel Laicos Principes aut Judices. Yea such is their malice to Christian Emperors, Kings, Princes, and temporal Judges, (to whom they will allow no Jurisdiction at all in or over Ecclesiastical persons or things) that they resolve,

<sup>6</sup> Quod ipse Papa (by all his omnipotent boundless Sovereign Papal power, which they attribute to him) non potest concedere alicui Principi Jurisdictionem judicandi in Ecclesiasticos, nec totum ordinem Clericalem, nec causas Clericorum submittere Jurisdictioni Laicorum: because forsooth, Clerici sunt majores Laicis, etiam Principibus, et exempti a Deo de Jurisdictione Imperatoris et Principum, et ad Dei solius judicium reservantur. Item, quia reputantur privati, respectu Jurisdictionis Clericorum, cum nullam in eos exercere possunt. Ergo non possunt Principes urgere consuetudines, vel Privilegia acquirere Jurisdictionem in Clericos. Propter quam rationem ita decisum est pluries in Rota Romana (ut decis. 2. de Consuetudine in antiquioribus; & decis. 10. eodem Tit. in antiquis) ubi consuetudo Anglicana (in the Controversie between

tween

tween King Henry the 2. and Becket Archbishop of Canterbury) quod Rex habeat Jurisdictionem cognoscendi in Clericos, non valet: Et hanc opinionem tenet Innocentius in c. postulasti de foro compet. Archid. in c. 1. n. 2. glossa eodem, tit. l. 6. Ricardus de Curte, in tract. de consuetudine, sect. 5. m. 31. Rebuffus, super concordatis Francie, in tit. de protectione concordatorum, col. vers. fin. Tertio inferitur, Stephanus Aufser, in Addit. ad Capit. Thol. de q. 126. And which is yet far more, Popes and Popish Canonists assert, Statutum puniens Concubinas Clericorum (made by Christian Kings or Emperors) non valere: Et, Judices seculares nullo modo posse animadvertere in Concubinas Clericorum, nisi in subdium, impozati prius pro brachio ab Ecclesiasticis; Quia Concubina Clericorum, etiam respectu concubinatus sunt de foro Ecclesiastico, et nullo modo illarum animadversio respectu dicti concubinatus pertinet ad Judices Laicos: Quia ratione adjuncti, concubinatu patrato per Clericum, Concubina efficitur de foro Ecclesie; et ad Ecclesiasticum judicem est remittenda: quia Concubina Clericorum dicuntur deorum familia, et ibidem privilegium habet familia quod Dominus. Nec possunt Principes aut Judices Laici punire Concubinas Clericorum ob negligentiam Judicis Ecclesiastici, quia hoc non est jure Canonico dispositum, et regula incurtenda Excommunicationis (which they must incur by punishing them, even in case of their wilful neglect) est in contrarium. For which Dr. Maria cites Antonium de Prato, Ubertinus de Carreggio, Stephanus Aufserius, Boffius, Joannes de Ardeno, Alciatus, Menochius, Socinus, Sapia, Andreas Siculus, Socinus Junior, Bartolus, Parisius, Panormitanus, Goffredus, Ferrarius, Beomond (in tractatu de Concubinis) Riminaldus senior, Riminaldus junior, Folleriis, and the Bull of Pope Leo the 10. de publicis Concubinis, resolving, Cognitio istius criminis Clericorum & eorum Concubinarum pertinet ad solos Ecclesie Prelatos; Et Pontifex Leo prohibet per hac verba Secularibus, ne se intromittant circa hujusmodi animadversionem. Preterea inhibemus omnibus Secularibus viris, etiam si regali praeferant dignitate, ne ullum qualecunque inferant impedimentum, quocunque quasto colore, Prelatis, qui ratione officii sui, adversus subditos suos pro hujusmodi concubinato, et aliis causis, sibi a jure (Canonico) permisis, procedant; (by punishing them by their Lay Jurisdictiones) Nulla ergo voluntas Christianissimi Regis praelimi potest in ferendo legem, in animadvertendis Clericorum Concubinis; quod cum jure Canonico, tam specialiter per ipsum Pontificem inhibuit fuerat. Statutum itaque, de puniendis Concubinis Clericorum per Judices seculares nullo modo valere potest, (though convicted thereof, per sententiam, aut confessionem in jure factam, seu per rei evidentiam, qua nulla potest tergiversatione celari) quia est contra libertatem Ecclesie. Prima ratio est, quia cum hac cognitio (as well as fornicatio) pertineat ad Ecclesiam, hoc statutum esset de directo contra Ecclesie Jurisdictionem, et ita libertatem illius infringeret, ita in terminis hujus Statuti probat Felynus in Ecclesia Sanctae Mariae, n. 102. de Constit. Secunda ratio est valde notabilis Petri de Ancharan in Conf. 196. n. 4. Quia per hoc Statutum deteguntur crimina Clericorum, et infamarentur saltem de facto, et in mentibus fidelium scandalum generaretur, as Jacobus Berthechinus, Iason, Rebuffus, Jo. de Anania and Felynus (in their Texts there cited) conclude; et consuetudo et statutum emanans ad opprobrium Cleri (as they stile it, though in truth for their honor and reformation, springing meerly from the Piety and Justice of every Christian Emperor, King, State, to punish the Incontinency, adultery, Whores, Concubines of any Priests, Prelates, though Popes and Bishops connive at, or neglect to punish them) Non tenet: as Pope Leo and all the forecited Popish Doctors, (or rather Panders for the Romish lecherous Clergy) magisterially resolve: And that with this further addition, in derogation of the Temporal as well as Ecclesiastical Jurisdiction of all Christian Emperors and Kings; Laici non possunt coercere ius Canonicum, nec derogare juri Canonico, in this or any

a Maria Pars  
4. Casus 44

\* Add by like  
consequence all  
Sodomites,  
Murderers,  
Traitors,  
Theeves, Male-  
factors, if re-  
ceived into Bi-  
shops or Priests  
families.  
Nota.

\* Their own  
sins, not their  
punishments;  
detect and de-  
fame them,  
1 Sam. 1. 18;  
to 18. 29, to  
36. Mat. 2. 6;  
to. Jer. 23. 13  
to 33.

b Maria pars 44  
Cas. 28. n. 7.  
Cas. 58. n. 9:



any other particular: *Laicus factus Clericus post delictum, non est amplius de jurisdictione seculari, sed est de foro Ecclesie, etiam de delicto ante commissum*: (be it murder, theft, or any other Civil crime, as well as whoredome, adultery, or sodomy:) *Et factus Clericus post iudicium inchoatum coram iudice Laico, non tenetur comparere coram eo, nec potest amplius a iudice Laico multari vel iudicari.* After all which they

c Marta pars 4.  
Cal. 33. n. 14.  
Cal. 64. n. 19.  
Cal. 117. n. 6.  
7, 8. Cal. 141.  
n. 4. Cal. 176.  
n. 1.

d Marta pars 4.  
Cal. 101. n. 8.  
to 15. & Cal.  
64. See 37 H.  
8. c. 17.

e Marta Cal. 4.  
& Cal. 50.

f Commencar.  
ad cap. oportet,  
Distin. 79. n.  
13, 39, 64.  
g Surius Concil.  
Tom. 4 p. 658,  
659.

superaddo; *Laici non possunt facere testimonium contra Clericos in causa criminali, quia Laici sunt suspecti, infesti et odiosi Clericis.* And all this by the Popes, Bishops, Clergies transcendent Sovereign Jurisdiction, who by their Canons and Constitutions may null and controule all Kings, Princes penall Laws, against their crimes, vices, persons, estates, or pretended Priviledges, eclipse, restrain, suspend, abrogate their Regal Ecclesiastical and secular Jurisdctions, and render them meer cyphers at their pleasures, resolving further by their Canons; *Laici sunt omnino incapaces jurisdictionis Ecclesiasticae, nec longa consuetudine, nec temporis cuiuscunque decursu, nec prescriptionibus etiam immemorabilibus, neque ex scientia et tolerantia Summi Pontificis, sine consensu tacito, aut privilegio, jurisdictio in Ecclesiasticos, vel eorum bona acquireretur, quae Principibus probesse non possunt. Statuta Laicorum non sunt servanda in Curia Episcopali, nec ligant Ecclesiasticos, nisi fuerint expresse approbata per Papam*: no though, edita in patrocinium Clericorum, si statuta sint per modum legis. And yet not only Bishops, Priests, but all Emperors, Kings, and secular Judges must rigorously observe and obey all their Antimonarchical Canons, Laws, *Imo in foro seculari, et ibi causa iuramenti, et similes decidentur secundum jus Canoniceum.* These with sundry other Antimonarchical particulars you may read asserted at large in *Franciscum Bozzius Engubinus, De Temporalis Ecclesiae Monarchia, lib. 5. printed Coloniz Agrip. 1602. dedicated to Pope Clement the 8. in Thomas Bozzius, De Temporalis Ecclesiae Monarchia, Coloniz 1602. Jacobus Almyus, De Temporalis Potestate & Ecclesiastica, Parisiis 1526. Josephus Stephanus, De Potestate Coenae Romanae Pontificis, Romae 1586. & De Adoratione Pedum Summi Pontificis, Romae 1588. Alvarus Pelagius, De Planctu Ecclesiae, l. 1. Artic. 14, to Artic. 79. Venetiis 1560. Augustinus Triumphus, De Potestate Ecclesiae; Robertus Bellarminus Cardinalis, De Romano Pontifice; De Potestate Papae in Temporalibus, adversus Barclaeum, Coloniz 1610. Responsio, & Apologia pro Responsione sua ad lib. Jacobi Magnae Britanniae Regis, & Apolog. pro Jurament. fidelitatis, Coloniz 1610. Alexander Cacerius, De Potestate Romanae Pontificis, Coloniz 1601. in sundry Popes, Cardinals, Popish Schoolmen, Doctors, Canonists cited by them; and to name no more, by Dr. Maria, a Neapolitan Lawyer and Advocate in the Court of Rome, *Tractatus de Jurisdictione, per & inter iudicem Ecclesiasticum & Secularem exercenda, Moguntiae 1609. & Genevae 1620. dedicated by him, Sanctissimo & beatissimo Patri & Domino nostro Paulo Quinto, Pontifici Optimo Maximo*; to whom he renders this reason of its dedication to him, in his Epistle. *Et sane cuiusnam potius tot lustrozum Jurisdictionis lucubrationes debentur, quam Tibi, qui et Auctor Dei in terris, et e quo emanat omnis Jurisdictio, unicus in Orbe Pontifex, Imperator et Rex, omnium Principum superior, rerumque et personarum Supremus et Dominus*; as he endeavours to evidence him, his predecessors, and successors, especially in the first and last part of this his Folio Treatise. Hear only *Radolphus Cuperi* his assertion of the Popes transcendent Universal Monarchy; *Papa non solum Regibus et Caesaribus, sed omnibus sub coelo et supra coelum potestatibus exaltatur.* And this passage in the Oration of *Stephanus Patracensis Archiepiscopus*, 4. Maii 1515. to and before Pope Leo the 10th. and the Council of Lateran in Rome; *Ipse Magnus Constantinus a divina gratia afflatus desuper, cognita aeternitate Regis gloria & potestate, in Regnum suae Ecclesiae, et in possessionem maiestatis fidei in mundi Principatum post resurrectionem illius ex mortuis advertens, Sceptrum Imperii Orbis et Urbis, ac Monarchiam Universi,* vero*



vero ac proprio Domino, et omnium Creatori Attori Deo, et homini in sede sua Romana Sylvestro Pontifici Quarto, in iure primario et naturali Christi eterni Sacerdotis, secundum ordinem benedicti patris plene cessit, et Christum Regem magnum in suo Ecclesio per obedientiam adoptavit, (the forgery and falsity whereof sundry others and my self have \* elsewhere refuted) allamque sedem iussu illius et concessione Apostolica quæsit, et sub obedientia sedis Apostolicæ in Byzantio erexit. After which he subjoyns; Quapropter Bernardus, ad Eugenium, tanquam ad summum Pietarchicum in cælo Ecclesiæ virum, in quo erat omnis potestas super omnes Potestates tam cæli quam terræ, recte scripsit, Tibi data est omnis potestas, in qua totum dicit, nihil excludit. Thus have you heard the altitude, universality, and extent of this their Papal supertranscendent power in general.

What particular claims, Titles, Popes and their Advotates for them, have made to the City and Empire of Rome, Germany, the Isles and Dominions of Sardinia, Corsica, Canaries, Nigraria, and all other Islands whither the light of the Gospel hath been diffused; the Indies and New World, the Dukedome of Lorraine, Switzerland, the respective Kingdoms of Aragon, Bohemia, Cassel, Croatia, Dalmatia, Denmark, France, Granada, Hungary, Jerusalem, Italy, Lyons, Majorca, Minorca, Naples, Navarre, Poland, Portugal, Russia, Sicily, Spain, Transylvania, Wallachia, and particularly to our Kingdoms of England, Ireland, and Scotland, you may read at leisure in Dr. Marti, De Jurisdictione, pars 1. cap. 26. Gregorius Papa 7. lib. 1. Epist. 8, 13, 28. Augustinus Steuchus, De Donatione Constantini, p. 199, &c. Cæterum, l. 3. cap. 3. Polydor Virgil Hist. l. 17. Baronius Annal. Anno 1097. nu. 18, &c. Anno 1173. nu. 9, 10. Henricus Spandanus, Epitom. Annal. Baronii, An. 740. nu. 30. 775. nu. 7. 847. nu. 8. 1135. nu. 4. 1159. nu. 3. 1172. nu. 2. in Matthew Paris, Matthew Westminster, and Walsingham, An. 1155, 1213, 1214, 1301, 1302. and Dr. Richard Crakenborth of the Popes Temporal Monarchy, cap. 1.

For the third particular, by what fictitious and perverted sacred Charters Popes claim this their transcendent power and Universal Monarchy, the premised Authors will informe you, and I have \* elsewhere at large related. The Texts they principally insist on are Gen. 1. 16. Jer. 1. 10. Psal. 2. 8. Psal. 72. 8. Isa. 9. 6, 7. Psal. 45. 16. Psal. 89. 27, 37, 38. Dan. 2. 44. c. 4. 3, 34. c. 6. 26. c. 7. 14, 27. Mich. 4. 7. Ephes. 1. 20, 21. Luke 1. 23. Mat. 16. 14, 18, 19. John 21. 15, 16, 17. All which the premised Popish Authors and others blasphemously or absurdly apply and appropriate to St. Peter and themselves, as pretended successors to Christ, in his Kingly and Priestly Sovereign power. I shall only mention and insist on two Texts more, as properest for their purpose.

The first is Mat. 28. 18, 19, 20. where our Saviour Christ, immediately before his ascension into heaven, after his triumphant resurrection from the dead, spake thus to his eleven Disciples jointly, (not to Peter alone) saying, All power is given unto me, both in heaven and in earth: Go ye therefore and teach all Nations, &c. and lo I am with you alwayes, unto the end of the world. Whence they thus \* inferre by head and shoulders; Ergo all this power in heaven and earth then given to Christ, was immediately at his corporal ascension into heaven, transferred to, appropriated by him wholly and solely to St. Peter, and his Successors at Rome, (not Antioch his first See) as Christs immediate Successors or Vicars in his Regal and Sacerdotal Sovereignty. For answer heretunto, I would here seriously demand of any ingenious Papist, or religious Votary to the See of Rome, whether there be one syllable, or the least implication in this Text, 1. That this Sovereign Power was then given to our Saviour, only on purpose to delegate the immediate right or exercise of it both in heaven and earth, to any other person or persons? Or 2ly, That it was transferred wholly and solely to St. Peter, but not to the rest of the Disciples, to whom Christ then jointly spake these words, and as much to any other of them as to Peter; with this superadded precept and promise, inferred and deducted from this his power, Go ye (in the plural number, not thou Peter, or Peter only) therefore into all the world, &c. And lo I am with you (all, not with Peter alone, and his Roman Successors) alwayes, even unto the end of the world. Or 3ly, What shadow of evidence can they produce, that St. Peter ever claimed or exercised

\* See Tom. 1. Book 2. ch. 3. p. 56, to 64.

III.

\* Book 1. ch. 2, 4, 9.

\* Thomas Bezzius, De Temporalis Ecclesiæ Monarchia, l. 1. c. 27. l. 2. c. 16. l. 3. c. 14. l. 4. c. 14. Marti de Jurisdictione, pars 1. c. 4. p. 36, 37. c. 83. to c. 14. Alvarus Pelagius de Planctu Ecclesiæ l. 1. Artic. 37. and sundry others.

a See Centur.  
Magd. 2. c. 7.  
col. 518, to  
530.

b Benno Cardi-  
nalis, Platinus,  
Stella, Marti-  
nus Polonus,  
Sabellicus, Fa-  
sciculus Tem-  
porum, Vola-  
terranius, &  
Barnes, Bal-  
zus, Centuri-  
Magdeburgen-  
sis, and others  
in their lives,  
& Book 1. ch.  
5. Theodoricus  
à Niem, & Ma-  
rius de Schif-  
mate.

c Franciscus  
Bozzius de  
Temporali Pa-  
pe Monarchia,  
l. 4. c. 14. An-  
tonius de Ro-  
sellis Monar-  
chia, pars 1. c.  
18. Arnoldus  
Carnotensis,  
Tract. de Lau-  
dibus Virginis.  
d See Eph. 1. 20,  
21, 22. Rom. 8.  
34. Hebr. 10.  
12, 13.

e Book 1. ch.  
3, 4.  
f De Jurisdic-  
tione, pars 1. c.  
22 n. 1, to 10.  
Hostiensis in  
cap. superbis,  
de voto, D. An-  
toninus in 3.  
parte Summæ,  
Tit. 3. cap. 2.  
Jac. Almayn  
de Potestate  
Papæ, c. 8.  
Cacerius, and  
others.

such a Sovereign power; as then delegated to him by Christ; which himself pro-  
fessedly several times disclaimed, both in words, deeds, and writing, as *Acts* 2. 34,  
35, 36. ch. 4. 10, 11. ch. 5. 31, 32. ch. 8. 14. ch. 10. 25, 36, 42. ch. 11. 2, to 19.  
*1 Pet.* 2. 6, 7, 13, 14, 17. ch. 5. 1, to 7. *2 Pet.* 2. 1, 10. ch. 3. 2, 15. directly and in-  
fallibly assure us, against this Pontifical whimsy. Or 4ly. What irrefragable  
proof, that St. Peter ever sat an actual or sole Bishop of Rome, or fixed his Sovereign  
Episcopal Chair or See for ever in it? which the Sacred and Evangelical story  
seems to <sup>a</sup> contradict. Or 5ly. That ever Christ himself, or St. Peter, transferred or  
perpetually appropriated this Sovereign Universal Kingly and Priestly power, to any  
or every the Bishops of Rome that should succeed him in that See, (in case he ever  
sat there) to the end of the world, though an *Heretick*, *Schismatick*, *Adulterer*,  
*Sodomite*, *Nicomancer*, *Symoniack*, *Childe*, *Tyrant*, or the most ambitious, avaricious,  
vitious, flagitious, luxurious, impious, atheistical Prelate ever breathing in the world, as  
many of them have been, or a notorious strumpet, (as Pope *Jone*) as their <sup>b</sup> own & other  
*Historians* attest; to omit the frequent plurality of Popes at once, condemning, excom-  
municating, murdering, degrading one another, as antichristian and uncanonical. Till all  
these with other particulars be fully demonstrated by Scripture, or other irrefragable  
Authorities, not by their own Testimonies in their own cases, this Text (to which  
themselves entitle the Virgin Mary, as Queen, Emperesse of heaven and earth) will no more evince St. Peters or the Popes Universal Monarchy, then those premised.

Their second claim and <sup>c</sup> Title to it, is *Phil.* 2. 9, 10, 11. *Wherefore God hath highly  
exalted him, (Christ Jesus, not Peter) and given him (not Peter or his Roman suc-  
cessors) a Name above every Name; that in the Name of Jesus (not Peter or the  
Pope of Rome) every knee should bow, of things in heaven, and things in earth, and  
things under the earth: And that every tongue should confesse that Jesus Christ (not  
Peter, nor the Pope) is Lord, to the glory of God the Father, (not of St. Peter or his  
successors at Rome.)* But how this Text (which they likewise alledge for the Virgin  
Marys Universal Monarchy) can with any colour of truth, or without highest blas-  
phemy, injury to Christ, be applied, appropriated by Popes and their Parasites to  
Mary, or to Peter and themselves, as Christs Vicars upon earth, let all who have  
judgement or conscience discern: Since St. Paul the Apostle hath appropriated it to  
Jesus Christ alone, <sup>d</sup> as highly exalted to, and sitting down on his Fathers throne, at the  
right hand of his Majesty, in the highest heavens, as his words expressly resolve; and it  
is altogether incommunicable to St. Peter, much more to Popes, as every syllable in  
the Text, context, and the illative *Wherefore*, infallibly demonstrates. They must  
therefore for ever disclaim any colour, right or Title to this their Universal Sove-  
raign Monarchy, or any other mis-alleged Texts, which I have <sup>e</sup> elsewhere answered  
at large, and shall not here insist on.

The original basis, ground-work, reason of St. Peters and the Popes Uni-  
versal Monarchy, in Temporals and Spirituals, is thus laid down by <sup>f</sup> Dr. Marta  
and other Pontificians: *Duo tempora consideramus in Christo. Alterum ante passionem; & tunc propter humilitatem judicare recusavit. Nam Lucæ c. 12. dixit, Quis me constituit divisorem inter vos? & Joan. c. 18. Regnum meum non est de hoc mundo. Alterum vero post resurrectionem, & tunc dixit; Data est mihi omnis potestas in cælo & in terra: Mat. ult. & Joan. ult. Sed post resurrectionem dedit potestatem Petro, eumque constituit Vicarium suum: (transferring all this his Sovereign Power both in heaven and earth, to him: and the Pope of Rome.) Ergo ex potestate Domini, metimur potestatem Vicarii. Et Pontifex Romanus similem habet potestatem divinorum, & jurisdictionem in temporalibus & spiritualibus, quam habuit Christus Dominus noster, ut perfectus homo: Et ex ordinatione divina constitutus est super gentibus & regnis, & habet utramque potestatem de & per se, & potest jurisdictionem temporalium temporaliter, non autem directe tantum exercere.* So as by their determinations, St. Peter and Roman Popes had neither any Temporal Sovereign Regal or Pontifical Universal power over all Kingdoms, Nations, Churches, Monarchs, Bishops in the world before, but only from and after Christs resurrection and ascension into heaven, when he both received all Power in heaven and earth formerly promised, and then given him by his Father, and immediately transmitted the right and exercise thereof to St. Peter, and Popes succeeding him at Rome, (not Antioch his first See) as his sole Successors and Vicars, to manage both his Kingly and Priestly offices on earth, during



ring his personal absence from his Church, by reason of his corporal residence at his Fathers right hand in heaven, untill his second coming to Judgement; he having no need of a *Vicar general*, or *Successor* to represent his person, or supply his corporal absence from his Church, and exercise his Kingly or Priestly offices whilst bodily present upon earth, and therefore instituted none till he ascended into heaven. So as Christs corporal absence from the earth, upon his departure to heaven in his humane nature, and bodily presence; and the necessity and conveniency (as they hold) of one *Universal Vicar* and *Viceroy*, to supply his bodily absence, and succeed him in the execution of these his offices in the Church Militant throughout the world, are the sole reason, ground, foundation of *St. Peters* and the Popes pretended Temporal and Ecclesiastical Monarchy. And if this basis thereof be once subverted, the whole superstructure must presently fall to the ground, and come to ruine. I shall therefore in the 4th. place addressse my self to undermine this foundation, with all convenient brevity: 1. By expresse Scriptures. 2ly. By the Resolutions, Canons, Decretals, Doctrines, Practices of the Church, Councils, Popes, Cardinals, Schoolmen, Casuists, Canonists, Civilians of the Church of *Rome*, in opposition to those of the Protestant Religion, relating to the Virgin *Maries* Monarchy, and Christs corporal presence still on earth, which utterly subvert *St. Peters* and Popes pretended Regal and Pontifical Supremacy depending on it.

The Scriptures I shall cite are these. The first is, *Ephes. 4. 8, 11, 12. When he (to wit Christ) ascended up on high, (to heaven) he led captivity captive, and gave gifts unto men. And he gave some (not Peter alone) to be Apostles, and some Prophets, and some Evangelists, and some Pastors, and Teachers, for the perfecting of the Saints, for the work of the Ministry, and for the edifying of the body of Christ: Compared with 1 Cor. 12. 28, 29. And God hath set some (not one) in the Church; first Apostles, (not Peter to be first or sole Apostle) secondly Prophets, thirdly Teachers, after that miracles, then gifts of healing, helps, governments, (not Peter to be sole or supreme Governour) diversity of tongues. Are all Apostles? are all Prophets? are all Teachers? are all workers of miracles? have all the gifts of healing? do all speak with tongues? do all interpret? Here St. Paul by the Spirit of God, enumerates what ever gifts Christ at his ascension into heaven bestowed on his Apostles, Church, or men in general. In which Texts it is observable; First, That there is not one syllable of any peculiar gift, much lesse of all his Regal and Sacerdotal power in heaven and earth, then bestowed on *Peter* or any of his successors; as his sole *Universal Vicars* or successors in both; which being a matter of so grand moment to his Church, as Popes and Pontificians deem it, would certainly have been specified, and not pretermitted by *St. Paul*; yea by all the four Evangelists, the Penmen of the *Acts of the Apostles*, and by *St. Peter* himself in his large Oration to the Apostles, in his first Sermon to the Jews and strangers at *Jerusalem*, immediately after Christs ascension, *Acts. ch. 1. & 2. & 3. & 4.* in his Sermon to *Cornelius*, *Acts. 10.* and in both his own *Epistles* generall, wherein there is not the least mention or intimation of any such gift or power bestowed on him by Christ, but the contrary. 2ly. That the first gift he then bestowed on men, was *Apostles*, or *Apostleships*; not worldly Empires, Kingdoms, Nations, Crowns, Scepters, Principalities, Dominions; and that upon all the eleven Apostles; not *St. Peter* alone, in the self-same equality and degree, at the very time of Christs ascension, and immediately after on *Matthias*, chosen in the place of *Judas*; as is undeniable by Christs giving all the Apostles the self-same Apostolical mission and Commission, when he declared to them, that all power was given unto him both in heaven and in earth, *Mat. 28. 16, 18, 19, 20.* by *St. Peters* and the other Apostles own resolutions, *Acts 1. 15*, to the end; especially *vers. 22, 23, 25, 26. Acts. 5. 31, 32. c. 10. 38, 41, 42. 1 Pet. 1. 1. c. 5. 1. 2 Pet. 1. 1, 16. c. 3. 2, 15. Gal. 2. 7, 8, 9, 11.* and by the Holy Ghosts descending equally on them all in cloven tongues, and giving them all equally the gifts of tongues, within few dayes after Christs ascension, *Acts 2. 1, to 10.* 3ly. That both the Commission, and all gifts Christ gave to the Apostles joyntly, or to others at his ascension, were only Ministerial, not Imperial, Judicial, or Magistratical; to wit, \* for the perfecting of the Saints, for the work of the Ministry, for the edifying of the body of Christ; not to be Sovereign *Universal Monarchs* over all Empires, Kingdoms, Nations, Churches of the world; to root out, pull or throw down, destroy, build, plant them at their pleasure, or to exercise Sovereign Dominion*

\* 1 Pet. 2. 9, 10.  
14. 17. c. 2. 7.  
9. 13, 14. c. 5. 12.  
to 7. 2 Pet. 1. 1.  
c. 3. 15.

\* Ephes. 4. 11.  
12. 2 Cor. 14.  
4. 24. c. 5. 20.



over the Lords Churches, heritage, or other Christians faith; expressly prohibited them by Christ, and disclaimed both by St. Paul and Peter, *Mat.* 20. 25, 26. *Luke* 22. 25, 26. *1 Pet.* 2. 13, 14. *c. 5.* 1, 2, 3, 5. *2 Cor.* 1. 24. *Rom.* 13. 1, to 7. *Tit.* 3. 1.

The second sort of Texts are, *Acts* 2. 34, 35, 36. where St. Peter himself in his first Sermon to the Jews and Gentiles at the feast of Pentecost, soon after Christs ascension into heaven, asserts and proclaims with the highest confidence that can be, both to all Jews and Gentiles, that Christ did not transferre his Sovereign power which God conferred on him, after his triumphant resurrection, unto him, or his successors at Rome, but reserved it entirely in and to himself, till the end of the world; in these observable expressions. For David himself saith of Christ (in reference to his ascending into heaven) \*The Lord said unto my Lord, sit thou at my right hand, untill I make thine enemies thy footstool: Therefore let all the house of Israel know assuredly, That God hath made the same Jesus whom ye have crucified, both Lord and Christ. Which he thus seconded, both before the Councel and High Priest of the Jews, *Acts* 5. 31, 32. Him hath God exalted with his right hand, to be a Prince and a Saviour, for to give repentance to Israel, and forgiveness of sins; and we are witnesses of these things. And in his Sermon to Cornelius, *Acts* 10. 36. he addes; He (not I) is Lord of all. Which St. Paul (whom he styles, Our beloved brother and fellow Apostle, and whose Epistles he voucheth as concurring with his own, *2 Pet.* 3. 15, 16.) thus amplifies, *1 Cor.* 15. 24, 25, 26. For Christ must reign till he hath put all his enemies under his feet: the last enemy that shall be destroyed, is death: Then cometh the end, when he shall deliver up the Kingdom to God, even the Father, when he shall have put down all rule, and all authority and power: Compared with *Ephes.* 1. 20, 21, 22. *Col.* 1. 17, 18, 19. *Phil.* 2. 9, 10, 11. *2 Tim.* 5. 14, 15, 16. And St. John thus thirds, *Rev.* 11. 15, 16, 17. And there were great voices in heaven, saying, The Kingdoms of the world are become the Kingdoms of the Lord, and of his Christ, and He (not St. Peter, or the Pope his pretended successor) shall reign for ever and ever. And the twenty four Elders fell upon their faces and worshipped God; saying, We give thee thanks, O Lord God Almighty, which art, wast, and art to come; because thou hast taken to thee (not delegated to the Pope, or St. Peter) thy great power, and hast reigned. And *Rev.* 19. 6. I heard as the voice of a great multitude, and as of mighty thunders, saying, Allelujah, for the Lord God omnipotent (not Pope) reigneth. Moreover, David in relation to the Kingdom & Kingship of Christ, after his resurrection and ascension, assures us, *Psal.* 29. 10. The Lord sitteth King for ever. *Psal.* 97. 1. The Lord reigneth, let the earth rejoice, let the multitude of Isles be glad thereof. Yea *Dan.* 2. 44. *c. 4.* 3, 34. *c. 6.* 26. *c. 7.* 14, 27. *Luke* 1. 33. It was prophesied and predicted of Christ, That his Kingdom shall never be destroyed; that his Kingdom is an everlasting Kingdom, and his Dominion an everlasting Dominion, from generation to generation, (without any inter-regnum or succession) and shall be even unto the end, and shall not passe away, (or be transferred) and shall not be left to other people, (therefore not to St. Peter, or Roman Pontiffs of several Nations) and all Dominions shall serve and obey him, (not St. Peter or Popes:) Compared with *Mic.* 4. 7. And the Lord (not Popes) shall reign over them for ever. *Isa.* 9. 6, 7. *Luke* 1. 38, 39. And the Lord God shall give him the throne of his Father David, and the government shall be upon his shoulders, and he shall reign over the house of Jacob for ever, and of his Kingdom, and of the increase of his government there shall be no end. Therefore by the concurrent verdicts of St. Peter himself, backed by St. Paul, St. John, and all these sacred Texts, it is infallible, that Christ neither at his ascension, nor at any time else, ever transferred the right, exercise, dominion of his Kingdom, Church, or government thereof, much lesse of all Kingdoms, Nations, Monarchs in the world, to St. Peter or his Roman successors, but intirely reserved it to himself, as personal and untransferrable to any other. And so they must bid farewell for ever to St. Peters pretended Universal Monarchy and Patrimony, as Christs Successors or Vicars, by the Testimony of all these sacred Texts, whereon they would gladly found and establish it.

The third Texts are such as destroy both St. Peters and all Popes Titles to Christs Universal High Priesthood, or Shepherdship over the Catholick Church, as the precedent do their Kingship. The first is St. Peters own expression, *1 Pet.* 5. 2, 3, 4. Feed the flock

flock of God which is amongst you; neither as being **Lords over Gods heritage**, but being **ensamples** to the flock: And when the **Chief Shepherd** (Christ) shall appear, (therefore Christ, not he, was then Chief Pastor of the Sheep) you shall receive a **Crown of glory** that fadeth not away. The next is that of St. Paul, Hebr. 13. 20. **Our Lord Jesus Christ** brought again from the dead, is the **Great Shepherd of the Sheep**, to whom be glory for ever and ever, Amen; compared with Hebr. 7. 21. to the end, ch. 10, 12, 15, to 22. and Psal. 110. 4. The Lord swears and will not repent, (in relation to Jesus Christ and his Priesthood) **Thou art a Priest for ever** after the order of Melchizedech: And they truly were many Priests, because they were not suffered to continue by reason of death; but this man, because he continueth ever, **hath an unchangeable** (or untransferrable) **Priesthood**, (that passeth not to another by succession or delegation; therefore not to St. Peter, or any other Roman Pontiff) **Wherefore he is able to save to the uttermost, all that come unto God by Him**, (not by Peter, Mary, or the Pope) **seeing he ever liveth to make intercession for them**. For such an high Priest became us who is holy, harmlesse, undefiled, separate from sinners, and made higher then the heavens, (are any Roman Pontiffs so qualified?) and who needed not daily, (as these Priests did, and all Popes and Masse-Priests too) to offer up sacrifice for their own sinnes, and then for the peoples; **for this he did\* once**, when he offered up himself, and is consecrated for evermore: For by his own blood he entered in **once** into the holy place, having obtained eternal redemption for us: After he had offered one sacrifice for ever, he sat down at the right hand of God; from henceforth expecting till his enemies be made his footstool; for by one offering he hath perfected for ever those that are sanctified: And having him an High Priest over the House of God (not St. Peter, nor his successors) let us draw near with a pure heart in full assurance of faith. Popes therefore and their seduced Pontificians, must now bid adieu to their Antichristian Titles of **Pontifex Optimus Maximus; Pontifex Summus; Sanctissimus; Episcopus Universalis; Decumenicus; Pastor Summus; Pastor Pastorum**; and to their Vicarship, and succession in Christs Universal High Priesthood, as well as to his Kingship, unlesse they will renounce all these Canonical Scriptures; **Unking; Unpriest** our Saviour Christ, and usurp both his Royal Throne and Chair, upon Christs pretended Donation of them to St. Peter at his ascension; (who never heard of, claimed, but professedly disavowed any such Gift; and all Popes of Rome too for some hundreds of years:) Of no greater Credit or Validity then their forged Donation of all Ecclesiastical and Temporal Sovereignty and Dominion from \* **Constantine the Great**, which refute and destroy each other.

Now because the sacred Scriptures are of little or no Authority in the Church of Rome, but as they are glossed, interpreted from time to time by Popes themselves in their own causes, for their own advantage, I shall in the next place, subvert the foundation of their pretended, Universal Monarchy, by their own established, **Romish Devotions, Practises, Doctrines**; directly or consequentially contradicting, overturning each other by a divine insatiation: I shall reduce them to these two general heads.

I. Such Practises, Devotions, Doctrines of the Roman Church and its members, as directly invalid, diminish, subvert the Sovereign Universal, Kingly, or Priestly offices of Christ himself; and by consequence St. Peters and the Popes, which they derive from him. 2ly. Such as subvert the Popes alone.

To begin with their **Practises and Devotions**, as they deem them; The **Romanists** (as you heard before) acknowledge, that our Saviour Christ, as God and Man, did not receive the actual possession or exercise of his Universal Kingly power in earth or heaven, (especially in Temporals) till after his resurrection, and his ascension in his humane body and nature into heaven; to the Throne of his Majesty; not whiles he was a sucking babe in his mothers arms, or hanging nayled on his Crosse, or intombed in his sepulcher; **the lowest acts, parts of his humiliation, antecedent to his actual Sovereign Exaltation and Regal Power**; as Phil. 2. 1, to 12. Ephes. 2. 19 to 23. Mar. 28. 18, 19. Lu. 24. 26. Acts 2. 23, to 27. c. 5. 30, 31. c. 13. 33, 34. Heb. 1. 3. c. 12. 2. Rev. 3. 21. c. 5. 12, 13. resolve.

Now how do Popes, Popish Churches, Councils, Cardinals, Bishops, Doctors, Priests, Monks, Nonnes, Laicks, and the whole Church of Rome picture, represent our Saviour Christ to the eyes of their bodies and mindes, either in all or most of their publike or private \* **Masse-books, Breviaries, Offices, Psalters, Primers, Pro-**

\* Therefore it is not reiterated daily in their Masses.

\* See Tom. 1. Book 2. ch. 3. c. 56, to 64. 11.

a Missale Romanum, Sal-manticæ, 1588 p. 16, 17, 21, 36, 39, 465. Missa Votiva de Sancta Maria, p. 59, 60, 61, 62. Hora Beate Mariæ secundum usum Sarum, Parisiis 1509. Title page, & f. 10. and all other Offices, Primers of our Lady. The Office of the Virgin Mary, St. Omers, 1631. Title page, & p. 36, 56. Our Ladies Primer in Latin & English, Paris 1538. p. 65, 66, 74. The Epistles and Gospels, f. 56. and others.

cessionals, Manuals, Rosaries, or other Books of Devotion, and Religion; in all their Collegiate, Cathedral, Parochial Churches, Chappels, or private Oratories, Monasteries, Colledges, Cells, Closets, or Crosses which they erect, and in their publike or private Masses, Processions, devoutest prayers, and addresses to him, when they most implore his grace or assistance; Not as a most glorious, triumphant Sovereign King of Kings, or head of all Principalities and Powers, or as their only high Priest, Advocate, Mediator, sitting in Heaven on the Throne of his Majesty and glory, at his Fathers right hand, there making perpetual intercession for them, to reconcile and bring them to his Father; But rather as a despicable sucking babe or infant lying, in his swaddling clouts in his Mothers arms, lap, bosom, breast; or at her feet, in a cratch or manger, as if he were still an infant, and not grown to his manly stature: Yea they make him such a frail, despicable infant, that his very bones (and limbs too) may now be easily broken and knocked off from his body, (contrary to *John 19. 33. 36. Ps. 34. 26. A bone of him shall not be broken*) and he tumbled down out of his mothers armes to the ground; witnesse this famous Legend recorded for a most certain miraculous truth, by our <sup>b</sup> *Gervasius Dorobernensis. Anno Gratia 1187. King Henry*

<sup>a</sup> Chron. Gervasii, col 1499, 1500;

the 2<sup>d</sup> being in *Castello Radulphi in Provincia Bituricensi*, wherein the French King intended to besiege him: *Est ibidem Cœnobium Monachorum habitus nigri, in honore beata virginis Mariæ dedicatum. Quo cum Braibanceni Regis Angliæ stipendiarii festinarent, ut ea quæ in eadem Ecclesia reposita erant, absportarent, Lemovicensis Vicecomes armatus accessit, eorumque ab ingressu Ecclesia cohibuit furorẽ, fugatoque tandem latronum Cuneo, remanserunt quidam ex ipsis in ipso atrio Ecclesiæ tessera ludentes. Cum ergo quidam ex ipsis, ut moris est, sorte perderent, alii vero lucro inbiantes eos qui perdebant probis irritarent, hi qui perdebant furore succensi, in Deum et beatam ejus genetricem nefandas blasphemias jactitabant, ac si eorum esset culpa quod hujusmodi infortunia eis accidebant. Unus autem ex eis insanius ceteris, arrepto lapide, ad imaginem Sanctæ Virginis Mariæ in lapide sculptam projecit, quo infantem feriens, ejus manum dejecit in terram. Quæruente, ipse quoque puer e gremio lapsus est inferiusque solito cecidit. De brachio autem pueri simul et manu quæ jam in terram lapsa est sanguis uberrime manavit, ac si viventis hominis vigor esset in lapide. (It seems this statue of their Saviour was transubstantiated into his very body and blood, as well as the Hostia) Ipsa vero Imago Mariæ ac si suo compateretur filio, coniectis manibus ad humeros proprios Vestimentum lapideum abrupit, et corpus proprium fere usque ad mamillas detexit. Hic vero qui lapidem jecerat, absque mora corruit et expiravit, ceterique amentes effecti sunt, (as madd as they who forged and believed this Legend) Vicecomes autem Lemovicensis accurrens manum pueri sanguine madidam apprehendit, magnumque defensionis præmium lætabundus absportavit. The like miracles wee have recorded of abundance of blood issuing out of the little Images of our Saviour, wounded or crucified by Jewes since his ascension into heaven, publicly read in the Roman Church, recorded for truths by *Sigebertus*; yea by *Baronius* himself and *Henricus Spondanus* his Epitomizer, Anno Christi 446. nu. 3. Anno 560. nu. 1. Anno 765. nu. 2. which blood they \* reserve and shew to the people, who adore it, as the very blood of Christ himself in several places; Yea our \* *Radulphus de Diceto* in his *Abbreuiationes Chronicorum*, Anno 765. out of *Sigebertus* and others, stories. *Judæi Imaginem Jesu Salvatoris nostri inuenientes in domo Judæi ibi relictam à quodam Christiano, eam deponunt, & omnia opprobria quæ Judæi Jesu Christo intulerunt, imagini ejus inferbant; tandem lancea latere ejus aperto, eribit de eo sanguis et aqua. Quod illi supposita ampulla suscipientes, omnes infirmos in Synagoga sua collectos sanabat. Quod cum vidissent Judæi, baptizati sunt omnes* (when as the shedding of Christs blood, and sight of the miracles wrought at his Passion converted no one Jew) and in memory hereof, *Passio autem Dominicæ Imaginis, celebratur singulis annis 5 Idus Nov.* (the day of our Gunpowder Treason) *apud Beretham in Syria*, where this Image was crucified: So as they had two good Fridayes, the one for the Passion of our Saviour, which is moveable, changing every year; and the other for the passion of his very image, which is certain*

\* See Thomas Becon his Reliques of Rome

\* col. 444. See Baronius & Spondanus, An. 765. nu. 2.



tain; Or adly. They represent and adore him as a diminutive, despicable babe or dwarf, whose real natural glorified body born of the Virgin Mary (if they believe their own Popes, Councils, Doctors, Churches resolutions, which they deem infallible) is now contained in, or under the narrow species and circumference of every small consecrated Host, (Chalice, yea in every part thereof, without its organical parts and corporeal dimensions locally distinct from each other, yet appearing sometimes miraculously (as they relate) upon the Altar, and in the sacred Host or Chalice to some of their Priests and other Saints, either in the form of a petty infant, lamb, or morsel of flesh, or some drops of blood, for confirmation of their Doctrine of Transubstantiation; (though he never knew nor taught it) but never in the shape or proportion of his full-grown humane body in which he suffered on earth; and with which he ascended into heaven, which body St. Peter himself, and all Creeds resolve, the Heavens must receive, until the time of the restitution of all things, and his coming to judgement; and other Texts define, to be incorruptible, being prepared and given him only by God, when he was made flesh, and born of a woman; and was never corporally present but in one place at once: Or, in such an inglorious, inhuman, unkingly, despicable body, as wants both the form, lineaments, accidents of a human body, appearing in and under the form; species, accidents, dimensions of meer bread and wine; which every Communicant worthy or unworthy, doth not only actually receive into his mouth, but chew with his teeth, swallow into his belly; (yea rats and mice may devour) in consecrated wafers; and which the meanest, vilest Priest can make, and tread at his pleasure, as well as the greatest; holiest Pope, Bishop, and then lift up and down, turn or overturn, imprison under lock and key in a Pix, and send abroad to every sick person, carry about in procession, or devour at his pleasure; Or in such a strange body, as is really, corporally, insensibly present in above ten thousand Hostia's, Altars, Pixes, Chalice at once: which yet they solemnly adore with Latria, as their very Lord, God, Saviour, Creator, and doom all for Hereticks who comply not with them herein. Or 3ly. They picture, carve, represent, pray to, and adore him, as still hanging on yet nailed to, but not taken down from his Crosse whereon he suffered (their most usual representation of him in all their Crucifixes, Churches, Chapels, Colledges, Crosse, Closets, Missals, Breviaries, Offices, Litanies, Manuals, or Books of Devotion, Ceremonials, Processionals, Statues, Pictures, and Good Friday Devotions) as if he were not yet risen again for their justification, or sitting at Gods right hand to intercede for them as their advocate. Or 4ly. As yet lying in his grave in their Good Friday's Enterludes: wherein they not only re-crucify, but re-interre him in his Sepulcher, as if not formerly crucified; dead, buried: And not only so, but in the famous City of Venice in Italy, (as Sir Edwin Sands an eye-witnesse assures us) they have erected a stately Sepulcher of Christ, whereon is written, **Hic situm est Corpus Domini nostri Jesu Christi;** with verses annexed, **Conditur hoc tumulo;** as if his crucified body were there yet actually interred, and never ascended into heaven; where there is likewise hanging in a printed Table a prayer of St. Austin, with Indulgence for no less then fourscore and two thousand years; granted by Pope Boniface the eighth, and confirmed by Benedict the eleventh, to whosoever shall say in (before his Tombe and interred Body) and that for every day to be quoyes; which is very observable, for that in a few dayes a man may provide for a whole million of worlds paction, if they did last no longer then this hath done hitherto: But if Christs body be still interred in that Venetian Sepulcher as the inscriptions attest, or elsewhere, S. Paul assures both them and us, 1 Cor. 15. 12, to 20. that their faith, preaching, (and this their prayer and indulgence too) are vain, yea, they are yet in their sin; are of all men most miserable; and their deceased Roman Saints and ancestors, are likewise perished. In this inglorious, unkingly manner do they now usually represent, pray to, and adore our glorified Saviour Jesus Christ, the King and Lord of glory.

f See Missale Romanum Salamantica p. 187, 204. Missa Votiva de Sancta Cruce, p. 90, 94. Officium secundum usum Satum, l. 14, 57, 86, 154. The Primer of our Lady, Paris 1538. f. 90, 91. The Epistles and Gospels, f. 62. Molanus SS. Imaginum Hist. g. See Ludovicus Vives Notæ in Augustinum de Civit. Dei, l. 1. c. 29. Didacus de Tapia in Teram Portem Thomæ, Artic. 8. 546. Will. Lindanus Apologeticus in Germanos Tom. 3. n. 75. li Europæ Specu-

b Gratian De Consecratione, Distinct. 2. & their Glosses thereon, Petrus Lombard, Sententiarum l. 4. Distinct. 9. 10, 11, 12. & Alexander Aletius, Albertus Magnus, Petrus de Alliaco, Ant. Andreas, Aquinas, Jo. Bachon. Gabriel Biel, Brulier, Dionysius, Carthusianus, Capreolus, Durandus, Erius, Faber, Faventinus, Egidius de Roma, Goriem, Holcot, Hervæus Rito, Media Vela, Ockam, Jo. Duns Scotus, Jo. de Rada, Henr. Tamarit, Henricus de Vaux, & other Schoolmen, Summa Angelica, Summa Rosella & other Canonists, tit. Eucharistia, Paschasius, Radbertus de Corpore & sanguine Domini c. 14. Concil. Lateranum sub Innocentio 3. Anno 1215. cap. 1. & Concil. Tridentinum, Sess. 13. De Sanctissimo Eucharistia Sacramento.

c Acts 3. 20, 21 d Acts 2. 27. 30, 31. Psal. 16 10, 1 Cor. 15. 42, 43. 10. 49. 53, 54, 57. e John 1. 14. Gal. 4. 4. Heb. 2. c. 10. 5.

On the contrary, how do the Churches, Popes, Prelates, Priests of Rome, and all their Members usually paint, portray, represent, stile, invoke, adore, and blazon abroad the Sovereign Imperial and Regal Authority of the Virgin Mary over all Angels, Creatures,

\* See Bishop  
Ullers Answer  
to the Jesuits  
Challenge, p.  
481, 482, 483.

i See p. 14, 15.  
before, & Ber-  
nardini de Busti  
his Mariale,  
Pars 12. De  
Coronatione  
Mariæ, Sermo  
1 & 2. Mi-  
chael Lochmair  
Sermo 6. 75,  
76.

k Officium  
Mariæ, secun-  
dum usum Sa-  
rum, Paris.  
1509. f. 38, to  
44. Our Ladies  
Primer in Latin  
& English, Pa-  
ris, 1538. f. 55,  
86. Breviarium  
Romanum Pii  
5. Rothomag.  
1600. p. 482.  
A Manual of  
Prayers, St. O-  
mers 1625. p.  
283, 284, 285.  
The Litany of  
our Lady of  
Loretto, to be  
said on Satur-  
dayes, Bernardin. de Busti, Mariale Pars 3. Sermo 3. & 4. quarta Excellentia Nominis Virginis, Pars 11. Sermo 1, 2. Pars 12. Sermo 1, 2. throughout, and elsewhere, S. Bernardi Sermo de Assumptione Beatæ Mariæ, Anselmus Cantuariensis. Michael Lochmair, Sermo 6. 75, 76. The Rosary of our Lady. 1 Bishop Jewel, p. 336. History of the Council of Trent, in Bernardin. de Busti Mariale, pars 3. Sermo 5. prerogativa 1, 8.

Creatures, Persons, powers both in heaven, earth, purgatory, hell, yea over God himself, and Christ her sonne, to the derogation, subversion both of Christs Sovereign Universal Monarchy, Priesthood, and chief branches thereof, if not of his Prophetical office; and of St. Peters and all Popes pretences, Rights, Titles to them: which because not hitherto pressed against them in this kind, or to this end by any of our Protestant Writers; I shall the more largely and fully charge against them.

1. They usually Carve, pourtray, paint the Statues, Pictures of the Virgin Mary, (as visible experience attests, past contradiction) and represent her by them to their eyes, thoughts, when they pray unto her, in all their Offices, Primers, Psalters, Howers, Rosaries, Missals, Breviaries, Books of Devotion, Churches, Chapels, Monasteries, Altars of our Lady, especially on all their publike Festivals dedicated to her honor, in greatest State, Majesty, Crowned with a Crown, or Rayes of glory, as the Emperesse, Queen, Lady of heaven, earth, and all creatures in them, but Christ her sonne only in the form or shape of a small sucking infant, lying in her lap, bosom, arms, or at her feet.

2ly. They stile, pray to, invoke, worship, adore her in all their publike Liturgies, Offices, Howers, Rosaries, Crowns, Anthems, Psalters, Primers, and private Devotions, and in their Postils, Sermons, Writings, proclaim, assert her to be, in respect of her Regal Vniversal Monarchy, Imperatrix, Augusta, Regina et Domina Cœli cœlorum, Mundi, Terræ, et Totius Orbis, ac exercituum cuncto- rum Angelorum et Martyrum, Imperatrix or Regina Angelorum, Patriarcharum, Prophetarum, Apostolorum, (therefore of St. Peter, and his pretended successors of Rome) Confessorum, Virginum, et omnium Sanctorum, yea, Imperatrix, Regina, & Domina, or at least, *Fœcula Diabolorum; ipsa enim contrivit Diaboli potentiam, sicut prædictum fuit Gen. 3. dum ipsi Diabolo Dominus ait, Ipsa conteret caput tuum, confunditque ejus astutiam; juxta illud Judith 14. Vna mulier Hebræa confusionem faciet in Domo Nabuchodonosor. Item de- jecit ejus maliciam, juxta illud quod ipsius in persona dicitur, Judith, c. 9. Erit memo- rialis, primus tui cum manus fœminæ dejecerit eum.* And if this be not sufficient, Ambrosius Catharinus in the Council of Trent, sessio 2. stiled her, *Fideliſſima Dei et Christi Socia*: Cardinal Bembo in his Epistle to the Emperor Charles the 5th. calls her *Dominam et Deam nostram*, our Lady and Goddesse. And others, *Dea Dearum*, The Goddesse of Goddesse.

3ly. They positively assert that the Virgin Mary, (not St. Peter) during the time of Christs passion, and from his ascension into heaven, was the sole Queen, Mistresse, and Inſtructor of his Church on earth; *Quod ipsa est Regina cœlorum, et totius orbis, de qua Propheta inquit, Pl. 44. Alticit regina a dextris tuis, &c. Sicut ergo Regnum Regina gubernat, sic beata Virgo quando Rex Christus per mortem se absentabit, Ecclesiam Dei in illo triduo Rexit, quia fidem illibatam sola servavit. Similiter quando Rex Christus ad cœlum ascendit, (let Popes and their advocates for St. Peters Supremacy and Rule over the Vniversal Church from the time of Christs ascension, observe it) ipsa tanquam cœli Regina Ecclesiam gubernabit; quia totius Ecclesiæ Magistra permanſit (not St. Peter.) Similiter, quando Rex Christus alicui faciem suam maxime abscondit, tunc ipsa Regina misericordiam suam maxime ostendit; quando homo ad ipsam cum devotione cor- dis recurrit. (A strange position, seconded with this observable inference.) Ideo illud quod hanc mulieres dixerunt de Luna, nos exponere possumus (verè) de ista virgine, quod habetur Jer. 44. 17, 18, 19. scil. Sacrificemus Regine cœli, & libemus ei libamina, sicut fecimus nos & patres nostri, & faciamus ei placentas ad colendam eam: Nam ex eo tempore quo cessavimus sacrificare Regine cœli indignimus omnibus, & gladio & fame consumpti sumus, quando autem sacrificavimus ei saturati sumus panibus, & benè Nobis erat, malumque non vidimus. An evidence that the Romanists imitate those Idolatrous Jewes both in their Idolatry and obstinacy, in adoring their Queen of heaven now, upon the self-same grounds, as they did their Queen of heaven in the Prophet Jeremies dayes.*

4ly. To

a Bernardini  
de Busti Maria-  
le Pars 3. Ser-  
mo 3. De tertia  
Excellentia  
Nominis Virgi-  
nalis, quæ dici-  
tur Regalis O.  
P. See Ansel-  
mus Cantuari-  
ensis De Lau-  
dibus Mariæ.  
Alexand. Fab-  
ricius Destru-  
ctorum Vitio-  
rum, pars 4.  
c. 38. Michael  
Lochmair, Hil-  
dephonsus, Au-  
gustinus Leo-  
nissa, & others  
de Assump. B.  
M. Bernardinus  
Senensis, ser. 51,  
& 61.



4ly. To enable *Mary* to be a Compleat Sovereign Mistresse, Governesse, and Instructor of the Church on earth after Christs Passion and Ascention; as well as Queen and Empresse, they further add, *Ipsa virgo sicut nunc est Regina cœli, ita etiam cum viveret esset Regina mundi*, (therefore not St. Peter, or the Pope) *vel saltem regni Judaici: Nam ipsa virgo benedicta recta linea descendit de genere David, & ei debebatur regnum Judaicum quod fuerat ab Herode usurpatum: & omnes dignitates & nobilitates respectu sanguinis, habuit Christum à sola matre sua: Hanc autem Regiam dignitatem, quod vere esset Rex Judæorum (quomodo nunc administrare regnum temporale, imò fugerit, Joan. 6.) transmisit in ipsum mater sua, quæ fuit filia David, et Regina sui Regni, &c.* Item ipsa erat sponsa Dei; Deus autem est Imperator cœli & terra; et consequenter ipsa erat Imperatrix mundi dum adhuc viveret. *Pz* eterea cum Imperans mundo debeat per electionem promoveri, in electione autem electores tenentur eligere meliorem et sapientiozem atq; sufficientiozem: cumq; ipsa benedicta virgo esset omnibus puris hominibus quæ unquam fuerunt sapientioz et sufficientioz, et plena donis Spiritus Sancti; Ergo ad ipsam ex electione fienda pertinebat Imperium et gubernatio totius mundi: Præterea Christo secundum humanitatem dedit Deus Imperium & Monarchiam totius mundi, unde ipse ait Mat. ult. Data est mihi omnis potestas & in cœlo & in terra; sed filio sine liberis morienti succedit mater. Ergo ipsa (not St. Peter or his Roman Successors, as they pretend from this Text of Matthew, by their own Doctors resolutions, ratified and approved by sundry Popes, without observing how fatal it would be to their Vniversal Monarchy) erat Imperatrix totius mundi, immediately upon Christs ascention into Heaven; *Digitur Regina nostra serenissima profecto tu dicere potes illud, 1 Esdr. 1. Omnia regna terræ dedit mihi Dominus. (Ergo, not to St. Peter, nor the Pope, without disseising, dethroning this their Queen & Empress of Heaven, and of the whole world, both before as well as after her Assumption.)* Yea they further assert, *P* Item Maria illuminata fuit super Platonem, super Ptolomæum Regem Egypti; super Moysen, super Stephanum, qui vidit cœlos apertos, Act. 7. super Paulum, qui raptus fuit usque ad tertium cœlum, & audivit arcana quæ non licet homini loqui; super David, qui fuit eximius Prophetarum; super Joannem Baptistam, qui plus fuit quam Prophetas; ut ait Salvator, Mat. 11. super Joannem Evangelistam, de quo Augustinus inquit; Si paulo altius intonasset, totum mundum eum capere non potuisset, quando dixit, In principio erat verbum. Et breviter concludo, *Habuit omnem scientiam atque cognitionem* (as well in Naturals, Morals, Politicks, as Divine mysteries) quam unquam aliquis hominum habuerit vel habebit. *Habuit ergo intellectum magis elevatum et illuminatum quam aliqua unquam habuerit pura creatura; Habuit etiam tantam cognitionem Creatoris, ut verificaretur illud Psalmi, In lumine tuo videbimus lucem.* Hereupon they thus salute her with new *Aves*, which the Angel Gabriel never knew; *1 Ave Maria, promissio Prophetarum; Ave Maria, Regina Patriarcharum &c. Ave Maria, Magistra Evangelistarum, Ave Maria, Doctrix Apostolorum, &c.* Yea they assert; That Christ when he ascended into Heaven, left his Mother *Mary* behind him, and did not assume her with him soul and body into heaven till Anno Christi 48. (14 years after his own Ascention, as *Baronius, Spondanus*, and most accord, though they much differ and contradict each other herein, both in the time, manner, circumstances, and reality of her Assumption; of which there is little or no mention in any old Ecclesiastical Historians or Fathers of the Church.) *Primo igitur Christus demisit matrem suam in terris post suam ascentionem respectu consolationis, respectu fidelium remanentium, scilicet Apostolorum, & aliorum fidelium. Solatium visibile quod de corporali ejus præsentia habebant fideles sui subtrahere jam voluit, et ideo matrem Ecclesiæ Consolatricem VICE SVA (not St. Peter) detulit. Demisit ergo Christus matrem suam in terris, & noluit eam adducere secum in cœlum, quia Apostolis nimis durum fuisset simul privari præsentia Solis et Lunæ. Se-*

o Bernardinus de Busli Mariale Paris 1. Serm 1. pars 1.

p Bernardin. de Busli Mariale, pars 2. Sermo 1. De pars 3. quæ dicitur significationis T.

q Officium beatæ Mariæ secundum usum Sarum 1509, f. 41.

r Baronius & Spondanus, An. Christi 48, who largely discourse hereof. Ribadeniera in Festo Assumptionis Mariæ. Bernardini de Busli Mariale, Paris 11. pars 6. Michael Lochmair, Sermo 74. 75. S. Brigittæ Revelat. l. 4. c. 23. Causationis 9.

l. 6. c. 71, 72. Bernardini de Busli Mariale, Paris 1. Sermo 1. De Assumptione Mariæ, Pars 3. quæ dicitur Michael Lochmair Sermo 74. S. Brigittæ Sermo Angelica, De Virginis Excellentia, Sermo 23. 4. Revelat. l. 1. c. 89, 10.



f Maria post  
Assumptionem  
docebat Aposto-  
los, Tho. Wal-  
denfis Doctri-  
nalis Fidei, l. 2.  
Artic. 3. c. 73.  
P. 374

t Bernardinus  
de Bussi Maria-  
le, Pars 4. Ser-  
mo 11. Pars 3.  
H. & Albertus  
there cited.

\* specialibus.

cundo dimisit eam in terris post suam Ascensionem, ratione in-  
structionis, respectu scribentium, ut scilicet fideles instrueret de  
rudimentis fidei, maxime de his de quibus nulli mortalium nisi ip-  
si constare potuit. Quamvis autem Evangelistæ Spiritu Sancto  
dictante Evangelia sua scripserint, nihilominus credi potest, et ve-  
rissimè est, quod de talibus cum ipsa Virgine conferebant. Si-  
militer, et alii legentes Evangelistarum scripta ab ipsa quærebant,  
si hæc ita se habebant. Et non est dubitandum, quin Spiritus San-  
ctus plura beatæ Virgini revelanda servaverit. Quis enim melius  
scire potuit de Magis venientibus, cum Stella, de fuga in Egyptum, de Angelica  
salutatione, & verbis inter ipsum & Archangelum Gabrielem factis, de nativitate  
Christi, & de circumcisione ejus, & de oblatione ipsius in templo, & de reliquiis ad fi-  
lium suum pertinentibus, quam ipsa, qua singula fuit experta, & cuncta Christi opera  
per triginta & tres annos oculis propriis aspexit? unde dicitur Luc. 2. Maria autem  
conservabat omnia verba hæc conferens in corde suo. Et ob hoc fortè Lucas plura  
de Christi infantia scripsit, tanquam familiarior Virgini, nam Capellanus  
ejus asseritur fuisse. Reliquit ergo Dominus matrem suam Ma-  
gistræ Apostolorum, et omnium fidelium; Therefore not St. Peter, nor his  
pretended Roman successors.

gly. To make her yet a more compleat and competent High Priest, Gover-  
nor and Instructor over the Church on earth as well as in heaven, they further as-  
sert of the Virgin Mary, 'Licet Sacramentum ordinis non recepit, tamen quicquid  
dignitatis vel gratia ordinibus confertur, in ipsa excellentissimè fuit. In ordinibus enim  
confertur septiformis gratia Spiritus Sancti; hæc autem omnifarè gratia repleta fuit.  
Ita cum tria sint in Sacramento ordinis, dignitas ministerialis, potestas spiritalis, &  
administratio executionis. Hæc omnia beatissima virgo æquipollenter et  
excellenter in se habuit. Ministri enim Ecclesiæ habent dignitatem  
beneficialem per characterem excellentiæ, beatissima autem virgo  
habet Coronam regiam Ecclesiæ militantis et triumphantis; (not  
St. Peter, nor the Pope) unde et Summus Ministorum Papa dicitur,  
Servus servorum Dei; hæc autem appellatur, Regina et Domina An-  
gelorum, et Imperatrix totius mundi. Item in Ministris Eccle-  
siæ est potestas spiritalis vel Episcopalis delegata a Domino,  
vel subdelegata et Vicaria. In ipsa autem est plenitudo potestatis  
coelestis perpetua, ex auctoritate ordinata. Item, in Ministris  
est executio ligandi et solvendi per ulum Clavum. In ipsa autem  
est Dominandi legitima potestas ad ligandum et solvendum per  
Imperium, et sic quicquid est dignitatis et gratiæ in ordinibus in  
genere, constat in beatissima virgine minime defuisse. Hæc Albertus.  
Et ne videatur virtutes sive dignitates generales habuisse, \* spiritalibus carnisse,  
dicimus ipsam singulorum ordinum dignitates et gratias per æqui-  
pollentiam et cum excellentia possedisse. Habuit namque cum Exor-  
cistis, Damonum expulsionem. Nam de illa prædictum fuerat, Gen. 3. Ipsa conteret  
caput tuum. Figurata quoque fuit per Hester qua vicit Aman; & per Judith qua O-  
lofernem interfecit, Judith 13. Cum ostiariis habuit introductionem mundorum, &  
immundorum exclusionem. Unde Ezech. 44. dicitur, Porta hæc clausa erit, & non  
aperietur; sed Dominus ingreditur per eam. Porta hæc principem & imita-  
tores suos introducit, & indignis clausa erit. Habet etiam cum Acholytis illumi-  
nationem. Unde Num. 24. dicitur, Orietur stella ex Jacob. Dabuit cum le-  
ctoribus omnium Prophetiarum expositionem ad litteram in seipsa,  
de qua scriptum est Esa: 7. Ecce virgo concipiet, &c. Habet cum Subdiaconis Do-  
ctrinæ Apostolicæ conversationem, unde per Arcam, in qua erat Deutero-  
nomius & manna, & divina sapientia. Ideo de ipsa dici potest illud, Sap. 8. Do-  
ctrinæ est enim Disciplinæ Dei. Habet cum Diaconibus verbi Domini servatio-  
nem, et aliis adscribendum narrationem, et Consiliorum Domini  
perfectam impletionem. Unde Luc. 2. dicitur, Maria autem conservabat omnia  
verba

verba hæc, &c. \* Habet cum Sacerdotibus Dominici corporis per se ipsam formationem, tractationem, et communicationem. Hoc

est quod Corpus Dominicum mediante ejus verbo et consensu de Catubus et sanguinibus ipsius formatum fuit, et ipsam familiarissime et diutissime tractavit, et in cibum et potum nobis communicavit, et per hoc nos omnes ad jugum suum suade, et onus leve Charitatis ligavit, et ab omnibus culpis et poenis absolvit, et vitam nobis eternam contulit: juxta illud Salvatoris, Jo: 6. Qui manducat me, & ipse vivet propter me. Habet quoque cum Episcopis, et Clericorum ordinationem, Præbendarum collationem, Temploꝝum consecrationem, ac

sacrorum virginum velationem. Ordinatur enim Episcopus Sacerdos per Sacramenti collationem, beatissima autem virgo per continentie obligationem

juxta illud, Isa: 52. Mundamini qui fertis vasa Domini. Consecratur etiam Episcopus Præbendas instituendo, beatissima autem virgo Præbendas faciendo. Consecrat quoque Episcopus templa corporalia dedicando, beatissima autem virgo templa spiritualia Castimonia inspirando, et ab illa specialiter vendicando. Consecrat etiam Episcopus Virgines externas benedicendo, beatissima autem virgo consecrat virgines interius virtutibus adornando, et eas filio suo desponsando, & non tantum approbando, sed etiam assumendo, sed eas sibi spiritualiter in filias adoptando, ad divinum cultum dedicando, et ad statum dignissimum exaltando, juxta illud, Sap: 6. Incorruptio facit esse proximum Deo. Habet etiam cum Papa beatissima virgo (i.e. Popes and their Advocates observe it well) omnium Ecclesiarum sollicitudinem:

quia Papa est Pater Patrum, ipsa vero est Mater omnium Christianorum, immo omnium bonorum: juxta illud, Sap: 7. Quia omnium bonorum mater est. Habet etiam excellentius Papa potestatis plenitudinem, Omnes enim dignitates Ecclesie introductæ sunt in servitium, Mat: 20. Beata virgo non fuit assumpta in Ministerium, sed in salutis auxilium, et Regni confortium, et in adiutorium, juxta illud Gen: 2. 18. quia non fuit Ciceria, sed Socia, et particeps in regno, &c. (Note it well.) Papa enim solum habet eam in vita ista, sed non in cælo, nec in purgatorio, nec in inferno; sic habet virgo. Sicque patet quod quicquid est dignitatis vel gratiæ in Sacramentis Ecclesie, hoc totum virgo benedicta habuit plenarie; cui sit sempiterna Gloria per omnia secula seculorum, Amen. Yea they assert, Maria habuit omnium artium scientiam. Scivit enim artes mechanicas, et omnes artes liberales. Item ipsa Imperatrix fuit et Leges condere potuit, et Legis interpretatio penes ipsam fuit. Scivit etiam Theologiam et excellentissimam et elevatissimam Theologiæ habuit scientiam. Scivit Librum Sententiarum: et totam Bibliam, et omnia puræ creaturæ scribilia intellexit; Jura quoque Civilia et Canonica, ac Leges et Decreta scribisse in summo, probat Albertus super Missus est, c. 138. Scivit etiam Philosophiam, Medicinam, Mathematicam, Musicam, & Juris prudentiam. And they add, that she alone (which no unerring Popes ever yet did) destroyed all heresies; \* Ideo de ea Ecclesia digne canit (write Bernardinus Senensis, Bernardinus de Busi, and others) tu cunctas hæreses sola interemisti in universo mundo, quoniam totam veritatem Dei sic concepisti, quod esset ipsius generatiæ veritatis. Yea she had, Gratiam Sanitatum, operationem Virtutum, Spiritum Prophetie, in such abundance, that she was Summa prophetissa, habuit etiam discretionem spirituum, genera linguarum, Interpretationem sermonum, et gratiam Apostolorum, Evangelistarum, ac Pastorum, in the highest perfection, as Albertus, super Missus est, Bernardinus de Busi, and others assert. \* Et fuit coronata corona predicatorum, quia in ipsa sola remansit fides de filio Dei, quam alii prædicaverunt, & cor in fide roboravit. If then the Virgin Mary had all the Dignity, Power, Jurisdiction and Grace that the Sacrament of Orders could conferre upon her, and of every Particular Order in the Church of Christ, or Rome, yea all

\* Pars 4. Sermonis 11.

\* Bernardinus de Busi Mariale pars 4. Sermonis 9. D. 8. v. 2. Gratius Mariz.

\* Sermo 11. De festivitate D. Mariæ; Articulus 3. c. 4.

\* Bernardinus de Busi, Mariale, pars 12. Sermo 2. pars 1. H.



in farre greater fullnesse and perfection then ever St. Peter or any Popes of Rome, or other Bishops, Apostles, Evangelists, Prophets had, and such large knowledge in all these Arts, Lawes, especially in Divinity, and all these several kindes of Graces, as the premises averre, which enabled her both to instruct, govern the Apostles, Church Militant, and all beleivers, when our Saviour left the earth, and committed to her the care and government of them at his Ascension into Heaven. How St. Peter or his Successors can lay the least claim or Title to their Universal Monarchy and Priesthood over it, as Christs successors or Universal Vicars therein, without any assignment, claim, or Charter from the Virgin Mary, (to which they never pretend) or without divesting her of this Sovereign power derived to her from Christ her son, let Popes & Pontificians resolve their own consciences, and all their seduced Profelytes, when they are able: Especially if we adde to this, the remaining reasons they render why Christ left his Mother behinde him upon earth: *\* Tercio eam demisit, ratione confortationis, respectu patientiam. Quarto demisit eam, ratione honorationis, respectu obsequium. Nam cognoscens Dei filius matrem suam virginem gloriosum esse inter omnes creaturas preciosam, prius voluit ei locum preparare preciosum & amicum, in quo ipsa sublimaretur, et postmodum de caelo descenderet ad ipsam assumendum.* To which reason *\* Anselmus* Archbishop of *Canterbury*, † *Bernardinus de Bussi*, and some others, blasphemously adde: *Fortasse Domine (Jesu) hoc agere voluisti, ne tua Curia (coelesti) videretur in dubium, cui potius occurreret; tibi scilicet Domino tuo primo in assumpta carne coelum petenti; an ipsi matri, similiter in ipsum regnum materno jure tecum ascendenti. Prudentiori ergo et digniori consilio praecedere illam volebas, quatenus ei locum immortalitatis in regno tuo preparares; et sic comitatus tota Curia tua festinans illi occurreres, eamque sicut decebat matrem tuam per teipsum exaltares.* Which assertions of theirs, approved, ratified by Popes, sundry of their Doctors, and publickly printed, preached, believed in the highest and solemnest Feast of the Virgin *Maries* Assumption, infallibly contradict, refute, subvert the very foundation of St. *Peters*, and consequentially of the Popes Universal Temporal or Ecclesiastical Monarchy, supposed to be transferred to him by Christ himself at his ascension, as his only Successor, or Vicar General.

6ly. They positively assert, that Christ hath assumed her soul and body into heaven, and placed her therein, far above all orders of Saints or Angels, even at his own right hand, in the very throne of the Trinity: That on the day of her Assumption, (which they observe as a double Festival, with grand devotion in the Church of Rome) *\* assumpta est cum honorabili societate, & cum ineffabili jucunditate, & cum mirabili claritate, & cum terribili potestate: Non tantum Dominus Jesus Christus laureatus, corpore glorificato, occurrat sua benedicta matri cum toto Angelorum exercitu, omniumque Sanctorum comitiva, sed etiam ipse Rex aeternus Deus trinus et unus, potest dici hunc sacramentissimae virginis triumphaliter obviasse, non motu locali sed complacentia familiari, et glorificationis induentia principalis. Hanc ergo sponsam etiam tota coelesti Curia aeternus Pater recognovit, Matrem unigeniti sui, et regni sui consortem; & dixit illud, Es. 40. Domum Majestatis meae glorificabo. Sicque benedicta virgo quasi altera Hester de triclinio faminarum, id est, de Ecclesia militante adducta est, per Filium suum in gloria Majestatis, et per totam militiam coelestis Curiae ad Cubiculum supernae Regis, et ad Thronum Dei Patris vehitur, et ipsius sede Trinitatis ad Christi dextram collocatur: Et illud figuratum facit, Hester 2. Et tunc dehavit illi Deus, fontalem fecunditatem ad generandum spiritualiter omnes electos, et etiam ad laetificandos ipsos Angelos in aliquo gustu et gradu, et experientia divinatorum. Ipsa igitur virgo ex hoc accepit a Patre rationem paternitatis et sublimitatis Regalis ac Imperialis super omnem creatam naturam. Nihil tibi aequale, O Domina, nihil comparabile. Omne quod est, aut est supra te, aut infra te: Supra te solus Deus, infra te omne quod non est Deus: (There-*

fore

\* Bernardin. de  
Bussi Mariale,  
Pars 11. De  
Assumptione  
Mariz, Serm.

1. pars 3.

\* De Excellen-  
tia B. Virginis,  
c. 7.

† Mariale pars

11. Sermo 1.

De Assump-  
tione Mariz, pars

3. quae dicitur

Confortationis,

M. Sebastianus

Barradius, Je-  
suita Concord.

Evang. l. 6. c.

11.

a St. Bernardus

Sermones deAs-  
sumptione bea-  
tae Mariz, Ber-  
nardinus deBu-  
ssi Mariale pars

11. Sermo 1.

De Assump-  
tione Mariz, pars 3,

4. 5. 7. pars 3.

Sermo 3. De 3,

4. 5. Excellen-  
tia Nominis

Virginis, An-  
selmus Cantuar.

De Assump-  
tione Mariz, & De

Excellent. Ma-  
riz, S. Brigittae

Sermo 1, 2, 3, 4.

Divinitus Re-  
velata, De Ex-  
cellencia B. Vir-  
ginis, & Reve-  
lationum, l. 1.

c. 8. Michael

Lochner, Ser-  
mo 6, 75, 76.

Bernardinus Se-  
nensis, Sermo

51.



fore Peter and the Roman Pontiffs.) Yea they adde; *Jesus Rex aeternae gloriae in gloria sua Majestatis reverentia ipsam adorabit; non ut quamlibet unquam matrem, sed singularis sufficientie magnificencia, & diligentia, et sublimis Deus eam ut suam reverendissimam matrem reverenter adorat, et ad eam venerandam honore inextinguibili corporaliter se inclinatur.* O stupendum prodigium et inaudita altitudinis fastigium! ut a muliere Dei filius recognoscat suum esse humanum! Quid non deberet Virgini concedere quam tantum voluit honorare? Profecto isto respectu honoris non respiceret Dei filius millesse mille milia Seraphim, et infinitos (*si dei licet*) infinitos: (much lesse then of St. Peter or Popes.) Sit ergo tota Trinitas uniformiter concordi voluntate, hanc sacratissimam Virginem ostendit esse suam sponsam incommunicabilis charitatis, inaccessibilis puritatis, mundi Dominam imperceptibilis potestatis, electorum omnium generatricem piam inexplorabilis pietatis; omnium Dei hostium conculcatricem triumphatissimam, insuperabilis strenuitatis; omnium coelestium thesaurorum dispensatricem largissimam pro sua complacentia voluntatis; omnium superiorum delectatum et consolationem gustatricem affluenterissimam in recessibus divinae Majestatis. Super hunc dilectum suum insititur mater illa foelicissima, et in aureo reclinatorio divinae Majestatis recumbens; inter sponsi, imo filii sui brachia requiescit. O quanta dignitas, quam specialis gloria inest super illum quem reverentur Angelicae potestates! Whence they inferre: *Abstrudum ergo est, ut tam gloriosam Virginem non venerantur lingua hominum, quam tota Trinitas sic honorat tamque veneratur sublimitas Angelorum, &c.* Yea they make this an Article of their Faith; *Credetur, quod ipse Salvator per se totus festinus, cum tota militia coelorum genetici obitu occurreret, et cum gaudia eam secum in throno collocaverit, alias quoque non impleret quod in lege ipse mandavit, Honora Patrem tuam & Matrem tuam, &c.* They further adde; *Maria fuit assumpta sublimiter, quia ipsa apparuit in coelo impressa super omnes ordines Angelorum, juxta illud Psal. 8. Elevata est magnificentia tua super coelos. Item apparuit in coelo tanquam Regina in throno ad regnandum cum filio, secundum figuram 3 Reg. 3. Elevata est ad culmen triplicis dignitatis; scilicet, Altissime, super coelos, id est, super Angelos universos: Latissime, ut sit regnum ejus latum, ut eleberetur thronus ejus (sicut David) super Judam et Hierusalem, non solum a Dan usque Bersabab, sed a mare gratiae usque ad mare gloriae, et a summe influxuum divinarum, usque ad terminos orbis terrarum, regnans super omnem creaturam: (Therefore over St. Peter and Popes themselves.) Tertio elevatur ad culmen dignitatis firmissime: Ipsius dignitas est super omnes sublimissima, et latissima, et firmissima, ita ut non posset moveri sublimitas montis quamdiu durat firmitas lapidis, nec regnum matris, quamdiu durat Imperium prolis: Dan. 7. Cantata autem excellentia exaltavit Dei filius Matrem suam super omnes Choros Angelorum, quod si ibi ubi ipsa resedit esset multitudo; novam constitueret Hierarchyam, as she doth a new Quaternity, instead of a Trinity of Persons, if this be Catholick Divinity.*

7ly. In their Sermons *De Nominatione, & De Coronatione Mariae*, they assert, after her Assumption, *Quod ipsa tanquam Regina coeli diademate coronata sedet a dextris filii, cujus gloriam in spiritu videns Propheta David, inquit Deus, Psal. 44. Assidet Regina a dextris tuis in veste deaurata, circumdata varietate. De gloriosa Virgine Maria, (cujus capiti imposuit, Deus diadema regni coelestis) possumus dicere illud, Eccles. 45. Corona aurea super caput ejus. Et nos (all Roman Catholicks who profess and adore her for their Queen) ribi dicere possumus*

b Bernardinus de Busi, Mariale pars 12. Sermo 1. 2.

c Sermo Hieronymus scribit de Michael Lochmair, Sermo 78 De Assumptione Mariae, P. Bernardinus de Busi, Mariale pars 11. Sermo 1. pars 6. D. and sundry others in their Postils and Sermons of her Assumption, d Bernardinus de Busi, Mariale pars 1. Sermo 1. De Assumptione, pars 7. P. Q. R. See Yldesphorus & Anselmus Cantuar. De Assumptione Mariae.

a Bernardinus de Busi, Mariale pars 9. Sermo 1. prologue, & pars 1. Anselmus Cantuar. De Assumptione & Excellentia Mariae.

possimus illud, Job. 13. In omnia secula regnum tuum: & Psal. 144. Regnum tuum Regnum omnium seculorum: & Dan. 2. Regnum quod in æternum non dissipabitur. **Clem** igitur et super nos regnum accipe. Judis. 19. De regno enim tuo dici potest illud. Psal. 103. Et regnum ipsius omnibus dominabitur: & Luc. 1. Regni ejus non erit finis. **Tu** namque in te habes omnes boni Regis, et bonæ Reginæ proprietates. **O Regina** excellentissima, **Tu et filius tuus** (not St. Peter nor the Pope) estis de quibus principaliter dixit Deus, Prov. 8. Per me Reges regnant. *Beati autem sunt qui veniunt sub vestro regimine.* **Datus** est isthoricus Regis, super omnes thronos. *Num si ipsam proportionabiliter super omnes creaturas diligit, ergo proportionabiliter super omnes collocabit.* Ipsa est super omnes creaturas potentissima. Yea they mount her yet one step higher; *Ipsa virgo benedicta licet sit subiecta, Deo quantum creatura, Superior tamen illi dicitur et prelata in quantum est ejus mater.* Unde Luc. 2. de Christo scriptum est, quod fuit subditus illi. **O messianica dignitas** Mariæ, qui Imperatori omnium meruit imperare! And upon this account it is, they use these expressions to the Virgin Mary, in their Crowns, Anthems, Litanies, Offices, Breviaries, Hours, Psalters of our Lady old and new, and other their printed publick and private Devotions, authorized by the Church, Popes of Rome, and in their late Breviary corrected and set forth by Pope Pius Quintus, *Gloriosa Domina excelsa super sydera, Dei Mater alma, &c. Funda nos in pace mutans nomen Eve. Solve vincla reis, profer lumen cæcis, mala nostra pelle, bona cuncta posse.* **Monstra** te esse matrem, per te sumat preces: **Impera** Filio, jube benedicere. And use this Anthem to the Virgin as one of her 7. Spiritual Joyes; *Gaude nexu voluntatis, & amplexu dignitatu juncta sis altissimo, ut ad votum consequaris quicquid virgo postularis a Jesu dulcissimo.* Hence *Petrus Damianus* writes of and to Mary; *Accedis ante aurem humana reconciliationis altare, non solum rogans, sed Imperans; Domina, non ancilla.* And their Seraphical canonized Bishop and Cardinal *St. Bonaventura*, prescribes this prayer to be used to her, in his *Corona*, printed at Rome it self with his other Works, Anno 1588. **O Imperatrix** ac Domina nostra benignissima, jure matris impera tuo dilectissimo filio Domino nostro Jesu Christo, ut mentes nostras ab omni terrestrium ad celestia deservio erigere dignetur. And in the 35. Psalm of his Ladies Psalter, printed with it, he hath this versicle to this Empreſſe; **Inclina vultum Dei super nos, COGE ILLUM peccatoribus misereri.** The harshness whereof some of the Romanists have thus qualified in his Psalter printed at Paris Anno 1596. *Inclina vultum Filii tui super nos; coge illum precibus, nobis peccatoribus misereri.* Whence *George Cassander*, a learned modern Pontifician, in his *Consultatio*, (written by the command of, and dedicated to the Emperors Ferdinand and Maximilian the 2.) Artic. 21. *De Intercessione & meritis Sanctorum*, thus censures the Psalters of the Church of Rome: *Quid quod totum Psalterium, (as in that of their great Dr. Bonaventura, and others) sublatò ubique Domini Nominis, (and particularly Ps. 110. 1.) in Nomen Domine commutatum legitur? Num vero et eo ventum est, ut etiam Christus jam in cælo regnans, matri subſciatur, quomodo in nonnullis Ecclesiis canitur:*

**Ora Matrem, et jube Filio,  
O scilicet puerpera, jure matris Impera,  
Nostra plans scelera Redemptor.**

And elsewhere they thus pray to the Virgin; *Thou callest thy self the handmaid of Jesu Christ, but as Gods law teacheth. Thou art his Lady Mistress; for right and reason willeth, that the Mother be above the Son; therefore pray him humbly, and command him from above, that he lead us to his Kingdom at the worlds end.*

8ly. They yet further assert and proclaim to all the world, in vindication of the Virgin Mariæ Sovereign Imperial Regal and Lordly Dominion; *Maria interpretatur Domina, sive Dominatrix.* Idè illi canit Ecclesia; *O gloriosa Domina*

b Bernardinus de Buſſi, Mariale pars 1. Sermo 1. pars 1. Z. pars 3. Sermo 1. & 3. The Primer of our Lady in Latin and English, Paris 1538. f. 88, 89. Bernardinus de Buſſi, Mariale pars 3. Sermo 1. pars 3. I. K. Q. pars 10. Sermo 2. pars 7. Breviarium Romanorum, Rothom. 1600. p. 480, 482. See Bishop Jewels Defence of the Apology of the Church of England, 3. part ch. 18. p. 360. 6. part ch. 7. divis. 2. p. 682. ch. 17. divis. 2. p. 771. Dr. Boyes his Postils, p. 145. c Sermo 1. De Nativitate B. Mariæ. d Corona B. Virginis, Operum Tom. 6. Edit. Romæ Anno 1588. Bishop Uſhers Answer to the Jesuits Challenge, p. 487, 489. e Operum Parisiis 1616. p. 970, 971. f Historia Chr. August. Commemoratio Virginis Mariæ. See Dr. John White his way to the True Church, Epistle to the Reader.

g Bernardinus de Buſſi, Mariale pars 1. Officium Conceptionis Mariæ, pars 3. Sermo 2. pars 3. quæ dicitur Interpretationis D. E.



mina excelsa super sydera. Nam si Imperator est Dominus totius mundi, Imperatrix est Domina orbis; (which they prove by sundry Texts of the Civil Law.) Est etiam beata Maria Domina cœli et mundi. Upon this account Bonaventura in his Ladies Psalter, and Bernardinus de Busti in his Officium Conceptionis Mariae, authorized by the Bull of Pope Sixtus the 4th, thus blasphemously turn Dominum into Dominam, beginning their Vespers and Office with it for her honour. \* Psal. 110. 1. Dixit Dominus DOMINÆ MEÆ, sede a dextris innocentia mea; Alleluiah. Dixit Dominus, cum reliquis de Sancta Maria, Laudate pueri Dominam super omnes gentes in conceptu gloriosam, Alleluiah. And to evidence this her Sovereign Dominion, they produce these solid reasons for it. Primo, propter Dominum, de qua ipsa inquit, Eccles. 24. Gyrum cœli circumivi sola, & profundum abyssi penetravi, & in fluctibus maris ambulavi, & in omni terra steti, & in omni populo & omni gente primatum tenui. Ipsa enim tanquam Domina cœlum circumfusa, et ubique dominium accepit: (Therefore not St. Peter, nor his pretended successors.) Vel dicitur, Gyrum cœli circumivi, quia omnes Sanctos gerit & circumivit, eosque ad intercedendum pro nobis sollicitus inducit. Et dicitur sola; quia ipsa orante omnes orant, et ipsa silente omnes silent. Unde Anselmus in \* lib. orationum, dicit: Te Domina tacente nullus orabit, nullus adjuvabit; te autem orante omnes juvabunt, omnes orabunt. Secundo, dominatur in inferno; unde subdit, & profundum abyssi penetravi. Non enim tantum dominatur Demonibus minoribus, qui sunt in superficie terræ; nec tantum medicribus, qui sunt in medio inferni; sed etiam maximis, qui sunt in profundo. Tertio, dominatur in Purgatorio; ideo subdit, & in fluctibus maris ambulavi. Pœna enim purgatorii dicitur fluctus, quia est transitorius; & dicitur maris, quia est amara. In illius fluctibus ipsa ambulat, quia meritis suis miseris a pœnis illius liberat. Quarto, dominatur mundo; ideo subdit, in omni terra steti, & in omni populo & omni gente primatum tenui. In mundo quidem sunt tria genera hominum; quidam sunt mali, quidam boni, quidam verò tepidi. Ipsa quidem dominatur malis eos ad penitentiam reducendo; dominatur bonis eos in gratia conservando; dominatur tepidis illos in gratia ferventer proficere faciendo.

oly. They affirm and teach, that the Virgin Mary; h Secundo, principaliter dicitur Domina propter jus domini adquisitionem. Acquisitum autem quis dominium alienius rei aut ratione emptionis soluto pretio; aut ratione operationis; quando aliquis rem operatus est, & eam in esse produxit; aut ratione electionis. Virgo igitur beata habet jus dominandi; Primo ratione emptionis; quia cum Filium suum emaret & redimeret humanum genus, ipsa ad hanc redemptionem faciendam est multipliciter operata, pretium scilicet redemptionis ministrando, et ipsum redemptorem nutriendo. Secundo ratione operationis, quia ipsa est mater Dei, qui cuncta in esse produxit: Hebr. 3. Omnia autem bona Filii facta sunt matris, cui sine liberis morienti in omnibus bonis successit. To which I shall annex that of <sup>1</sup> Aretine; For the love of Jesus and Mary, God created the world; for the love of the undefiled Virgin, who is the Wisdom of the World; God made Heaven and Earth; and it was not only made for her love, but also preserved; for it could no way stand, our deeds are so evil, but that she by praying for us mercifully upholdeth it. Tertio (dicitur Domina mundi) ratione electionis, quia Deus ab æterno ipsam eligit in habitationem.

oly. They argue; k Tertio, principaliter dicitur Domina propter multitudinem subditorum, (to wit, all Angels in heaven, Men on earth, in Purgatory, and Devils under the earth) Mater Domini omnis creatura, effecta est Domina omnis creaturæ. Ideo merito dici potest de illa illud, Gen. 1. 28. & Gen. 27. 29. & ad quamlibet creaturam illud, Gen. 16. Revertère ad Dominam tuam, & humiliare sub manu ejus. Quia igitur, magnæ Domine magna dona largiantur; Hesi. 2. Ideo hæc Domina nostra invocantibus eam subvenit universis; et omnibus misericordiæ sinum aperit, ut de plenitudine ejus accipiant universi. Hence, <sup>1</sup> Tot creaturæ servant gloriæ Virgini Mariæ, quod servant Trinitati. Omnes nempe creaturæ quæcumque gradum fecerunt in creaturis, sive sint spiritus, ut Angeli; sive rationales, ut homines; sive corporales, ut corpora cœlestia, vel elementa, et omnia quæ sunt in cœlo vel in terra; sive damnati, sive beati; quia omnia quæ sunt divinis imperiis

\* See Fox AA & Monuments, Vol. 3. p. 278. Bishop Usher's Answer to the Jesuits Challenge, p. 425.

\* De Excellentiâ B. Virginitatis Mariæ.

\* It seems it is only a vanity; not fiery Purgatory, as they fancy it.

h Bernardinus de Busti, pars 3. Sermo 2. para 3. B. See Vega Jesuita in Apoc. 12. sect. 2. n. 3.

i De Arcanis Catholicæ Veritatis, Dr Joh: White, quæ sit p. 1.

k Bernardinus de Busti, lib. 2.

l Bernardinus de Busti, Mass. ale pars 2. Sermo 2. p. 1.



perio subjugata, gloriosa Virgini sunt subjecta; Ipse enim qui Filius Dei & Virginis benedicta volens ut sic dicam, paterno principatui quodammodo æquiparare maternalem. Hence they introduce the 12. Orders of Angels and Stars, thus crowning her with their praises; Qui omnes eam coronant, quia ipsam perpetuè venerantur, mirantur, & laudant. Seraphim enim mirantur & laudant in ea charitatem succensam; Cherubin, sapientiam tam profundam, Throni, potestatem & quietem in Domino sic tranquillam. Dominationes, tantam super Angelos præminentiam. Virtutes, tantam miraculorum efficaciam. Potestates, tantam super Dæmones potentiam. Principatus, tantam de omnibus regnis providentiam. Archangeli, tantam de omnibus locis diligentiam. Angeli, tantam de omnibus singulis hominibus custodiam. Martyres, tantam in tribulatione constantiam. Confessores, tantam sobrietatem et temperantiam; Virgines vero, tantam ipsius puritatem et munditiam. Unde illi dicere possumus illud, 2 Par. 6. Te laudat omnis virtus cælorum, & tibi est gloria in sæcula sæculorum, Amen.

m Bernardinus de Busli, Mariæ pars 3. Sermo 3. S. T. V. De 3. & 4. Excellentia Virginis Nominis, quæ dicitur Regina, & Imperatrix.

11ly. From the Letters of R. and I. which they finde in her name Maria, they attribute and appropriate to her de jure, the Titles and Sovereignty of Regina, & Imperatrix cœli, terræ et mundi. Primo, quia ipsa genuit cœlestem Imperatorem, & ideo potest ab eo petere quicquid vult, Si ergo imperat filio ratione maternalis Jurisdictionis, qui suis subditis ei, Lu. 2. multo magis imperat omnibus creaturis filio suo subjectis. Est etiam Imperatrix, quia æterni Imperatoris est sponsa. Quoniam verò Deus illi tradidit Imperium Orbis, et omnium continentium in eo; Dixit ei, quod habetur in 4. Æneid. Imperium sine fine dedi, his ego nec metas rerum, nec tempora pono. And from thence they thus assert her Sovereign power and right of receiving all Appeals immediately to her self, from all oppressed persons, Devils, Tyrants, Powers whatsoever, yea from the very Justice of God and Christ himself, who hath constituted her the Lady Chancellor of Heaven, and given, assigned all his mercy to her alone, to manage, dispose of at her pleasure, reserving only his Justice to himself; which they thus relate and averre for an undoubted Article in their new Roman-Creed. **Tantæ autem auctoritatis in cœlesti Palatio est ista Imperatrix, quod omnibus aliis Sanctis intermediis omisiss, ad ipsam licet ab omni gravamine appellare.** Licet enim secundum jura civilia debitum medium servetur in appellationibus. (Imperatores, &c.) tamen in ipsa servatur stylus juris Canonici, quo omisso quolibet medio appellatur ad Summum Pontificem. Quilibet ergo potest ad eam appellare. Unde de ipsa dicere possumus illud, quod scriptum est in C. ad Rom. 2. q. 6. ubi dicitur; Ad eam ab omnibus oppressis est appellandum et concurrendum quasi ad matrem, ut ejus uberibus nutriantur, auctoritate defendantur, et a suis oppressoribus releventur, quia non potest, nec debet mater oblivisci filii sui. Confidenter igitur unusquisque appellet ad ipsam, sive gravetur a Diabolo, sive ab aliquo Tyranno, sive a corpore proprio, aut a divina iustitia. Primo, licet appellare a Diabolo, sic fecit Theophilus quidam, qui ut scribitur in miraculis ejusdem Virginis, ab Episcopo suo à Vice-Dominatu depositus, in tanta desperatione cecidit, quod Diaboli servum se fecit, & de sua servitute Chirographum manu propria conscripsit, & Diabolo tradidit. Postmodum ad eor suum rediens & penitens, ad Imperatricem appellavit, & ipsa totum irritum fecit, & Diabolo ut Theophilo Chirographum redderet præcepit, & sic ipsum in statum pristinum restituit, & gratiam ac veniam sibi impetravit. Secundo, licet appellare ad ipsam, si quis gravatur à Tyranno, quod patet in h. Basilio, cui cum Julianus Apostata ad prælium contra Persas vadens minatus fuisset, quod in reditu suo Civitatem suam destrueret, Sanctus Basilius ad Imperatricem istam appellavit, qua Militem quendam nomine Mercurium jam defunctum suscitavit, qui super equum conscendens, atque ad Julianum pergens, ac lancea fortiter vibrans ipsum occidit. Idcirco dicit Sanctus Philebertus in quodam Sermon, veniant ad beatam Mariam iusti cum Basilio, effectum celerem percepturi; veniant & peccatores cum Theophilo desideratam gratiam

n See Baronius & Spondanus, An. 363. nu. 13, 14.

gratiam adepturi. Tercio, licet ad ipsam appellare, si quis gravatur a corpore proprio, sicut patuit in Maria Egyptiaca, qua ut habetur in vita Sanctorum Patrum cum multo tempore carnali concupiscentia deservisset, tandem ad Imperatricem istam confugiens & appellans, concupiscentiam vicit & castitatem servavit.

Quarto, licet ad ipsam appellare, si quis a Dei iustitia se gravari sentit, quod significatum fuit. Heit. 3. ubi dicitur, quod cum Rex Judæis esset iratus, Regina Hester ad ipsum placandum accessit. Cui Rex ait, etiam si dimidiam partem regni mei petieris dabitur tibi. Ista ergo Imperatrix figurabit Imperatricem cælozum; cum qua Deus Regnum suum divisit. Cum enim Deus habeat iustitiam et misericordiam; iustitiam sibi in hoc mundo exercendam retinuit, et misericordiam matri concessit; et ideo si quis sentit se gravari a furore iustitiæ Dei, appellet ad forum misericordiæ matris ejus.

Which is seconded by Gabriel Biel, \* Michael Lochmair, St. Briger, and sundry other Romanists: Upon which account as God himself is stiled in Scripture, *The Father of mercies*, and *the God of all grace and consolation*; so now they stile, yeasly and pray to her as to the Mother of all Mercy and Consolation; witness these Titles they give her in all their publick and private Devotions; *Water of Mercy*, *Water of Grace*, *Prigo spiritualium fontium et luminum*: Quod secundum omnes Doctores, Maria derivatur a Mari, quia sicut omnia flumina intrant mare & exeunt ab ipso, Eccles. 1. ita omnes gratiæ diviniæ itruant in beatam Virginem, cæteris per partes gratia præstatur: Mariæ vero tota se infundit gratiæ plenitudo, ab ipsa autem Virgine nobis gratiæ communicantur. Ipsa est *fontis hortorum*, Gen. 2. irrigans superficiem universæ terræ; nec ipsa herbæ nec plantæ virtutum possunt germinare, nec crescere, aut proficere, nisi sint ab ipsa aqua gratiæ irrigatæ. O dispensatrici misericordiæ, et elemosynaria gratiarum et divitiarum Dei; O thesauraria altissimi; O cibus et refectio humanæ mentis; O auxiliatrix in omni calamitate; O vena misericordiæ; O unica spes, &c. Noli me abjicere a misericordia tua, sed respicere me digneris tua dulcissima gratia, sicut te cum Johanne respexit filius tuus Dominus et Redemptor, &c. Which prayers and addresses to her, as the only mother, fountain of all Mercy, Pity, and Grace, are grounded upon Bernardinus de Busti, St. Bernards, St. Brigets, Anselmes, and sundry other Romanists assertions and interpretations, that per primam hujus nominis literam M. significatur, quod ipsa est Mater Misericordiæ. Misericordia enim ejus est omnibus Misericordiis aliorum Sanctorum omnium excellentior, generalior, communior, & major: Omnibus se diffundit, nec est qui se abscondat a calore ejus. Ejus misericordia præ cæteris omnibus est diuturnior; cæteris non exaudientibus Maria non deserit. Ejus misericordia est omnibus generalior, quia ubique generaliter invenitur, scilicet, in mundo, in judicio, et in cælo. Primo in mundo, quia misericordia ejus plena est omnis terra: Nec mirum, quia ipsa habet miserendi potentiam, sapientiam, et voluntatem promptam. Secundo subveniet in judicio: Ipsa enim beata virgo cum filio ad judicium veniet, & ibi erit in magno honore quantum ad se, & in magna utilitate quantum ad nos: domesticis suis dabit cibaria; illis etiam vestie duplici stola gloriæ & beatitudinis, &c. anima & corporis. Tercio, ejus misericordia apparet in cælo, quia ejus claritas in beatia est causa gloriæ, lætitiæ, & honorificentia. Mariæ presentia totum illuminatur orbis, adeo ut ipsa superna civitas clarius rutillet, virginæ lampadis illustrata fulgoribus. Misericordia Virginis omnibus est communis, et omnibus misericordiis finem aperit; ipsaque est templum Dei, unde nemini claudis gremium pietatis. Ejus misericordia est omnibus aliis major longitudine, latitudine, sublimitate, & profunditate. Quis benedictæ misericordiæ tuæ longitudinem, latitudinem, et profunditatem investigare posset? Longitudo enim ejus usque ad diem novissimum subvenit universis eam invocantibus.

o See Gabriel Biel Episcopo Canonis Mistæ; Lectio 80. Dr. Reynolds De Idololatria Romanæ Ecclesiæ. l. 1. c. 1. Dr. Boyes his Poësis, p. 145.

\* See mo 76. p. 2 Cor. 1. 3. c. 3. 8. 1 Pet. 5. 10. q Bernardinus de Busti, Mariale pars 3. Sermo 1. par. 2. Derivationist; and throughout his Mariale; Officium beatæ Mariæ secundum usum Sarum, f. 42, 47. and in all their Offices, Breviaries, Rosaries, Primers, and Books of Devotion.

2 Mariale pars 3. Sermo 5. De Prima Prærogativa incipiente ab M. scilicet quod beata Virgo est Mater Misericordiæ, S. Brigittæ Revelationes, & Sermo Angelicus.

tibus. Latitudo ejus replet orbem terrarum, quia ejus misericordia plena est omnis terra. Profunditas sidentibus in tenebris, & umbra mortis se communicavit & gratiam obtinuit; precibus suis obtinendo reis veniam, agrotis medelam, pusillis corda robur, afflictis consolationem, periclitantibus adiutorium, & liberationem. Licet igitur diversis nominibus nuncietur, tamen nullum est praeclarum nomen eique convenientius quem **Pater Misericordiae**. Nam si illam Imperatricem, Reginam, Dominam, Dominam Dominatam, Dea Deorum, appelles, important solum quandam excellentiam, & non benignitatem, nec videbitur esse Dea vel Domina peccatorum. Non etiam videtur esse appellanda Regina gloria, quia gloria est tantum in caelo, & non in terra, nec in inferno, licet in purgatorio. Sed misericordia in quolibet horum est, ergo maximum Regnum est misericordia, et consequenter Maria debet appellari Regina et Pater misericordiae.

\* Bernardinus de Busti, Mariale Pars 12. Sermo 2. Pars 1. L

\* Regnum misericordia est super omnia Regna, & propterea propriè convenit Matri Dei, quae omnium Regnorum Dei est Regina. Praeterea ipsa super patrimonium & proprietatem Filii sui est Regina: Sed hoc patrimonium est misericordia, quia Dei proprium est misereri semper & parcere, Ergo beata virgo propriè Misericordiae est Regina et Pater. Ideo illi canit Ecclesia; Salve Regina misericordiae, Es iterum, Maria mater Gratiae, mater Misericordiae.

\* Bernardin, de Busti Mariale, Pars 3. Sermo 3. De quinta Excellentia Nominis Virginis, quae dicitur Augustalis X. Placitorium Bonaventurae. o Ibid. Pars 3. Sermo 3. de 1 & 2. Excellentia quae dicitur Augustalis.

12ly. They further adde from A. the fifth and last letter of her most sacred name; A significat beatam Virginem esse (not only Advocatam, but) Augustam totius orbis. Si enim uxor terreni Imperatoris appellatur Augusta; multo magis conjuncta et desponsata coelesti Imperatori benedicta Aligo appellari debet Augusta: maxime, quia ipsa augmentabit Imperium divinum super humanum genus deperditum, atque ipsa mediante aditus est fidelis populus colens Deum. Ideo de illa dici potest illud Psal. 104. Et auxit populum suum vehementer. Ad istam igitur Augustam debent omnes tribulati recurrere, quia ipsa neminem spernit, sed omnes benignissime recipit, et semper residit et expectat ad se venientes. Unde Thronus Dei appellatur. Ideo Apostolus Hebr. 4. ait, Adeamus cum fiducia ad thronum gratiae ejus, ut misericordiam consequamur, & gratiam inveniamus in tempore opportuno. Rogemus ergo istam serenissimam Augustam, ut nos ab hostium insidiis et impugnationibus protegens, atque populo Dei annumerari faciens, in bonis operibus perseverantes usque ad finem, ad contemplandam post hujus vitae transitum ejus (not Dei, or Christi) gloriosam Majestatem in coelesti faciat patriam sublimari, Amen.

p Bernardinus de Busti, Mariale pars 2. Sermo 1. De Nativitate Mariae, pars quae dicitur Jocunditatis T.

13ly. They further adde from the letter A, Ipsa est Arca Thesaurorum Dei, quae figurata est in Arca Tabernaculi; in qua divinos thesauros suos omnipotens Deus collocabit, maxime serenissimae misericordiae et charitatis: Yea, p Ipsa est fenestra coeli, per quam Deus oculis suae misericordiae nos respicit. Unde canitur in Officio ejusdem Virginis, Intrent ut astra flebiles, coeli fenestra facta es: Dicere autem potest Virgo benedicta, quae est ostium iherusalem (yea ostium) paradisi, iuxta illud Joan. 10. Ego sum ostium; per me si quis introierit, salvus erit; (blasphemously transferring this Text from Christ to her) Ideo peccatores a patria coelesti exules intrate per portam istam: Ite, o infirmi ad medicum: accedite o orphani ad parentem: pergitte o caeci ad lumen: properate o afflicti ad consolationem: ambulate o virgines post speculum pudicitiae: festinate matres ad matrem Dei; currite o viduae ad nutricem veri sponsi: Proficiscimini o pauperes ad thesauratricem bonorum coelestium: Egredivimini o incarcerationati per famam perfectae libertatis. Nosque omnes in hac miserrimum valle laborantes, rogemus eam cum beato Augustino in sermone habserno, (fathered on him by Popish Impostors) Sancta Maria succurre miseris, juva pusillanimes, refocile flebiles, ora pro populo, interveni pro Clero, Intercede



intercede pro devoto scemineo sexu: sciant omnes tuum jubamen; quicumque celebrant tuam sanctam Matibilitatem. Assiste parata votis poscentium, et repende omnibus optatum effectum. <sup>1</sup> Ipsa enim Maria est virga aurea. Hest. 5. Cum enim Rex Assuerus esset iratus, extensio illius virgæ ipsum placavit, & Regina Hester in palatium introduxit, & omnia impetravit. Ipsa quippe virgo beata Deum placat, quia est nostra Advocata. Cum enim Deus percussit cor peccatoris virga aurea, id est, devotione Virginis, statim placatur, et illi æternam poenam remittit. Et ideo possumus dicere Deo illud, Prov. 23. Si percussieris eum virga, non morietur. Sic & Christus cum nos percussit virga, id est, devotione virginali, nos facit liberos a servitute Diaboli. Hæc quoque beata virgo figurata per virgam auream, in palatium coeleste nos introducit, quia est janua paradisi. Unde canit Ecclesia in Officio beata Virginis, Tu regis alti janua & porta lucis fulgida. Omnia etiam nobis impetras ista virga aurea, quia est mater Dei veneranda, Dicit enim ei filius ejus illud 3 Reg. 2. Pete mater mea, neque enim fas est ut avertam faciem meam à te. Beatus qui audit me, & vigilat ad fores meas quotidie; qui me invenerit, inveniet vitam, & hauriet salutem à Domino; Prov. 8.

q ibid. pars 2.  
Sermo 2. li. 2.

14ly. If this be not sufficient, in pursuance of the premises, they dogmatize; Sciendum est, quod Deus ipse ministræ suæ commisit Officium ministrandi et dispensandi omnes elemosynas et gratias, quas de celo in terram ad nos mittit. Non solum autem fecit eam Deæ elemosynariam suam, per quam nobis pauperibus & esurientibus dedit panem illum celestem, qui de celo descendit, Joan. 6. sed etiam fecit ipsam Censuram suam vinariam, id est, Spiritus sancti abundantiam, in quam introduxit beatam virginem, et fecit eam suam dispensatricem, Cant. 2. Ideo ipsa inquit eis, Cant. 5. Bibite amici & inebriamini charissimi. O nomen gloriosa virginis suavissimum, nomenque jucundissimum Maria! Prima littera M. misericordiam ostendit, & pietatem ejus qua plena est omnis terra. Tu es digna nominari, & ab omnibus amari & revereri, quia per te gratiam adquisimus, gloriam impetramus: per te Maria franguntur vincula, solvuntur debita, vincuntur vitia, solidantur confracta, recuperantur perbita, renobantur vetera, roborantur infirma, magnificantur minima, ima exaltantur, incepta promoventur, infecta perficiuntur, perfecta conservantur, demones fugantur, purgatur cor, mens refulget, et animus inflammatur, liquescit pectus, dulcescit gustus, et decoratus aspectus. Yea Maria, (writes Bernardinus Senensis) omnibus sapientibus & insipientibus copiosissima charitate debetricem se fecit, omnibus misericordiam annuum aperit, ut de plenitudine ejus capiant universi, scilicet, captivus redemptionem, æger curationem, peccator veniam, justus gloriam, angelus lætitiā, demum tota Trinitas gloriam, filii Dei personam humanæ carnis substantiam, ut non sit qui se abscondat a calore ejus.

r Bernardinus de Busti Mariale Pars 3. Sermo 1. Pars 2. quæ dicitur Figurationis.

o Idem, Pars 3. Sermo 2. De beatissimæ Virginis Nominatione.

r De Festivitatibus B. Mariæ Virginis, Sermo 51. cap. 3.

u Bernardus de Busti Mariale Pars 3. Sermo 2. pars 3. Interpretationes G, H.

15ly. Sciendum est ergo, quod isti gloriosæ Domine virginis benedictæ, omnes creaturæ reverentiam exhibent; & faciunt illud quod de filio suo præcepit Apostolus Phil. 2. (which Popes alledge for their Sovereign authority, & their Lady Maryes Advocates for hers) In nomine Jesu Christi omne genu flectatur coelestium, terrestrium, & infernorum. In nomine igitur Virginis Mariæ dicuntur genua flectere agmina caelestia. Angeli etenim nomen ejus Mariæ maxime venerantur et reberenter adorant, et ipse filius matrem suam Dei veneratur et laudat: Quia ergo Christus, ut scriptum est Lu. 2 erat subditus beatæ Virgini, sed hæc est vera locutio, (true blasphemy indeed) Beatæ Virginis omnis creatura est subdita, et Deus. Unde Bernardus Homil. 1. super Missus est, ait, Deus cui servantur potestates, & principatus obediunt, subditus erat matri, & non tantum matri, sed Joseph propter Mariam, ex quo eam veneratur. Secundo, sibi flectunt genua omnia terrestria, id est, omnes generationes, & qua præcesserunt & qua sequuntur, & qua ventura sunt, sicut ipsa inquit Luc. 1. Omnes generationes vocabunt me beatam.

atam. Tercio flectunt sibi genua omnia infernalina, id est, **Dæmones**, qui velint nollint ipsam adorant, et ad eius nominationem patent et tremunt, unde dicit Sanctus Gerardus Episcopus & Martyr. Invite quoque Infernus beatæ Mariæ ululat, & procacissimi dæmones clamant; secundum enim Papiam, **Domina** interpretatur dans minas; & ipsa inimicis humani generis dominans, minas inferi. Item secundum catholicos, interpretatur Domina, id est, domans manus; & ipsa domat demonum manus, et potestates, sedes timent et venerantur. Yea **Ratione glorificationis**, **Canta est gloria Virginis Matris Dei**, quod tantum excellit in gloria naturam Angelicam et humanam simul junctam, quantum circumferentia firmamenti excellit in magnitudine centrum suum, cum intelligat in filio suo, se quasi alterum ipsum Deitate vestitum: Whereto <sup>b</sup> *Arnoldus Carnotensis* addit, Maria constituta est super omnem creaturam, & quicumque Jesu curvat genua, matri quoque pronus supplicat; et filii gloriam cum Matre non tam communem judico quam eandem. Which <sup>c</sup> *Vieja* the Jesuite likewise asserts in the self-same words for Roman Catholick Divinity. Whence <sup>d</sup> *Bernardinus de Bussi* concludes, Boni filii est magis velle quod mater honoretur quam ipse, Christus ergo Optimus filius qui tantam honozabit matrem in terris, nunquid eam honozare desperit in coelis? Boni quoque filii est velle ut magis serbiatur matri quam sibi. No wonder then they honor and serve her more then Christ her sonne, and equallize her with him, both in her Universal Sovereignty and Glory, as one and the same with his; yea make her assumption into heaven more solemn and glorious then her sonnes; Per comparationem utriusque, ista virginis assumptio pompa solennior. Inveniuntur quippe Angeli soli Redemptori occurrere potuisse; Matri vero filius ipse cum tota cœli Curia tam Angelorum quam iustorum hominum occurrens, eberit eam ad beatam sessionem.

<sup>a</sup> Mariale pars 12. Sermo 2. pars 1. S.

<sup>b</sup> Tractatus de Laudibus Virginis.

<sup>c</sup> Comment. in Apoc. 12. sect. 2. nu. 3. Ludovicus Lucius Hist. Jesuitica, l. 3. c. 4. p. 218.

<sup>d</sup> Mariale, pars 11. Serm. 1. pars 6 E. & pars 7. Y.

<sup>e</sup> Bernardini de Bussi Mariale, Pars 12. Sermo 2. de Coronatione Mariæ, pars 3. quæ dicitur Recordationis O.

<sup>f</sup> Bernardini de Bussi Mariale Pars 12. Serm. 1. de Coronatione Mariæ, pars 1. C.

16ly. They thus daily crown the Virgin Mary for their Queen and Empresse of heaven and earth, with this Crown, and vow obedience to her; Cum enim facimus Coronam perinde est ac si ejus Capiti Coronam imponeremus, et ipsam nostram Reginam constitueremus; Corona enim solummodo datur Regibus et Reginis. Tunc ergo ei dicimus, O Maria Imperatrix cœli, Reginaque mundi; ecce quod te elegimus pro Regina nostra, et nos servulos tuos facimus, et in perpetuum sub Imperiis tui servitute vivere volumus. Et ideo sumus mittentes Coronas ante thronum Apoc. 5. thronum tuæ Majestatis. Quia autem miseris misericordia est necessaria, quæ est plenitudo virtutum in singulis; & nos sumus miseri, ideo tibi offerimus Coronam, non quod egeas nostris Coronis aureis vel argenteis, sed ut per hoc contententes te esse magnam Reginam, mereamur sub domino tuo semper permanere. Scimus enim, quod non potest Rex alienare Castrum, Villam, aut Civitatem invito hominibus inhabitantibus. Et ideo postquam nostra Regina facta es, non poteris nos refutare sine consensu nostro. Illud enim solum quis dicitur posse facere quod de jure perjuste facere potest: O igitur Domina et Regina nostra, ecce quod nos servi tui promittimus tibi servare omnem illam fidelitatem quam tenentur quilibet boni subditi custodire erga dominum suum, ideo etiam tu teneris erga nos esse fidelem. Dominus quoque fidelis suo in his omnibus vicem reddere debet; quod si non fecerit, merito censetur maledictus, &c. Debet autem unusquisque Christianus se et sua omnia in manu tua committere, et nullam permittere transire diem quin saltem unam dicat Coronam ad laudem tuam. O igitur Regina nostra serenissima, profecto tu dicere potes illud in Esdr. 1. 1. Omnia regna terræ dedit mihi Dominus. Et nos tibi dicere possumus illud, Tob. 13. In omnia secula regnum tuum, & Psal. 144. Regnum tuum Regnum omnium seculorum; & Dan. 2. Regnum quod in æternum non dissipabitur.

Ami

**Veni ergo et super nos regnum accipe:** Judic. 19. **De regno enim tuodici potest illud,** *Psalm. 103.* Et regnum ipsius omnibus dominabitur; & *Luce. 1.* Regni ejus non erit finis. **Tu quoque in te habes omnes boni Regis et bonæ Reginæ proprietates.** Unde tu potes dicere de devotis ſervitoribus tuis; *2 Para. 12. 1.* Sciant distantiam ſervitutis meæ & ſervitutis regni terrarum: Et quid mirum, *O Virgo benigniſſima,* ſi nobis eſt jucundum tibi ſervire, cum ſervierit *Jacob* pro *Rachel* ſeptem annis, & videbantur dies pauci pro amoris magnitudine, *Gen. 29.* **O bona Domina,** tu ſciſ quod tuus ſervus ſum ego; *Psalm. 115.* Ne igitur tranſeas ſervum tuum, *Gen. 18.* ſed pro tua benignitate dignare dicere de me, Erit mihi ſervus ſempiternus, *2 Reg. 27.* & illud *Iſa. 42.* Ecce ſervus meus, ſuſcipiam eum, Electus meus, complacuit ſibi in illo anima mea: **Placeat humanitati tuæ dicere mihi illud,** *Eſa. 49.* **Servus meus es tu, quia in te glorior.**

17ly. St. \* *Bernardinus Senenſis* thus poſitively reſolves, **De Monarchia autem Univerſi nunquam Chriſtus teſtatus eſt** (by way of Legacy, or grant, no not to St. Peter) eo quod ſine Matris præjudicio nequaquam fieri poteſt: Insuper, noberat, quod poteſt Mater ſiſ irritare teſtamentum, ſi in ſui præjudicium ſit confedum. Ex his omnibus apertiffime claret, quod Mater Jeſu Maria hæreditario jure omnium qui ſunt infra Deum habet Regale Dominiſum et inclytum obtinet Principatum. Therefore it is moſt certain by this Saints verdict, he never aſſigned his Univerſal Monarchy, & all Power in Heaven & earth, to St. Peter or his ſucceſſors at his aſcention; or ſince; whence *Petrus Damianus* (the firſt & inſtitutor of the Office of our Lady) thus aſſures the Virgin, and her Diſciples, **Data eſt Tibi omnis poteſtas in cœlo et in terra;** as well as \* *Bernardinus de Buſſi*, and others in the forecited places. In reſpect of which her Univerſal Sovereignty, their canonized Cardinal St. *Bonaventura* thus concludes the laſt *Psalm* in his *Ladies Psalter*, by metamorphoſing *Dominum* into *Dominam*; *Laudate Dominam in Sanctis ejus; Laudate eam in virtutibus & miraculis ejus; Omnis ſpiritus laudet Dominam noſtram.*

I ſhall now appeal to the Judgements, Conſciences of all ſober Pontificians, as well as Proteſtants, Whether all the premiſed Practices, Prayers, Panegyrics, Reſolutions of theſe their Seraphical Doctors, and canonized Saints, approved, magnified by the Popes, Church of Rome, and devouteſt Roman Catholics of all Orders or Fraternities dedicated to our Lady; and the Sovereign Regal Imperial Dominiſum, Powers they thus aſcribe unto her over all Angels, Powers, Creatures both in heaven, earth, Purgatory, and Hell it ſelf, be not totally inconſiſtent with, derogatory, ſubverſive to St. Peters & the Popes Univerſal Temporal and Eccleſiaſtical Monarchy? And whether they muſt not henceforth diſclaim them as inconſiſtent with, and deſtructive to their Sovereign Ladies, Queens, and Empreſſe *Marys* Monarchy, or elſe ceaſe any longer thus to court, adore, ſing, pray unto her, and renounce all their premiſed paſſages, practices, Poſtills, Prayers relating to her Sovereign Maſteſty, as meer high Treasons, Heresies, Blaſphemies againſt their Univerſal Lord and Monarch St. Peter, and his Roman Succeſſors; who never yet pretended themſelves to be Viceroyes, Vicars General, or Succeſſors to *Mary* in this her Supream Authority, which they have unadviſedly or erroneouſly aſſerted; not well conſidering how inevitably it reſutes and ſubverts their own; and her ſons too; who as he will admit of no equal or corival with him in his Royal *Glory* ſo much leſſe in his Prophetical or Sacerdotal Offices, of Mediation, Advocation, Reconciliation, Salvation, and the like, to all which they intitle the Virgin *Mary*, to hers and his diſhonor, as I ſhall in the next place clearly evidence.

1. Although the Scripture be expreſſe, that as there is but one God, ſo there is but one Mediator between God and Men, the Man Chriſt Jeſus, who gave himſelf a Ransome for all, *1 Tim. 2. 5, 6.* who is likewiſe ſtiled The mediator of the new Covenant, *Hebr. 8. 6. c. 9. 15. c. 12. 24.* by whom only we have acceſſe unto the Father, and the throne of Grace, *Ephes. 2. 18. c. 3. 12. Rom. 5. 2. c. 8. 34. Hebr. 4. 15, 16. and in whoſe name alone we are to make all our addreſſes & petitions to God the Father,* *John 14. 13. c. 15. 16. c. 16. 23, 25, 26. Col. 3. 17.* Yet the Roman Church and Popes have intituled their Queen *Mary* to this peculiar office of

\* Sermo 81.  
Artic. 1. cap. 7:  
See Biſhop  
Uſhers Anſwer  
to the Jeſuits  
Challenge; p.  
480, 481: &  
Bernardin de  
Buſſi Mariæ  
pars 3. Serm. 7:  
pars 3. & pars  
12. Serm. 1.  
pars 12. Serm.  
1, 2.  
† Baronius &  
Spondanus, An.  
1558. n. 2. &  
1095. n. 6.  
\* Sermo 1. De  
Nativitate B.  
Mariæ, Toth. 1:  
Socij Sept. 8:

† *Iſay 41. 8. 6.*  
48. 11.

ME



y Mariæ Pars  
3. Serm. 1. pars  
3. quæ dicitur  
significationis  
H. &c.

z Sermo in  
Apoc. 2. De  
Assumptione  
B. Mariæ.

a In Nativita-  
te Mariæ, De  
Aqueductu,  
Sermo. & Mi-  
chael Lochmair  
Sermo 103. D.

Mediatorship, from the first letter *M.* in her name; For, *Secundum devotos Doctores* (as<sup>1</sup> Bernardinus de Busi informs us) nomen Virginis componitur ex quin- que literis, propter quinque beneficia quæ contulit mundo, quæ incipiunt ab una ipsarum literarum. Per *M.* enim significatur (by their Cabalistical Romish Divinity, that I say not Blasphemy) quod ipsa est Mediatrix nostra, scilicet inter nos et Deum; quia enim per media sedantur discordiæ et lites dirimuntur. Ideo homines a Deo discordantes debent beatam Virginem (not Christ her sonne) Mediatrix interponere, ut pacem cum creatore suo possint reformare. Ipsa namque nata est mundo, ut per filium suum hu- manum genus conciliaret Deo. Ante enim quam virgo Mariæ esset in mundo, tanta erat discordia inter Deum et hominem propter pec- catum primorum parentum, quod nullus quantumcunque sanctus et iustus audebat accedere ad Deum pro gratia impetranda. Sed omnes ex hac vita decedentes ad infernum descendebant, boni ad limbum, mali autem ad æternam poenam infernorum: Beata au- tem Virgo sua mediatore nobis misericordiam impetravit, et gra- tiam atque gloriam, juxta illud Psal. 47. Suscipimus Deus misericordiam tuam in medio templi tui; id est, beatæ Virginis, quia multipliciter dicitur medium vel Mediatrix. Unde<sup>2</sup> Bernardus in quodam Sermonē, Me- diatrix est Maria inter Solem et Lunam, id est, Christum et Ec- clesiam. Primò ergo est Mediatrix nostræ Salvationis; juxta illud, Psal. 47. Deus autem Rex noster ante secula operatus est salutem in medio ter- ræ; id est, ex utero Regina Mariæ, ad quam sicut ad mediam, & sicut ad cau- sam rerum ad negotium singulorum respiciunt, & qui habitant in celo, & qui habi- tant in terra, & qui in inferno, & qui nos precesserunt, & nos qui modo sumus, & qui nos sequuntur, & nati natorum, & qui nascentur ab illis. Qui in celo sunt ut resta- ventur, qui sunt in inferno ut eripiantur, qui nos precesserunt, ut propheta fideles in- veniantur, qui sequuntur ut glorificentur. Ideo beatam te dicunt omnes gene- rationes, Tu Genetrix Dei et Regina Cœli, et Domina mundi, qui generationibus cunctis vitam et gloriam genuisti. In te repe- riunt Angeli et iusti gloriam, peccatores veniam. In te oculi to- tius creaturæ merito respiciunt, quoniam de te et in te benigna ma- nus omnipotentis Dei quos creaverat recreavit. Secundo; est Medi- atrix nostræ conjunctionis et unionis, quia nos disjunctos et divisos a Deo illi conjungit et ungit. Tertio, est Mediatrix nostræ justifica- tionis. Dæmones enim nostram justificationem impediunt: Sed Virgo Maria illorum impedimenta expellit, et ideo nostram justifi- cationem perfecit. Quarto, est Mediatrix nostræ reconciliationis. Peccator enim efficitur inimicus Dei propter peccatum carnalis concupiscentia, vel su- perbia, aut avaritia. Ista autem Dei Mediatrix hos inimicos Dei sæpe reconciliat, dum eos ad poenitentiam revocat. Quinto, est Media- trix nostræ Intercessionis; Ipsa eam pro nobis quotidie intercedit. Ideo Bernardus in Sermonē de Annunciatione ait, Si ad Deum Patrem vereris acce- dere, ad Filium fuge; quia hunc tibi fratrem Maria dedit. Sed si fortè in ipso majestatem divinitatis vereris, ad Mariam recurre, quæ est humanitas pura, et ipsa exaudietur pro sua reverentia. Sexto, ipsa est Mediatrix Communicationis, quia cum adhuc esset in mundo, communicavit cum sanctis qui erant in via, et cum illis qui erant in patria; & quan- tum ad hoc potest appellari firmamentum, quod est in medio aquarum quæ sunt super cul- los & infra, Gen. 1. So Bernardinus de Busi, and St. Bernard thus long before him. <sup>3</sup> Ad Patrem verebaris accedere, solo auditu territus, ad Filium fugiebas: Je- sum tibi dedit Mediatorem: Quid non apud talem Patrem Filius talis obtineat? Ex- audietur utique pro reverentia sua. An verò trepidas & ad ipsum? Frater tuus est, & caro tua, temptatus per omnia absque peccato, ut misericors fieret. Hunc tibi fra- trem Maria dedit. Sed fortè & in ipso Majestatem vereare divinam, quia licet sa-  
ctus

*Et sic homo, manserit tamen Deus. Advocatum habere vis ad ipsum? Ad Mariam recurre. Pura siquidem humanitas in Maria; non modo pura ab omni contaminatione, sed & pura singularitate natura. Nec dubius dixerim exaudietur, et ipsa pro reverentia sua. Exaudiet nique Matrem Filium, & exaudiet Filium Patrem. Fissili hac peccatorum scala: hac mea maxima fiducia est: hac tota ratio spei mei. Velut est medium inter rorem & arcam, mulier inter Solem & Lunam, Maria inter Christum et Ecclesiam constituta. Hence he introduceth the Church thus praying to her, as the Mediatrice between her and the Sun, under the Title of the Moon, from Apoc. 12. <sup>b</sup> Jam te Mater misericordia per ipsum sanctissima tua mentis affectum tuus jacens proboluta pedibus Luna, Mediatricem tibi apud solem iusticie constitutam devotis supplicationibus, ut in lumine tuo videat lumen, et solis gratiam tuo mereatur obtentu quam vero amabit pro omnibus, et ornabit stola glorie induens, et coronam pulchritudinis ponens in capite tuo. Plena es gratiarum, plena torque coelesti, innixa super dilectum delictis affluens. Tibi hodie pauperes tuos Domina: ipsi quoque Catelli de micis edant: nec puero Abraham tantum, sed et camelis potus tribuas de superefluenti bibula tua. Ipsa nempe Mediatricis nostra, ipsa est per quam suscepit misericordiam tuam Deus, ipsa per quam et nos Dominum Jesum in Domus nostras suscepimus. Bernardinus de Busti with sundry others in their publike Prayers, and private Devotions, as they invoke her by the Name of **O Mediatric Dei et hominum**: So they argue she was conceived without original sin. <sup>d</sup> Ratione Mediationis, quia beata Virgo fuit Media inter Creaturam et Creatorem. Ergo fuit perfectissima omni perfectione qua in creaturam cadere potest: Et idcirco sicut cælum chrysellinum est medium inter cælum empyreum & stellatum: ita tu es Mediatric Dei et hominum. Hoc quoque tibi convenit, quæ divina vindictæ impetum moderaris, et iracundia ejus calorem temperas, atque ab inflammatione et exterminio interventus tuo mundum conservas et defendis: Of which more in the 3d. and 5th letters of her name, concerning her Redeemers and Advocates offices.*

Hence Bernardinus Senensis useth these extravagant passages concerning her Redeeming, saving Adam and all Mankind; and the Saints in the Old as well as New Testament from Damnation, and all their temporal and spiritual Enemies; *Licet Adam & Eva propter transgressionem divini præcepti totalem meruissent annihilationem & exterminationem, cum omni posteritate sua; tamen prævidens divina Clementia hanc purissimam virginem esse in lumbis ipsorum radicalliter, a quibus nasci debebat ipsa nobilissima sponsa Dei; a qua filius æterni Regis generari debebat: juxta illud, Psal. 132. De fructu ventris tui ponam super sedem meam: suspendit indignationem suam, et primos parentes cum omni natura humana ab æterno exterminio liberavit. Ob ejusdem quoque virginis amorem præservavit Noe de diluvio, Abraham de corde regum, Isaac de Ismael, Jacob de Esau, ac populum Judæum de manu Pharaonis, & de captivitate Babylonica liberavit, David quoque de Leone, & de Golia, & de Saul; et breviter, omnes indulgentiæ et liberationis factæ a Deo in veteri Testamento, secundum prædictos Doctores, ob virginis dilectionem provenire: unde verificatum fuit illud, Prov. 25. Gratia & amicitia, scilicet beate Virginis, liberat, scilicet ab omnibus malis, as well spiritual as temporal.*

Besides, their <sup>a</sup> Seraphick Doctors comparing Mary with Eve, interre from Gen. 3. dicunt, Et vocavit nomen ejus Eva, eo quod esset mater omnium viventium. Si ergo illa appellata est Eva qua erat mater omnium viventium vita natura; multo fortius illa beatissima virgo qua est mater omnium viventium vita gratia. Eva damnat, Maria salvat, unde ipsa nomen Eve mutabit. Illa enim omnes homines generat in mundum, illa in cælum: Illa mater carnalis, ista spiritalis.

<sup>b</sup> De Verbis beati Joan. Apoc. 12. Sermo

<sup>c</sup> De Evang. L. & Luc. 107 Sermo 2.

<sup>d</sup> Bernardinus de Busti Mariæ para 12. Sermo 2. para 2. T. para 2. Sermo 6. T. Sermo 8. para 1.

<sup>e</sup> Bernardinus de Busti Ordinis Francisci, Para 1. Sermo 7. d. Conceptione Mariæ, para 1. B.

<sup>a</sup> Albertus Magnus per Missus cap. 54. Bernardinus de Busti Mariæ Para 3. Sermo 2. para 2. A. & Para 3. Sermo 7. parte 1. C. & Sermo 5. Confessio, 1. F.

**Spiritualis.** *Illa mater miseria, ista misericordia; Illa principium mortalitatis, ista principium regenerationis; Illa gratiam perdidit, ista gratiam invenit; Illa transiit, & nos transire fecit in culpam, ista nos surgere fecit de culpa in gratiam; Illa de latere viri dormientis facta, ista de corde Domini vigilantis. Illa viro suo occasio fuit perditionis, hæc viro suo ADJUTORIUM REDEMPTIONIS. Illa desponsatur origo corruptarum, hæc desponsatur mansura virgo virginum. Illa prima virginitatem perdidit, ista prima virginitatem Deo conseruabit; illa à Diabolo decepta, ista ab Angelo edocta; Illam Diabolus viciis per superbiam, ista Diabolum vicit per humilitatem: Et sic patet, qualiter mutabit nomen Evæ. Ideo ipsam virginem exorat Ecclesia Dei. Sumens illud abe Gabrielis ore, funda nos in pace mutans nomen Evæ. To which he subjoynes, Maria dicitur Stella, quia vivificat. Siquidem mors regnabat ab Adam, Rom. 5. Veniente autem hac Stella, omnia mortua sunt vitæ restituta: Quippe ipsa est lignum vitæ, &c. Hence \* Jacobus de Valtina, Episcopus Christopolitanus, thus antichristianly writes, Peccando post baptismum videntur contemnere & despicere passionem Christi, & sic nullus peccator meretur quod Christus amplius intercedat pro ipso apud patrem, sine cujus intercessione nemo potest liberari a pœna æterna nec temporali, nec culpa quam ipse voluntarie perpetravit: et ideo fuit necesse, ut Christus constitueret matrem suam præelectam Mediatrix inter nos et ipsum. Et sic in hac peregrinatione non relinquitur nobis aliud refugium in nostris tribulationibus et adversitatibus, nisi recurrere ad Virginem Mariam Mediatrix, ut velit placare iram Filii. Hence \* Antoninus Archbishop of Florence records, that St. Dominick being at Rome in the Papacy of Honorius the 3d. nocte quadam orationi incumbens, vigilanter, vidit ad Patris dexteram exurgere Filium in ira sua, ut interficeret omnes peccatores terræ, et disperderet omnes operantes iniquitatem, &c. Cujus iræ dum nemo potest resistere, occurrit propicia virgo Mater, et rogabit ut parceret eis quos redimerat, et iustitiam misericordia temperaret. Ad quam Filius, Nonne vides (inquit) quantæ mihi ferogantur injuriæ? Iustitia mea tanta mala non sustinet impunita: whereupon his Mother promising her Son to send her two faithfull Servants, St. Dominick and St. Francis, as the only means to reduce these sinners to him; Filius dixit, Ecce placatus suscepi faciem tuam, and by this her Mediation appeased Christs wrath against them; who thereupon committed these two Freers and their Orders to his Mothers special service and protection, to reconcile these sinners to him, by the ayde of her intercession and advocacy on their behalf; Upon this ground-work, their \* Hercules Lipomannus cries out in his marginal agony; Ecce quam potentissima est Sancta Dei genitrix, et quomodo nullus salvus fieri possit, nisi per eam! Hence their St. <sup>b</sup> Anselm, <sup>c</sup> Bernardinus Senensis, and others, in their Extasies and Extravagant Devotions, thus magnifie her as the Ladder and gate of Heaven, the recoverer, restorer, reconciler, redeemer of the lost World, &c. Quid nos tantilli, quid nos actione pusilli, quid in laudibus ejus referamus, cum etiam si omnium nostrorum membra verterentur in linguas, eam laudare non sufficerent. Altior enim est cælo de qua loquimur virgo, abisso profundior, cuius laudes dicere conamur; si cælum inquam te vocem, altior es; si vero matrem Gentium, præcedis, si formam Dei te appellem, digna existis: si Dominam Angelorum, per omnia esse probaris. Quid igitur digne de te dicam? Maria est flos et janua Paradysi, Gloria generis humani, thronus et Camera Regis æterni, Charitas Dei, lucerna mundi, scala cœli, Regina Angelorum, terror Dæmonum, refugium peccatorum, Imago et speculum puritatis, exemplum et regula honestatis, fons et taberna Gratiarum, mons et scala virtutum, arca Cœlestium thesaurorum, consolatio pauperum, refrenatio dîbitum, recreatio humilium, confusio superbiorum, solatium electorum, conduarct peregrinorum, portus naufragantium, murus*

\* In Expositio-  
ne Canticæ  
Virginis Mariæ  
Magnificat.

\* Chronica,  
Pars 3. Tit. 24.  
c. 3.

a Pag 289. See  
Bishop Jewels  
Defence of the  
Apology, part 6  
ch. 7. divif. 3.  
p. 682.  
b De Excell.  
beatæ Mariæ.  
c Sermo 51. de  
Festivitatibus  
Mariæ, Artic. 3.  
cap. 4.



murus obsessorum, requies tribulatozorum, mater orphanozorum, tute-  
 la viduarum, scutum pugnatozorum, dulcedo contemplatiozorum, ma-  
 gistra pzdicatozorum, fortitudo labozantium, Advocata poenitenti-  
 um, medicina egrotantium, forma iustozorum, spes et laus credenti-  
 um, et \* titulus Catholicozorum. *Gloriosa Virgo, & Mater misericordia, Re-* \* Marian Cas-  
*gina et fons totius dulcedinis et pietatis, quid dicemus? quo organo vocis* tholicks.  
*exprimemus, quantum tibi debemus? Quicquid protulerimus minus est,*  
 et quasi nihil ad ea quæ tibi exequo debemus. Tu ante omnem  
 creaturam in mente Dei pzordinata fuisti, ut omnium scēmina-  
 rum castissima Deum ipsum hominem verum ex tua carne pzocre-  
 ares, ut pz omnibus post filium Regina cœlozorum effecta Gloriosa  
 regnares; ut perditio mundo recuperares aditum, et vitz perennis  
 emolumentum properares. Tu Genus humanum æternitatis Glo-  
 ria nudatum per tuum virgineum partum in pzissimum statum deduxi-  
 sti: tu pzincipem mortis evertisti: per te ad æternam Gloriam qui-  
 cunque perventuri sumus pervenimus, et per te est si quid boni su-  
 mus, sive possumus, sive habemus. Tu post Deum summa ac  
 singularis consolatio nostra, tu ad regna cœlozorum Dur et Sub-  
 ventio nostra. Tu quæsumus esto in ipso beatitudinis regno suscep-  
 trix, ac perpetua exaltatio nostra, quæ Christo Jesu dulcissimo fi-  
 lio tuo gloriosa conregnas, Regina cœli, Domina mundi, per in-  
 finita seculozorum secula, Amen. Vpon this account \* *Antidotarium Anima*, p. 101. prescribes this prayer to her, as a special Antidote to save and preserve the  
 souls of Roman Catholicks: O Mary, the learnedest Advocate of the guilty, the  
 only Hope of the desperate, the SAVIOVR of sinners, I beseech thee at the last day,  
 enlighten me with the beams of thy most bright face: Then there is no other Hope  
 but thee; SAVE ME O SAVIORESSE, REDEEM ME O REDEEMER; my  
 sins load me, the flesh defileth me, the Devil lyeth in wait for me. Besides, in her pub-  
 like Offices, Hours, they thus publikely salute, invoke her; Ave Maria, abyssa-  
 lis Fons omnis Gratiæ, et Misericordiæ. Ave Maria, SALUS, et  
 consolatrix Peccatozorum, et Vivozorum et mortuoꝝum pzomptissima,  
 Mater Orphanozorum, Consolatio desolatoꝝum, via errantium;  
 SALUS & SPES in te sperantium, Fons SALUTIS, Fons Consolationis  
 et indulgentiæ; ostende michi faciem tuam, et vitam æternam michi  
 tribuas. Ad te hodie o unica spes miseroꝝum confugio, plenus si-  
 ducia. Tibi meipsum et omnes necessitates meas devote recom-  
 mendo. Te hodie matrem et matronam pz omnibus eligo ac pzopto.  
 Noli ergo pzissima mater abscere me miserum peccatoꝝem pzopter  
 peccata mea nimia, et noli me abscere a misericordia tua pzopter  
 eum, qui amoꝝe mei nudus et dilaceratus pependit in cruce ante te;  
 sed respicere me digneris tua dulcissima gratia, et materna pieta-  
 te in hoꝝa mortis meæ suscipe animam meam, et offer illam dulcis-  
 simo filio tuo Jesu. O beata Maria mater Dei, Peccatoꝝum Inter-  
 ventrix, concilia me antequam infernus me devoꝝat. Exaudi me,  
 SALVA ME. Defende me a poenis inferni. Stella cœli extirpabit  
 quæ lacrabit Dominum, Hostis pestem quam plantabit pzimus  
 pzæns hominum. Yea their canonized St. Bernard, and Bernardinus de Busi,  
 extoll her as Parentum Reparatricem, et posteroꝝum vivificatricem.  
 Superadding, Propterea curre Eva ad Mariam, curre mater ad filiam, filia pzoma-  
 tre respondeat, ipsa matris opprobrium auferat, ipsa patri pzoma-  
 matre satisfaciatur, quia ecce si vir cecidit per scēminam, jam non  
 erigitur nisi per scēminam. And in his *Officium Conceptionis beatæ Mariæ*, au-  
 thorized by the Bull of Pope Sixtus the 4. to be publikely used in all Churches,  
 especially on the feast of her Conception without original sione (as they hold.) he  
 G begins

\* Marian Cas-  
tholicks.

\* See Dr. John  
White, his E-  
pistle to the  
Reader, sect.  
14. before the  
Way to the  
True Church.

b Officium B.  
Mariæ, secun-  
dum usum Sa-  
rum, f. 38, 40,  
41, 42, 47, 81,  
& sundry o-  
ther Offices,  
Hours, Psalters  
of our Lady.

c Mariale Pars  
1. de Concep-  
tione Mariæ,  
Sermo 7. Y.

begins her *Devotissimum officium*, with this Hymn, *Gande Mater Salvatoris, Porta coeli tu vocaris, MUNDI SALUS* *savientis*, caput cedens Holofernis, *Mare sicco calle transis, curram mergens Pharaonis, Inque Syon dominaris, pulsans inde Jebuseos, &c.* *Alueri Regis sceptrum caput tangens virgo tuum, mori fecit laqueatum Aman sanctis inimicum: Babylonis Rex in pradam non abduxit te captivam; Philisthei nec Golix'es transfixa pugione. Sicut suum sol nitorem, nunquam perdit nec decorem; Primi patris sic tu labem nullam sentis nec fatorem. Tu sol occasum nesciens, &c.* *Delicti nubes profugans. Nullus in te confidentes unquam vidit insolites; Vere tibi nam devotus est necesse sit beatus. Ad te ergo nos clamantes in hac valle lachrymantes: Ad nuptias aeternales fac venire triumphales.* Amen. Besides most <sup>d</sup> Pontificians frequently apply that text of *Gen.* 3. 15. to *Mary*, translating *Ipsam* into *Ipsa*, as if meant most properly of *Mary* her self, not of Christ her seed; asserting her to be the principal Saviour, Redeemer of lost Mankind by breaking this Serpents head; adding, *Et si adhuc dubites an de Maria dixerit, audi quod sequitur*, *Ipsa conteret caput tuum.* *Cui hac sancta victoria, nisi Maria?* *Ipsa proculdubio caput contrivit venenatum, quæ omnimodam maliciam, suggestionem, tam de carnis illecebra quam de mentis superbia deducit ad nihilum.* Hence they teach & enjoin all *Roman Catholics*, thus to salute, invoke *Mary*, as in sundry other Offices, Hours, Psalters, Crowns, Rosaries, dedicated to her name and worship, so likewise in the very beginning of their \* *Hora beatissima Virginis, secundum usum Romanum*, used in *Rome* and elsewhere; *Salve Regina Mater Misericordiae, VITA, dulcedo et spes nostra, Salve; Ad te clamamus exules filii Evæ, ad te suspiramus gementes et flentes in hac lachrymarum valle: Eja ergo Advocata nostra, illos tuos misericordiae oculos ad nos converte; et Jesum benedictum fructum ventris tui post hoc exilium nobis ostende: O clemens, O pia, O dulcis Maria, Dignare me.* <sup>e</sup> *Bern. de Bussi* in the close of his *Mariale*, (dedicated to Pope *Alexander* the 6. and highly applauded by him) bestows this New Crown of Blasphemy, rather than Glory, upon this their new Redeemer *Queen Mary*, which *quilibet devotus ad gloriam ipsius debet dicere.* *O cibus et refectio humanæ mentis, O vita nostra, O auxilium in omni calamitate, O mater pietatis, O vena nostræ salutis, O principium nostræ amoris, O Redemptrix universi, O mutatrix cursus naturalis, O Recuperatrix perditæ orbis, O Renovatrix humanæ naturæ, O Mediatrix Dei et hominum, O spes solida nostræ mercedis, O duatrix omnis fidelis errantis, O fundamentum nostræ fidei, O mare in quod effluunt omnia flumina divinum charissimum, O sagitta contra serpentem antiquum, O portus desiderabilis, O schola omnium virtutum, O pons periculosi hujus mundani fluminis, O ardor superni amoris, O scala per quam in cælum ascenditur.* *O vas et templum Spiritus sancti, O speculum in quo resplendet omne bonum, O norma iustitiarum, O castitatis magistra, O innocentia forma, O ante nostrum iudicem Advocata fidelissima, O gloria Angelorum, O decus omnium cælozum, O dispensatrix donorum Dei, O mater æterni verbi Dei, O portuaria paradisi, O aqua mellisua que das bibere omni sitienti, O exemplar humilitatis, O Secretaria æterni consilii, O tabernaculum sanctum, O refugium nostræ miserie, O Abstergeatrix ab æterna morte, O thesauraria altissimi, O puella super omnes prælecta, O vox Prophetarum, O desiderium Patriarcharum, O flamma inter Seraphim, O lumen ad Cherubin, O throna inter thronos, O Domina inter Dominationes, O Patriarcha Princeps inter principatus, O columna omnis potestatis, O virtutum suprema virtus, O Archangela inter Archangelos, O omnium Angelorum ornamentum, O hortus deliciarum, O corona iustorum, O triumphus cæli empyrei, O filia Patris æterni, O genitrix*

<sup>d</sup> S. Bernardus  
Homil. 2. super  
Missus est,  
f. 5. Bernardus  
Senensis,  
Sermo 51. Artic.  
2. c. 2. &  
their Vulgar  
Latin Bible.

\* Answerpiz  
1768. p. 5. 6.

<sup>e</sup> Pars 12. De  
Coronatione  
Mariæ Sermo 2.  
at the end.

trix divinæ majestatis, O sponsa Paracleti, O Regina et Imperatrix Divis universi, defende nos a malignis spiritibus, & fac ut in die judicii audiamus unigenitum filium tuum nobis dicentem, Venite benedicti patris mei, possidete regnum quod vobis paratum est ab origine mundi. In quo regno perenniter te laudare et glorificare valeamus (in the first place) cum filio dilectissimo tuo, per omnia secula seculorum. Amen. Hence their Seraphical Bonaventura, Bishop of Alba, a Cardinal Priest and canonized Saint of Rome, in his blasphemous Psalter printed at Argentine 1495. Part. 2. f. 84, &c. soars as high or somewhat higher than his fellows, using these extasies of Devotion towards his Saviouresse the Lady Mary, Ecce Domina SALVATRIX MEA, fiducialiter agam in te & non timebo; quia fortitudo mea es, et facta es mihi IN SALUTEM. Exulta TOTUM HUMANVM GENUS, quia TALEM DEDIT TIBI MEDIA TRICEM Dominus Deus tuus: Confitebor tibi Domina, quia abscondisti hac à sapientibus, (the wisest sort of Christians the Protestants) & revelasti ea parvulis, (the childish Romanists and Pontificians) who thus bespeak and pray unto her in their devotions penned by him, O benedicta, in manibus tuis reposita est nostra salus. Quemadmodum enim infans sine nutrice non potest vivere, ita nec sine Domina nostra posses habere SALUTEM. Yea he concludes with this new anti-Athanasius Marian Catholick Creed; Quicumque vult SALVUS ESSE, ANTE OMNIA OPVS EST, VT TENEAT DE MARIA (hanc) FIRMAM FIDEM: Quam nisi quisq. integram et inviolatam servaverit, absque dubio in æternum peribit: And thus upbraids all those who will not undoubtedly believe her to be their Saviouresse, Generatio prava ac perversa, agnosce Dominam nostram SALVATRICEM TVAM, Nunquid ipsa est Mater tua quæ possedit te, et in fide generavit te? Moreover, he not only thus invokes her, O Mediatrix nostra, O Mediatrix inter Deum et hominem; O Advocata miserorum, oculi servorum tuorum ad te diriguntur, &c. but thus wittingly alters, perverts the words of several Psalms, Texts from Dominum into Dominam, or eam, &c. as for other purposes; so for this of her Salvation and Reconciliation of them. \* Psal. 2. Venite ad eam, qui laboratis et tribulati estis, et dabit refrigerium animabus vestris. Psal. 3. Deduc me ad portum Salutis, & spiritum meum redde factori meo. Pl. 6. Domina ne in furore Dei sinas corripere me, neque in ira ejus judicari, &c. De portu inferi et de ventre abyssi libera nos. Aperiantur nobis janua sempiternæ, et enaremus in æternum mirabilia tua. Quia non mortui, nec qui in inferno sunt, laudabunt te Domina, sed qui tua gratia vitam æternam obtinebunt. Pl. 12. Saluum me fac mater pulchre dilectionis, &c. Syzum terræ sola circuis ut subvenias invocantibus te, &c. Psal. 47. Omnes gentes plaudite manibus, &c. quoniam Ista est porta vitæ, janua SALUTIS, et vitæ nostræ RECONCILIATRIX; spes pœnitentium, solamen lugentium, pax beata cordium, atque SALUS. Miserere mei Domina, miserere mei, quia tu es lux et spes omnium confidentium in te. Psal. 51. Miserere mei Domina, quæ mater misericordiæ diceris; et secundum viscera misericordiæ tuarum munda me ab omnibus iniquitatibus meis, &c. Psal. 54. Domina in nomine tuo SALVUM me fac, et ab injustitiis meis libera me. Pl. 71. Domina, in te speravi, non confundar in æternum, in tua misericordiâ libera me, &c. Pl. 105. Confitemini Domine nostræ, et invocate nomen ejus, &c. Salus sempiterna in manu tua, Domina, &c. Pl. 136. Non invenietur Propitiatio sine illa. If these blasphemies be not sufficient, Bernardinus de Busi, and others out of Sr. Bernard will further assure us. Beata Virgo Maria dicitur scala cæli, quam vidit Jacob Patriarcha, Gen. 28. Scala dicitur, quia per ipsam Angeli ad nostram protectionem descendunt, & gratia divina per eam nobis donantur, cui profecto scala Dominus innixus est, quia nihil Nos Deus habere voluit quod per Mariæ manus non transiret, et nihil ex operibus nostris sibi esse gratum, nisi per manus matris offeratur. Ideo modicum illud quod Deo offerre desideras, gratissimis Mariæ manibus cura tradere, si repulsam non

f See Fox Acts & Monuments, Vol. 3. London 1641. p. 273, to 277.

See Fox Lib. p. 274, &c.

a Mariale pars 9. Sermo 2. Assimilatio 2. Quare beata Virgo dicitur Scala cæli.



**vis habere.** Hoc etiam pater exemplo quod legitur in Chronicis nostris, (a most observable one in good earnest, worthy special notice, evidencing that there is no so safe or speedy ascention for Christians into Heaven by the red Ladder of Christ our Saviours blood, as by this white ladder of Heaven the Virgin Mary, by Christs own revelation to St. Francis, thus recorded by Bernardus de Bussi, and others.) **Quod quadam die Sanctus** Franciscus vidit duas scalas, unam rubeam, cui Christus innixus erat, et aliam albam, in qua virgo erat. Et cum ad monita beati Francisci fratres scalam rubeam ascendere conarentur, dum ire inciperent, retro multi cadebant, et ascendere non poterant. De qua re Sanctus Franciscus fiendo dolebat: cui Christus dixit, (if you dare credit his Legend) **Fac ut fratres tui ad Matrem meam currant, et ad scalam albam, atque per eam ascendant.** Tunc beatus Franciscus exclamare cepit, dicens, **Currite fratres ad scalam albam, et ascendite per eam.** Quod facientes fratres a beata Virgine læta facie suscipiebantur, et in coelum cum facilitate ascendebant. Whence most other Roman Votaries run principally to this Ladder, as the only easie, safe, speediest Ladder to obtain Salvation, and ascention into Heaven. But enough of these their blasphemies, rather then devotions, whereof there are hundreds more in Bernardinus his Mariale.

2ly. Whereas the sacred Scriptures, Saints, and Church therein, made God himself, Jesus Christ his Son, and the Holy Ghost their only ayd, help, hope, comforter, deliverer, refuge, Saviour in times of all their Temporal or Spiritual troubles, dangers; praying only to God or Christ alone for deliverance, help, comfort, salvation out of them, ascribing all their deliverances and salvation only unto God, Deut. 33. 7, 26, 29. 1 Chron. 12. 18. 2 Chron. 20. 4, &c. Psal. 10. 14. Psal. 18. 2, 3. Psal. 20. 2. Psal. 28. 7. Psal. 30. 10. Psal. 33. 18, 19, 20. Psal. 35. 2, &c. Psal. 39. 7. Psal. 40. 17. Psal. 42. 5. Psal. 43. 5, 11. Psal. 44. 26. Psal. 46. 1, 11. Psal. 63. 7. Psal. 71. 5, 12, 14. Psal. 78. 7. Psal. 89. 17. Psal. 108. 12. Psal. 115. 9, 10, 11. Psal. 116. 6. Psal. 118. 13. Psal. 121. 1, 2. Psal. 124. 8. Psal. 106. 11. Psal. 68. 19, 20. Psal. 96. 2. Psal. 98. 2, 3. Psal. 144. 10. Psal. 146. 3, 5, 6. Psal. 147. 11. Jer. 18. 4. c. 17. 7, 13. Lam. 3. 24. Joel 3. 16. Hof. 13. 9. Isa. 14. 14. c. 50. 7, 9. Mat. 15. 25. c. 8. 25. c. 14. 30. Luke 2. 25. Col. 1. 5, 27. 1 Thes. 1. 3. 1 Tim. 1. 1, 15. Tit. 1. 3, 4. c. 2. 13. 1 Pet. 1. 3, 21. Hebr. 13. 6. 1 John 4. 14. 1 Sam. 7. 8. 1 Chron. 16. 35. Psal. 80. 2. Psal. 106. 47. Isa. 25. 9. c. 33. 22. c. 35. 4. c. 37. 10, 35. c. 43. 3, 11. c. 45. 15, 21. c. 49. 16. c. 52. 10. c. 60. 16. c. 63. 1. Psal. 80. 3, 7, 9. 1 Chron. 16. 35. Jonah 2. 9. Jer. 3. 23. c. 15. 10. c. 30. 10. c. 31. 7. c. 46. 17. Hof. 1. 7. c. 13. 4, 10. Zeph. 3. 17, 19. Zach. 8. 7, 13. c. 9. 16. c. 12. 7. Mat. 1. 21. c. 18. 11. John 4. 42. c. 12. 47. c. 14. 15, 16. c. 15. 26. 1 Tim. 2. 15, 16, 17, 18. Hebr. 5. 7. c. 7. 14. Acts 5. 31. c. 13. 23. Ephes. 5. 23. Phil. 3. 20. 1 Pet. 1. 1, 11. Jude 25. Rom. 15. 5. 2 Cor. 1. 3. 2 Thes. 2. 16, 17. Isa. 51. 3. c. 61. 2. Psal. 71. 21. Psal. 119. 81. Zach. 1. 16, 17. 2 Tim. 1. 9. Psal. 3. 8. Acts 4. 11. which sacred Texts (with sundry more) I desire all Pontificians and Marians seriously to peruse. The Popes, Doctors, and Church of Rome, in direct opposition to all these Scriptures, from A. the second Letter in the name of Maria, proclaim her to be, and pray to her as their only ayder, or chief help, hope, deliverer, comforter, yea Saviour, in all their corporal or spiritual dangers, troubles; attributing their deliverance and salvation unto her alone, not God or Jesus Christ: witnesse not only the premised passages, but these other Assertions, Invocations, Prayers in their authorized Writers, Offices, Psalters, publick and private Devotions. **Secunda litera nominis beata Virginis est A.** (writes Bernardinus de Bussi) per quam significatur, **quod ipsa est Auxiliatrix nostra.** Ideo Augustinus in quadam Sermone inquit; **Domina nostra, Auxiliatrix nostra,** tuo filio nos reconcilia, tuo nato nos recommenda, tuo filio nos representa, fac benedicta per gratiam quam invenisti, per prerogativam quam meruisti, per misericordiam quam peperisti, ut sicut te mediante filius tuus dignatus est participes fieri infirmitatis & miseria nostra; sic quoque te intercedente participes nos faciat gloria & beatitudinis. Hac illa beata igitur Virgo fuit **Adjutrix sive Auxiliatrix nostræ Redemptionis, et Auxiliatrix nostræ Justificationis.** Prima enim fuit Auxiliatrix nostræ Redemptionis, quantum ad quatuor genera causarum. Primo, quantum ad causam efficientem, quia illum

\* See Speculum  
Vitz Francisci  
& Sociorum e-  
jus, parte 2. c.  
49. Speculum  
Exemplorum,  
Distinct. 7.  
Exempl. 41.

a Bernardinus  
de Bussi, Mari-  
ale pars 3. Ser-  
mo 1. De No-  
minatione Ma-  
rie, pars 3. N.  
See Augustinus  
de Leonissa,  
Sermones de  
Ave Maria, Pe-  
trus de Palude  
Sermo de An-  
nunciatione  
Mariæ, Micha-  
el Lochmair,  
Serm. 6, 75, 76.  
Bernardinus  
Senensis, Serm.  
51, 61, and  
others.

illum genuit qui nostram salutem operatus fuit. Secundo, quantum ad causam materialem, quia de suis visceribus nostra redemptionis materiam ministravit. Tertio, quantum ad causam formalem. Quarto, quantum ad causam finalem, quia nobis ad beatitudinem consequendam a nobis a Deo data fuit: Unde dicitur, Apoc. 12. quod in capite ejus est corona 12. stellarum, quia omnes Sancti per ipsam sunt coronati. <sup>b</sup> Secundo, ipsa est Auxiliatrix nostrae Justificationis, quia efficaciter adjuvat, in omni statu, in vita, in morte, et post mortem, tam bonos quam malos. In vita, bonos scilicet, in gratia conservando; malos vero ad misericordiam Dei per penitentiam reducendo. In morte, ab omnibus insidiis Diaboli protegendo. Post mortem, animas in suas manus suscipiendo, et eas ad coelum deducendo: Unde canit Ecclesia, Maria Mater gratiae, Mater misericordiae, Tu nos ab hoste protege, & in hora mortis suscipe. Tertio videndum est propter quod adjuvat; circa quod notandum est, quod plura sunt, propter quae nos adjuvare tenetur. Et primo, propter abundantiam suam cumulum. Secundo, propter debitum. Tertio, propter commissum officium; she being appointed auxilium ordinarium, quo militante cessat extraordinarium, scilicet aliorum Sanctorum. Et ideo omnes debent in necessitatibus suis ad eam recurrere tanquam ad matrem, cui commisit Deus officium maternum; unde illi dicere debemus illud, quod canit Ecclesia, dicens, Monstra te esse matrem. Nemo ergo se reputet pauperem, nec in miseria permaneat, cum sit amicus tam divitis potentis, sed confidenter ad postulandum ipsius adiutorium pergat. Deus enim de ea confidens, omnes gratias faciendas ei commisit. Item omnibus succurrit; Nam adjuvat tribulatos, dant eis patientiam. Adjuvat etiam tentatos, dant eis victoriam. Adjuvat quoque in Dei amore famelicos, dando eis refecionem internam. Quarto, nos adjuvat propter suum animum viscerosum. Quinto, propter divina liberalitatis impensum illi beneficium: Idcirco de sua plenitudine nobis debet effundere, & nobis filiis suis tanquam bona mater caeleste regnum imperare. Possumus etiam aliam rationem assignare, quia ipsa tam gratiam Dei, quam humanum genus, amissam invenit. Et ideo non debet gratiam quam invenit occultam tenere, sed nobis propalare & reddere, alias reputabitur fur. Hence they thus fly, pray to, salute, invoke Mary in their publick and private Devotions, as their only constant ayd, help, guide, sanctuary, harbour, protector, deliverer in the troublesome Sea of this world. <sup>c</sup> Mater Orphanorum, consolatio desolatorum, via errantium, salus et spes in te sperantium, fons misericordiae, fons salutis et gratiae, salus et consolatrix vivorum et mortuorum, bona et abyssalis fons omnis misericordiae. Obsecro te Sancta Maria pietatis plenissima, venias & festines in auxilium & consilium meum, in omnibus orationibus & requisitis meis; & in omnibus angustiis & necessitatibus meis; & in omnibus rebus in quibus ego sum facturus, locuturus, aut cogitaturus; omnibus diebus ac noctibus, horis atque momentis vitae meae; et in nobilissimis diebus offende mihi faciem tuam. Necum sis in omnibus tentationibus, tribulationibus, necessitatibus, angustiis, et infirmitatibus meis, et maxime in hora exitus mei ne desis mihi clementissima Virgo Maria, Amen. Ave mundi spes Maria, ave mitis, ave pia, Angelorum Imperatrix, peccatorum consolatrix, consolare me lugentem, consolare peccatorem, et ne tuum des honorem alieno aut crudeli, precor te Regina coeli. Ne habeto excusatum apud Christum tuum natum, cujus iram expavesco et furorem pertimesco. <sup>d</sup> Maria Virgo noli esse mihi aliena, gratia coelesti plena. Audi nos, nam te filius nihil negans honorat. To which they accumulate from M. the first Letter in her name; <sup>d</sup> Maria in scriptura appellatur manus Dei; de qua exponi potest illud, Deut. 33. Omnes Sancti in manu ejus sunt. Et illud Job 12. In cujus manu est omnis anima viventis. Per istam manum Deus nobis tribuit bona paradisi; per ipsam etiam electo suo succurrit; Psal. 88. Manus mea auxiliabitur ei. Et Psal. 24. In manu ejus omnes fines terrae. Hac est illa manus de qua dicitur, Psal. 144. Aperis tu, manum tuam & implebis omne animal benedictione, &c. juxta illud, Psal. 138. Spero autem quod ad regnum coeleste me perducet, &c. Hac est illa manus

<sup>b</sup> See Michael Lochmair, Sermo 60. L.

<sup>c</sup> Officium B. Mariae secundum usum Sarum, 1509. f. 38, to 46. Litaniae Deiparae Virginis, quae in alma domo Lauretana omnibus diebus Sabbati, &c. decantari solent; and in most of their other Psalters, Hours, Offices, Litanies, Crowns, and Rosaries, beate Mariae,

<sup>d</sup> Bernardinus de Busti, Mariale pars 3. Sermo 4. De Nominatione Mariae; De Prima Prerogativa incipiente ab M. Z.

e Bernardinus  
de Bussi, Mari-  
ale pars 1. Ser-  
mo 5. De Na-  
tuitate Mariz,  
De septima  
conditione  
sponsæ celestis  
R. Gratiose  
manus.

f In Epistola  
Dedicatoria Hi-  
storiz Laure-  
tanz ad Cardi-  
nalem Aldo-  
brandinum.

g Tractatus de  
Laudibus Vir-  
ginis.  
h Mariale pars  
12. Sermo 1.  
in Excellentia  
21, & 28.

de qua exponi potest illud, Sap. 3. Justorum animæ in manu Dei sunt. Illa est illa manus Dei fortissima quæ Dæmones prostrabit, propter quod omnes Angeli eam benedixerunt. Sap. 10. Hæc est manus Dei, quæ protegit unumquodque devotum, cui inquit Dominus, Isa. 51. Sub umbra manus meæ protegi te. De qua etiam scriptum est, Non est abbreviata manus Domini, scilicet, ad subveniendum nobis, &c. Sicut in manu sunt quinque distinctiones digitorum, sic in ipsa sunt quinque effectus gratiarum. Beata Maria est nobis tanquam pollex, à pollendo, eo quod præ cæteris pollet virtute et potestate: Est tanquam index, quia sapienter viam quæ ducit ad patriam supernam nobis ostendit: Est tanquam digitus medius, quia tanquam Mediatrix nos Deo reconciliat: Est etiam tanquam digitus medicinalis, quoniam vulnera peccatorum nostrorum sanat: Est etiam tanquam digitus auricularis, quia aurem nostri cordis aperit, ut verba Dei audiamus: Dicens illud, Eccles. 44. qui audit me non confundetur. Which he thus seconds: *Manus quoque sponsa sua replevit Deus gratia in tantum, quod debet ei potestatem extendendi manus suas super quoscunque peccatores ad se recurrentes, et eorum animas. Unde de illa dicere possumus illud, Job 12. In manu ejus est anima omnis viventis; Et ideo ipsa quæ est gratiosissima extendit manum suam in retribuendo, scil. suis servitoribus. Psal. 54. Item adjuvat manu sua benedicta suos devotos. Unde ipsa dicit illud, Psal. 88. Manus mea auxiliabitur ei, & brachium meum confortabit eum, scil. qui ad meum confugiet patrociniū. Dedit quoque sponsus celestis benedicta Virgini, virtutem extendendi manum suam super mare, id est, supra amaricatos et eos consolandi; juxta illud, Psal. 88. Ponam in mari manum ejus, &c. Et ideo, O gratiosissima Virgo unusquisque tribulatus debet ad te recurrere et dicere cum Propheta, Psal. 118. Fiat manus tua, ut salvet me. Et Psal. 140. 3. Emitte manum tuam de alto, eripe me, ut non infigar. Et protinus liberatus dicere poteris cum eodem Propheta, Psal. 137. Posuisti super me manum tuam, & salvum me fecit dextra tua. O manus beatissima sanctissimæ Virginis, quibus spero deduci ad locum æternæ felicitatis. Unde de ejus benignitate confusus, dicam cum Propheta, Psal. 138. Illuc manus tua deducet me & tenebit me dextra tua. Et iterum confidenter dicam, Cara speranza mi a tu sey pur quella per cui spero anchora esser electo, Bandare al celo alume de tua stella. O manus benedicta sponsa celestis, de qua dici potest illud, quod inquit David de manu Dei, Psal. 144. Aperis tu manum tuam & imple omne animal benedictione. O igitur peccator bonum novum, O peccatrix optimum novum, non diffidas, non desperes, etiam si commisisti omnia peccata enormia, sed confidenter et secure ad istam gloriosissimam Dominam recurras: invenies enim eam in manibus plenam cunctis, pietate, misericordia, gratiositate, et largitate; plus enim desiderat ipsa facere tibi bonum, et largiri aliquam gratiam quam tu accipere concupiscas. Unde illi inquit Bern. Ave gratia plena. In ventre, gratia Divinitatis; In ore, gratia Affabilitatis; In corde, gratia Charitatis; In manibus, gratia Misericordiae, et largitatis. Yea they attribute not only Divine Omnipotency, but Deity it self to her, to protect, rescue all her Servants who implore her ayd. Hence *Horatius Turselinus* the Jesuit, writes; Matrem quippe suam præpotens ille Deus Divinæ Majestatis potestatisque Sociam (Mariam) quatenus licuit, adscribit. Huic olim coelestium mortaliūque principatum detulit: ad hujus arbitrium (quoad hominum tutela postulat) terras, maria, cælum, naturamque moderatur. Hac annuente, et per hanc divinos thesauros mortalibus, et celestia dona largitur; Et omnes intelligant, quicquid ab æterno illo augustoque bonorum fonte in terras profluat, fluere per MARIAM. Whom *Arnoldus Carnotensis* thus seconds; Constituta quippe est super omnem creaturam, &c. et Filiū gloriā cum Matre non tam communem judico quam eandem. Bernardinus de Bussi out of his zeal to the Virgin Mary, not onely followes, but outruns them; *Tanta est gloria Virginis Mariæ**



*Mater Dei*, quod tantum excedit in gloria naturam Angelicam & humanam simul junctam, quantum circumferentia firmamenti excedit in magnitudine suum centrum, cum intelligatur in Filio suo, se quasi alterum ipsum Deitate vestitum. Ipsa Dei mater de omnipotentia Filii sui, cui est in-nixa quantum vult sibi assumit. Yea, cum Deus est Pater rerum creatarum, Maria est Mater rerum creatarum. Deus illum genuit, per quem sunt omnia facta; Maria illum genuit, per quem sunt omnia refecta & salvata. Sicut ergo Deus sua potentia cuncta patiendo Pater est et Dominus omnium; ita beata Maria suis meritis cuncta reparando, mater est et Domina rerum. Per has ergo rationes impossibile est, ut aliquis homo ad eam conversus, et ab ea respectus damnetur, quia ipsa genuit eum per quem mortua resurgunt, et per quem homines ex peccato salvantur. Ipsa ergo est mater justificantis et justificatorum. Ipsa mater salvantis et salvandorum. Quomodo ergo desperemus cum salus Ave damnatio, ex boni fratris et bonae matris pendeat arbitrio? Besides, their canonized Saint and Cardinal <sup>k</sup> Bonaventura, in his Antiscriptural Psalter, thus metamorphoseth Lord into Lady, or Mary, in all these sacred Psalmes of David, relating to God the Lord, his protection or deliverance from enemies, or other dangers; as Psal. 1. *Beatus vir qui intelligit nomen tuum Maria, gratia tua animam ejus confortabit.* Psal. 2. *Quare fremuerunt inimici nostri & adversum nos meditati sunt inania? Protegat nos destra tua mater Dei, ut actus terribiliter confundens et destruens eos.* Psal. 3. *Domina quid multiplicati sunt qui tribulant me? In tempestate tua persequeris et dissipabis eos.* Psal. 4. *Cum invocarem, exaudisti me Domina, & a sublimi solio tuo mei dignata es recordari. Arrogantibus preparatis ad escam & de manibus quarentium me liberabis gratia tua. Quoniam benigna est misericordia & pietas tua in omnes qui invocant nomen sanctum tuum.* Psal. 5. *Verba mea auribus percipe Domina, &c. Converte luctum nostrum in gaudium, & tribulationem nostram in jubilationem. Corrumpant ante pedes nostros inimici nostri, virtute tua eorum capita conterantur, &c.* Psal. 7. *Domina mea in te speravi, de inimicis meis libera me Domina. Conclude ora Leonis & labia persequentium constringe. Non moreris propter nomen tuum facere nobis misericordiam tuam, splendor vultus tui fulgeat super nos, ut servetur conscientia nostra, apud altissimum. Si persequitur inimicus animam meam Domina adjutorio tuo conforter, ne vibret gladium suum contra me.* Psal. 13. *Usque quo Domina oblivisceris me, & non liberas me in die tribulationis? Usque quo exaltabitur inimicus meus super me? potentia virtutis tuae contere ipsum, &c. Magnificamus te gratia inventricem, per quam secula reparantur, &c.* Psal. 16. *Conserve me Domina, quoniam speravi in te, &c.* Psal. 20. *Exande me Domina in die tribulationis, &c.* Psal. 25. *Ad te Domina levari animam meam.* Psal. 28. *Ad te Domini clamabo, &c. Miserere mei in die angustiae meae, et in luce veritatis tuae libera me, &c.* Psal. 31. *In te Domina speravi, non confundar in aeternum; in gloria tua suscipe me. Tu es habitatio mea, & protectio mea, &c. Educas me laqueo, quem absconderunt mihi, quoniam tu es adjutor mea: In manus tuas Domina commendo spiritum meum.* Psal. 34. *Benedicam Dominam in omni tempore, &c. In periculis, in rebus dubiis invocate eam, et in necessitatibus invenietis auxilium.* Psal. 54. *Domina, in nomine tuo salvum me fac, & ab inimicis meis libera me, &c.* Psal. 70. *Domina, in adjutorium meum intende, &c. Miserere serbozum tuorum, super quos invocatum est nomen tuum: (it seems they are now Marians, not Christians.)* Psal. 71. *In te Domina speravi, non confundar in aeternum, sed in tua misericordia libera me.* Psal. 91. *Qui habitat in adjutorio Matris Dei, in protectione ipsius commorabitur, &c. Clamate ad illam in periculis vestris & flagellum non appropinquabit tabernaculo tuo.* Psal. 125. *Qui confidunt in te Mater Dei, non timebunt a facie inimici.* Psal. 130. *De profundis clamavi ad te Domine, Domine exande vocem meam. Fiant aures tuae intendentes, &c.* Psal. 134. *Ecce nunc benedicite Domini, omnes qui speratis in nomine sancto eius.* Psal. 140. *Eripe me Domina ab omni malo, & ab hisse inferni defende me.* Psal. 145. *Oculi nostri sperant in te Domina.* And then they thus laude her for her deliverances of, and mercies to them;

*Laudationem*

i Mariale pass  
11. Sermo. 1.  
pass 7. 2.

k In his Works,  
printed Argent-  
tine 1495. Tom.  
2. p. 84, &c.  
& Romæ 1588  
Sec Fox Acts &  
Monuments,  
Vol. 3. p. 274,  
275, 276. Bi-  
shop Uthens An-  
swer to the Je-  
suits Challenge,  
p. 488, 489.

1 S. Bernardi  
Homelia 2. su-  
per Missus est,  
recited and ap-  
proved by Ro-  
bertus Holkot,  
Lectio 35. su-  
per lib. Sapien-  
tiae, & Lectio  
201.

m Lectio 35. &  
201. super lib.  
Sapientiae.

n S. Bernard.  
Sermo 4. in  
Assumptione  
Mariæ.

Laudationem tuam loquitur lingua mea, & benedicam te in seculum seculi. Psal.  
148. Lauda Jerusalem Dominam; glorifica illam etiam o Sion. Ipsa enim  
construit muros tuos, & filios tuos benedicit, gratia sua te impingat pacemque donat  
terminis tuis. Hence<sup>1</sup> St. Bernard, and our Robert Holkot out of him, assure their  
Auditors; Ipsa Maria est praelara & eximia stella super hoc mare magnum & spacio-  
sum necessario sublevata, micans meritis, illustrans exemplis. Quisquis te intel-  
ligis, in huius seculi profluvio magis inter procellas et tempesta-  
tes fluctuare quam per terram ambulare, ne avertas oculos a ful-  
gore huius sideris si non vis obui procellis. Si insurgant venti tenta-  
tionum, si incurras scopulos tribulationum, respice stellam, voca Mariam. Si  
jactaris superbia undis, si ambitionis, si detractionis, si amulationis, respice stellam,  
voca Mariam. Si iracundia, aut avaritia, aut carnis illecebra naviculam concusserit  
mentis, respice ad Mariam. Si criminum immanitate turbatus, conscientia fidelitate  
confusus, iudicii horrore perterritus; barathro incipias absorberi tristitia, desperatio-  
nis abyssu, cogita Mariam. In periculis, in angustis, in rebus dubiis  
Mariam cogita, Mariam invoca, non recedat ab ore, non recedat a corde;  
& ut impetres ejus orationis suffragium, non deseras conversationis exemplum. Ipsam  
sequens non devias, ipsam rogans non desperas, ipsam cogitans non  
erras, ipsa tenente non corruis, ipsa protegente non metuis, ipsa  
duce non fatigaris, ipsa propitia pervenis. Robert Holkot out of  
Cassiodorus subjoins; Tu patrona humani generis, Tu afflictis reis medicina  
singularis. Quis tuo non egeat munere cum sit peccare commune? Et  
ideo non in armis nostrarum virtutum confidamus, sed in istius Virginis gratia,  
in qua est omnis spes vite et virtutis: qui intuetur illam perma-  
nebit confidens. Studeamus ergo scutum nostrae orationis ipsius  
immagine exornare, et pondus nostrae deprecationis sibi imponere;  
Nam quicquid filio suo offert necessario acceptum est. Et ideo dicit  
Bernardus super Missus est, Crede frater, quicquid illud est, quod Deo offerre paras,  
Mariæ commendare memento, ut eodem albeo ad largitozem gratiæ  
gratia redeat quo induxit. Ergo orationem nostram duo debent  
compleri, Christus videat et Maria, habemus ergo nomen et verbum  
pro nostra oratione servanda, Virgo benedicta ab æterno prædesti-  
nata, præsanctificata et Dei filio consecrata, et cunctis creaturis  
superposita. Hence<sup>2</sup> St. Bernard thus excites all persons to reverence, extoll,  
and resort upon all occasions to her ayde and mercy; Sileat misericordiam tuam  
Virgo beata, si quis est qui invocam eam in necessitatibus suis sibi meminerit defuisse.  
Nos quidem servuli tui ceteris in virtutibus congaudemus tibi, sed in hac potius  
nobis ipsis. Laudamus virginitatem, humilitatem miramur, sed misericordia mi-  
seris sapit dulcius, misericordiam amplectimur charius, recordamur sapius, crebrius  
invocamus. Hæc est enim quæ totius mundi reparationem obtinuit,  
salutem omnium impetravit. Constat enim pro universo genere humano fuisse  
solicitam, cui dictum est, Ne timeas Maria, invenisti gratiam, utique quam quærebas.  
Quis ergo misericordia tua, O benedicta longitudinem & latitudinem, sublimitatem &  
profundum queat investigare. Nam longitudo ejus usque in diem novissimum invocanti-  
bus eam subvenit universis. Latitudo ejus replet Orbem terrarum, ut tua quoque mi-  
sericordia plena sit omnis terra. Sic & sublimitas ejus Civitatis superna invenis re-  
stitutionem, & profundum ejus sedentibus in tenebris & in umbra mortis obtinuit re-  
demptionem. Per te enim coelum repletum, infernus ebacuatus est,  
instauratæ ruinæ cœlestis Hierusalem, expectantibus miseris vita  
perdita data, sic potentissima et pluriſſima charitas, et affectu compa-  
tendi et subveniendi abundat effectu: æque locuples in utroque.  
Ad hanc igitur fontem sitibunda properet anima nostra. Ad hanc mi-  
sericordiæ cumulum tota sollicitudine miseria nostra recurrat.  
Ecce jam quibus potuimus votis ascendentem te ad filium deduximus, & prosecuti su-  
mus saltem à longe, Virgo benedicta: Sit pietatis tuæ ipsam quam apud Deum gratiam  
invenisti notam facere mundo, reis veniam, medelam agris, pusillis corde  
robur

robatur, afflictis consolationem, periclitantibus adiutorium et liberationem  
**Sandis tuis precibus obtinendo.**

As they thus fly and pray to *Mary*, for grace, mercy, ayde, help, protection, deliverance in all their dangers and distresses, so they ascribe to her alone the praise and glory of all their preservations in, and deliverances from all infirmities, dangers, perils, all victories over their enemies, corporal or spiritual, private or publick, not to God or Jesus Christ; as you may read at large in the *Postils, Sermons* of our Lady, Monkish Historians, and in *Bernardinus de Busti* his *Mariæ*, Pars 1. Sermo 7. Pars 12. Sermo 2. De Coronatione, Pars 3. *Michael Lochmair*, Sermo 6. & 7. *S. Brigitta* Revelations, lib. 1. c. 16. b. c. lib. 4. c. 7, 54, 55, 106, 126. lib. 6. c. 23, 24, 39. & *Revelationes Extravagantes*, c. 80. *Genebrardi Chron.* p. 845. Yea they confidently assure us, that not only men, women, and children have been rescued from enemies, but even *Parrots* and *speaking Birds*, from *Eagles*, and *Hawks*, by invoking *Mary*, and saying *Ave Maria*, the ayder of all creatures in their miseries, as well as of men. To instance in some few examples, *Baronius* and *Spondanus* assure us, That *precibus sanctissima Dei genitricis & auxilio*, Constantinopolitana Civitas ab obsidionibus Saracenorum & ingentibus periculis sapissimè liberata est, non ob aliam causam quam quod celeberrimus illic esset ejusdem cultus, & quod ei Civitas olim fuisset dedicata. Hence *Johannes Zemisea* Imperator Constantinopolitanus, Anno Dom. 971. & *Johannes Comnenus* Imperator, Anno 1123. having obtained great Victories over the *Bulgarians, Turks, Scythians*, and other enemies, *ope Dei genitricis Mariæ*, (as they story *Baldwin* did over the *Saracens* the same year in the Holy Land) in gratiarum ejus actionem, (as to the Goddesse of Victory) *Imaginem beatæ Mariæ magnificentissimo curculi impositam, ut Civitatis patronæ*, Constantinopolim deduxerunt; the first of them, *equo albo vectus*, the latter of them, *pedes curculi præcedens*, as they relate out of *Caropolites* and *Nicetas*. *Ejus quoque auxilio* *Pelagius Rex Asturium* in Hispania, exercitum 80000. Saracenorum fugavit, & 20000. eorum cum *Duce* occidit, *cujus ideo memoriæ spelunca illa famosa, dicta Sanctæ Mariæ de Covodonga, dicata est.* Anno 648. Pope *Gregory* the 1. ordered the Image of the Virgin *Mary*, painted as they say by *St. Lukes* hand, to be carried about in Procession in *Rome*, to free the Romans a *Peste inguinaria*, with which they had been long afflicted and wasted; *Et ecce tota aëris infectio* (as the *Chronicle* of *Bromton* informes us) & *turbulencia Imagini* cedebat, ac si ipsam *Imaginem* fugeret, & ejus presentiam ferre non posset, sed post *Imaginem* mira serenitas & aëris puritas remanebat. Tunc in aëre (ut ferunt) audita sunt voces Angelorum *tantentium*; *Regina cœli lætare, Alleluia*; whereupon the *Plague* was stayed by her mediation: Upon which account, in time of *Pestilence* they thus specially pray to her for preservation and deliverance from it; *O gloriosa Stella Mariæ, a Peste succurre nobis*; and give thanks to her for their deliverance from it. Yea our *Lejceffrensis* and *Henricus de Knyghton* story, that in the reign of King *William Rufus*, quidam Clerici itinerantes tempestat. *Fulguris*, in nocturno disemiente ceciderunt. *Ave Mariæ Stella*, &c. & cum pervenerint ad hunc versum, *Monstra te esse matrem; beata Virgo quoddam velum super ipsos expandit, sub cujus umbra securi donec transiret tempestas permanerunt.* The like they relate of other Clerke in *Gascoign*, Anno 1367. I omit all other presidents of later times, mentioned by *Dr. Beard*.

3ly. Whereas *Psal.* 19. 14. *Psal.* 34. 22. *Psal.* 111. 9. *Psal.* 78. 35. *Psal.* 49. 7. 15. *Psal.* 69. 18. *Psal.* 71. 23. *Psal.* 72. 14. *Psal.* 103. 4. *Psal.* 107. 2. *Isa.* 41. 14. c. 43. 1. 14. c. 44. 6, 22, 23, 24. c. 47. 4. c. 48. 17, 20. c. 49. 7, 26. c. 52. 3, 9. c. 54. 8. c. 59. 20. c. 63. 9, 16. *Luke* 1. 68. *Gal.* 3. 13. c. 4. 5. *Rom.* 3. 24. 1 *Cor.* 1. 30. *Ephes.* 1. 7. *Col.* 1. 14. *Hebr.* 9. 12, 15. 1 *Per.* 1. 18. *Rev.* 5. 9. *Tit.* 2. 14. *Ephes.* 2. 16. 2 *Cor.* 5. 18, 19, 20. *Col.* 1. 21. and other Scripture Texts, make Jesus Christ the only Restorer, Repairer, Reconciler, and Redeemer of Mankind, they from the third Letter in her name, *R.* conclude; *Per R. significatur, quod ipsa est Restauratrix, & Reparatrix, ac Reconciliatrix*, yea *Salvatrix* nostra too; *quis ita reparabit genus humanum, ut nunc sit fortius quam esset ante.* *Reparari autem dicitur, quod est totaliter perditum vel diminutum.* De hoc autem beneficio, a *Dei matre* recepto, loquens *Aug.* in *Sermone* De Nativitate Virginis, inquit. *Mater generis nostri panam intulit; genitricis Domini nostri*

H

Salutem

\* Legitur quod quidam devotus juvenula docuit quendam aviculam dicere; Ave Maria, hæc quod garriculus vix aliud proferebat; Quadam autem die volutris rapax ipsam rapuit & asportavit; quæ cum clamaret; Ave Maria, statim illa avia rapax mortua cecidit, & avicula ad gremium juvenulæ est reversa. Bernardinus de Busti, Mariæ pars 12. Sermon 1. pars 3. P. 6 An. 717. nu. 3. An. 730. nu. 3. An. 971. nu. 4. An. 1123. nu. 2, 3.

p Chron. Joan- nis Bromton, col. 727, 728.

q Beaventuræ Psalterium, Ps. 91. Officium beatæ Mariæ secundum usum Sarum, f. 40. an: most other Offices, Psalteries, Breviaries. De Eventibus Angl. 1. 2. c. 6. col. 2368. & 1. 3. c. 5. col. 2494. f. 68. Anrichist, part 3. chap. 3.

t Bernardinus de Busti, Mariæ ale Paris 3. Sermon 10. De Nominatione Mariæ, Pars 1. quæ dicitur significationis, T.



u Bernardinus  
de Bussi, Mari-  
ale Pars 3. Ser-  
mo 1. Pars 3.  
quæ dicitur In-  
terpretationis,  
& Pars 4. Ser-  
mo 11. Pars 3.  
H.

x Sermo Ange-  
licus de Virgi-  
nis Excellentia,  
cap. 12.

y Revelationes  
& Opera,  
Noremburgh  
1511.

z See Dr. John  
White his way  
to the True  
Church, Epi-  
stle to the  
Reader.

\* Here p. 29,  
to 36.

Salutem attulit mundo; auctrix peccati Eva, auctrix meriti Maria: Eva occidendo obfuit, Maria vivificando profuit; percussit illa, sanabit ista. Hæc est beata illa Maria quæ totius orbis reparationem et liberationem obtinuit, salutemque hominum impetrabit. To which they adde, "That Mary hath a just Title to the Dominion and Sovereignty of the world, ratione emptionis, quia cum Filius suus emerit & redimeret humanum genus, ipsa ad hanc redemptionem faciendam est multipliciter operata, precium scilicet Redemptionis ministrando. Beata Virgo fuit assumpta Domino in Salutis auxilium et regni consortium et adjutorium; juxta illud, Gen. 2. Faciamus ei adjutorium simile sibi. Nam fuit etiam perticeps passionis pro genere humano, quoniam omnibus discipulis & ministris fugientibus sola sub cruce constitit, & vulnera qua filius corpore, ipsa corde suscepit. Unde & tunc gladius ipsius Virginis animam pertransiit. Hence their grãd Seraphical Doctress<sup>a</sup> St. Briget, to whom Christ himself (as they report) sent a special Angel to reveal and preach the excellencies of the Virgin Mary, in her Sermon dictated by this Angel, informs us, That although three flames of charity to redeem the lost world, shined forth most brightly in the three persons of the Trinity, and radiantly shined to all the Angels and creatures in Heaven, ex hoc tamen humani generis redemptio secundum æternam Dei præordinationem venire non poterat, antequam Maria esset genita, in qua tam fervens charitatis ignis accendi debebat, quod ejus odorifero fumo sublimis ascendente, ignis qui in Deo erat seipsum in eum infunderet, et per eam huic frigescenti mundo illabaretur, to excite him to save and redeem it. And in her 7 Revelationes Extravagantes, cap. 3. she relates, that Christ himself revealed to her, Urbz humana creatura quam Diabolus quadruplici peccato obsedit, (in their Mother Eve) quodammodo liberabit Mater mea Sanctissima, quando voluntatem suam totam dimisit in manus meas, et mallet omnem tribulationem pati ad hoc ut animæ salvarentur. Propter hanc igitur voluntatem, ego Deus ad æterno Filius Dei factus sum homo in Virgine, ejus cor erat quasi cor meum. Et ideo bene dicere possum, quod Mater mea (in the first place) et ego, quasi cum uno corde salvabimus hominem: Ego patiendo corde et carne, ipsa cordis dolore et amore. Which myserie and Article of the new Roman Creed, is thus further revealed and published to the world by their Aretinus, in his Book De Arcanis Catholica Veritatis, p. 515. \* Adam following sinne incurred death, but the glorious Virgin and her Son being no partakers of Adams sinne, and altogether free from original sinne, of right were to be impassible and immortal; but for as much as the death of Christ was needfull for the redemption of Mankind, therefore it was necessary that the body of Christ should be passible and mortal; and so likewise the immaculate Virgin being to bear a Son passible and mortal, which was to be one flesh with her, and that could not naturally be, if she were impassible and immortal, therefore she was also necessarily mortal, and so both the Mother and the Son dyed. The death and passion of Christ and the Holy Virgin, was for the Redemption of Mankind: It was impossible she should have dyed before the passion of her Son. Another reason is, that she also might come between, and be a mediator between God and us, for the remission of sinne, to remove that which came between God and Adam when he committed it. Thus they joyn Mary in the very work of Redemption with Christ, in point of Doctrine; and thereupon invoke her as their Restorer, Repairer, Reconciler, and Redeemer, in their publick Prayers and private Devotions, as I have \* already evidenced in her Title of Mediatrix.

4ly. Whereas the Scriptures resolve, that Jesus Christ is the only true light of the world, inlightning all the world with the saving light of his grace, and splendor of his glory, being the light of the Gentiles, Church and his people; John 1.4. to 10. c. 8. 12. Isay 9. 10. &c. c. 42. 10. c. 46. 9. Ps. 118. 27. Lu. 2. 32. Acts 13. 47. Rev. 21. 22. The Pontifician Seraphical Doctors from 7. the 4th letter in her name, thus proclaim and extoll her to be the only light and illuminatrix of the Church.

<sup>a</sup> Quarta

<sup>a</sup> *Quarta licet nominis ejus est l, per quam significatur, quod ipsa est Illuminatrix nostra, quos in officio & omni virtute illuminat, & ut verificaretur in illa illud Psalmi, In lumine tuo videbimus lumen. Et illud Lu. 2. Lumen ad revelationem gentium, & gloriam plebis tuæ Israel. Cui nascenti dixit Deus illud, Isa: 49. Dedi te in lucem gentium, ut sis salus mea usque ad extremum terræ. Ideo ipsa inquit, Eccl. 24. Illuminabo omnes sperantes in Domino. Hence they stile, and magnifie her, as Stella matutina, stella maris, sol nunquam occidens, occasum nesciens, Luna rutilans, sedens lucem pariens, candor lucis æterna, stella illa nobilis ex Jacob orta, cujus radiis universum illuminat mundum, cujus splendor in supernis fulget, et inferis penetrat, terras etiam perlustrans, & calofaciens mentes magis quam corpora. <sup>b</sup> Tu vallem lachrymarum tenebrosam scil. mundi illuminas, errantes reducis, et peccatoribus iter quo ad celestem patriam pervenire possent ostendis. Tu parens restaurativa omnium creaturarum. Tu stella matutina quæ Christianos navigantes per mundi pelagus ad portum salutis adducis et dirigis. To which they accumulate, Mariæ præsentia totius illustratur orbis, adeo ut ipsa celestis patria clarissimè rutilet virginea lampadis irradiata fulgore. Comparing her to the Sun, Moon, 7. Stars, Planets in all respects; and making her the very brightnesse, splendor, glory of heaven, earth, and all creatures in them: whence they salute her with an Ave stella maris, stella matutina, stella fulgentissima, and the like.*

ne Mariæ, all their Psalters, Hours, Crowns, Rosaries, Litanies, Anthems of our Lady, Ave Stella, &c. <sup>b</sup> Mariale, Pars 11. Sermo 2, pars 2. N. to Z.

<sup>a</sup> Bernardinus d: Bussi Mariale Pars 3. Serm. 1. pars 3. T. Serm. 5, 6, 7. Pars 2. Sermo 4. Pars 9. Serm. 4. pars 2. per totam. & Serm. 2. pars 9. T. 11, &c. Pars 10. Robertus Holkot Lectio 35. super Lib. sapientiz, Officium Conceptionis Mariæ, Bern. de Bussi, Mariale, Pars 1 Bernardus Homil. 2. super Missus est, & De Assumptione

gly. Whereas God himself hath advanced Jesus Christ to his own right hand, there to appear in his presence for us, as our only Advocate, and to make perpetual intercession for us to his Father, as Isay 53. 12. Rom. 8. 37. Heb. 7. 25. 1 Joh 2. 1, 2. and other Scriptures resolve; the Church and Popes of Rome, who will admit no women publicly to preach or plead as Advocats in any of their Courts, have yet constituted the Virgin Mary the principal, best, diligentest, learnedest, if not only Advocate of their Church, & all Roman Catholics, yea of all lost mankind, investing her in this chief branch of her sonnes Priesthood, and making their addresses chiefly to her, to the grand dishonour of her Son, if not of all their other invoked, canonized Saints. Vpon which account, <sup>c</sup> Bernardinus de Bussi asserts, Mariam fabricavit Deus ut nostra indulgentia subveniret; quia boni Judicis officium est assignare Advocatum orphanis et miserabilibus personis. Ideo Deus omnipotens videns miserabilitatem humani generis, tanquam bonus Pater viduorum et mortuorum, providit nobis de optima Advocata, fabricando hanc sapientissimam virginem, ut apud ipsum pro nobis continue intercederet, et causas nostras peroraret. Vpon which account he introduceth the blessed Virgin at the time of her Assumption into heaven, thus speaking to the Quire of Seraphins, (the highest order of Angels nearest to Gods throne, inviting her to reside in their company.) *Filius Deus meus et homo super omnes Angelicos ordines meritis elevatus, non habet ibi societatem sibi quo ad humanitatem: Et adeo sicut ego in mundo fui ei socia in tribulationibus, ita etiam ei debeo associari in consolationibus. Et sicut ille ibi ascendit, ut continuè appareat vultui Dei pro hominibus, Heb. 9. Ita ego debeo ibi ascendere, ut appaream vultui ipsius filii pro peccatoribus, et sic humanum genus habeat semper ante faciem Dei adiutorium simile Christo ad procurandam suam salutem. Unde Sancta Mater Ecclesia in oratione secreta vigilia mea assumptionis orat Deum, dicens; Munera nostra Domine apud Clementiam tuam Dei Genetrix commendet oratio, quam de hoc seculo transtulisti, ut pro peccatis nostris apud te fiducialiter intercedat. Ascendam igitur super vos, ad Patrem meum & Patrem vestrum, & Deum meum, & Deum vestrum, to execute this my Advocates office for mankind. Whence he avers, <sup>d</sup> Ipsa semper stat coram Deo ad intercedendum pro nobis, sicut promissit Eccl. 24. dicens: Usque ad futurum seculum non desinam; id est, usque ad diem judicii non cessabo interpellare Deum pro vobis. Misericordiam habuit in ore pro salute mundi apud Deum invocando et intercedendo: et in opere conferendo misericordiam*

<sup>c</sup> Mariale pars 9. Serm. 2. in Exord. P. pars 11. Sermo 2. De Assumptione Mariæ, pars 3. B. 2. Officium Seraphin.

<sup>e</sup> Sociari.

<sup>d</sup> Mariale pars 11. Sermo 2. pars 2. Z. & pars 4. Q.

e Mariale Pars  
3. Sermon. 1.  
pars 3. De No-  
minatione Ma-  
rie Pars 10.  
Sermon. 2. pars  
7. See Mich.  
Lochnair Ser-  
mon 74. De As-  
sumptione B.  
Marie, & most  
other Romish  
Postills in  
their Postills on  
that Feast.

nis auxilium, universaliter omnibus et ubique; et in omni necessitate atque temporibus. This he proves beyond contradiction, from A, the 5th. and last letter in her name *Maria*, in this manner. *Quinta litera nominis beata Virginis est A, per quam significatur, quod ipsa esse Advocata nostra, Yea, humani generis Advocata, qua non sustineret repulsam; quoniam autem homo habens aliquam causam cum habet sapientem & bonum Advocatum, potest sperare quod de sua causa victoriam reportabit, & consequenter cito ius suum obtinebit, (for which he quotes several Canonists.) Hanc ergo dignissimam Advocatam habentes latari debemus & exultare, quod ipsa causas nostras coram Deo assumens, ipsas sapienter incipit: inceptaque multis allegationibus defendit, et defensas ad propter finem deducit. Primo enim sapienter incipit, capiendo benevolentiam in exordio, quod est proprium boni advocati, quod quilibet bonus orator debet in exordio reddere audientem attentum & benevolunt. Secundo, Insinuat nostram necessitatem, & idcirco primo petit Dei misericordiam. Ideo figurata est per illam mulierem sapientissimam, qua dixit ad David, 2 Reg. 24. Sicut Angelus Domini sic & Dominus meus Rex, ut nec maledictione nec benedictione moveatur. Dens enim est tanta donitatis, quod nec nostris benedictionibus extollitur, nec nostris peccatis & maledictionibus movetur. Deinde subdit, omnes morimur, & quasi aqua dilibimur quae non revertuntur. Secundo, causas nostras multis allegationibus defendit. Primo, sapientia verbo non nimis prolixo, sic solent facere advocati, dicentes iudici, dicam unum verbum, pro causa mea, & postea multa dicunt. Ipsa ergo Advocata nostra compendiosè & sensu plenis sermonibus animum iudicis celestis ad suum votum inclinat. Ideo significata est per Abigail, cui dixit David, (1 Reg. 25.) Benedictum eloquium tuum, & Benedicta tu quae prohibuisti me ne ulciscerer me manu mea; Ecce audivi vocem tuam, & honoravi faciem tuam. Secundo, Advocata pietatis signo. Unde Bernardus super Cant. ait, O homo, securum accessum habes ad Deum, ubi habes matrem ante filium, filium ante patrem: filius offendit patri vulnera & latus, mater offendit filio pedes et ubera. Nulla ergo tibi poterit esse repulsa ubi tot sunt Charitatis insignia. Tertio, advocat sanctitatis merito, Si enim merita aliorum Sanctorum pro nobis apud Deum intercedant, multo fortius merita illius quae plenitudinem obtinuit meritorum, et gratiarum, habetur Lu. 1. poterant nobis divinam gratiam impetrare. Quarto, invocato advenit desideria, desideria enim sanctorum sunt intercessionis pro nobis ad Deum. Non autem ociosa ibi manet, sed in suprema sita poli, nos commendat suo proxi pro curam et iustis et peccatoribus subsidia salutis mentis et corporis. Tanto principaliter ipsa virgo causas nostras ad prosperum finem perducit. Tunc autem advocat causam suam ad debitum finem perducit, quando est sollicita, peritum aliquem in Curia gratiosus, facundus, & gratiosus vorum Rege & familia Regis. Fuit autem et est talis Advocata nostra Maria, loquens David Deo, inquit, Mater Regina à dexteris tuis. Ecce quantae sollicitudinis est et diligentiae, non enim ullam ad horam recedit. Sequitur, in vestitu deaurato; ecce quantae sapientiae. Infinitus est thesaurus hominibus. Sequitur, circumdata varietate; ecce quantae gratiae; nam coram Rege & eius familia in tantum est gratiosa, quod omnes eam circumdant, associant et honorant. In caelo enim tot sunt varietates, quot sunt sanctorum ordines, qui tanquam domicelli et domicellae Regnam suam associant, matremque Domini sui venerantur. De qua Bernardus, Ascendens ergo Virgo beata in altum, dispensabit ipsa quoque dona hominibus. Quid ni auret? Siquidem nec facultas ei deest, nec voluntas; Regina caelorum misericors est. Praecessit nos Regina nostra, & tam gloriose suscepta est, ut aducialiter sequantur Dominam servuli clamantes, Trahe nos post te in odore unguentorum tuorum curramus. Advocata praemisit peregrinatio nostra, quae tanquam iudicis mater suppliciter et efficaciter negotia nostra pertractabit. Propterea caute Ecclesia in illa Antiphona quam dicitur composuisse Joannes Damascenus dicens, Eja ergo Advocata nostra, illos tuos misericordes oculos ad nos converte, scilicet in presenti nobis impetrans gratiam huius, ut in futuro vitam eternam, Amen. Hence they pray to this Advocate, <sup>b</sup> Sancta*

f De Assump-  
tione B. Marie,  
Sermon. 1. f. 46.



**S**anta Maria succurre miseris, conforta pusillanimes, refcede debiles. **O**ra pro populo, intercede pro Clero, intercede pro debito foemineo sexu. Sentiant omnes tuum iuvamen quicumque celebrant tuam sanctam Patrocinatorem: Assiste parata votis poscentium; et repende omnibus optatum exitum. Sit tibi quidam assidue orare pro populo. Dei quæ meruisti benedicta præmium præsentis mundi. Amen. They further add, *Kirga dicitur beata Maria, Prima antea, quæ significatur per virginem anciam, Hester 5, Ipsa quippe virgo beata Deum iratum placat, quæ est nostra Advocata. Quia appellatur virgo vigilans, Hic. 1. Ipsa enim vigilat super devotos suos, ut custodiat ipsos; et ideam etiam non debemus vigilantes esse et servidi in devotione eius. Ideo benedicta virgo inquit. Item 8. Ego diligentes me diligo, & qui nunc vigilaverunt ad me in their morning Offices, Vigils, Prayers to me as their Advocate inveniant me: Item quod ad me, & qui vigilantes forent meas quondam, qui me inveniet, inveniant meam, & hauriet salutem a Domino, & eos qui diligebunt eam, diligit Deus. They further assert, Ipsa est humani generis Advocata, quæ non potest sustinere repulsum, quoniam apud Deum meruit gratiam. Ipsa semper itat coram Deo ad intercedendum pro Nobis, sicut promittit, dicitur, Eccl. 24, usque ad futurum seculum non desinam; id est, usque ad diem iudicii non cessabo interpellare Deum pro vobis. Beatissima Virgo dicitur Centrum cœli; quia ad ipsam omnes respiciant tanquam ad Mediatricem. Ipsa quasi Intra speciosa & formosa aspectu, misericordiam habuit in corde, exhibens matrem, compassionis affectum, et in opere, conferendo miserationis auxilium universaliter omnibus et ubique, atque in omni necessitate et temporibus. When she told the Angels, that they had the custody bar of one or two men or Cities apiece, Ego non tantum unam virum vel mulierem, Civitatem seu Gentem, vel provinciam custodiam; protego, & conservo, sed omnes mundi homines, scilicet universum orbem, et omnes provincias, civitates et gentes. O sanctissima Dei mediatrice et hominum! Quoties impleri Scriptura, Gen. 2. ubi Deus ait, Non est bonum hominem esse solum, faciamus ei adiutorium simile tibi. Ipsa etiam pro nobis filio preces facit, & opera ostendit; unde est altera Hester, quæ apud Regem pro nobis afficit. Omnes ergo signamus animas nostras devotione illius, magni signi, ut sub eius protectione vivamus secure. Item apparuit in cœlo tanquam Advocata in Cœlo ad interpellandum pro mundo, unde figurata est in illa sapiente muliere quæ intravit ad David ad interpellandum pro Absolone, 2 Reg. 24. Yet more, Beata Virgo advocando pro nobis coram Deo, nos vincere in omni causa facit, et contra damnum impugnationis et illusionis defendit. Eloquentia admirabilis licet fuerit in multis, tam Christianis quam Paganis, in nulla tamen tanta fuit, quanta in magistra Ecclesiæ Catholicæ, et Advocata nostra Virgine benedicta, quæ sua dulci facundia Imperatorem cœli et terre scatum pacificavit; et non uni tantum homini ipsi contraria, sed toti generi humano liberationem a morte æterna impetravit. In tantum etiam aures Dei suavi oratione demulcit, ut illum attraheret a throno cœlo usque ad terram, et tam dulciter allocuta est, ut suaserit Deo fieri hominem, et tam suaviter cecinit, quod se in filium Deus illi donaret. O lingua disertæ beatæ Virginis! O Advocata eloquentissima, quæ dicendi vires et efficacia cyrographum nostræ damnationis de magni Dei manibus eadere fecit.*

8 Bernardinus de Bussi, Mariale pars 2. De Nativitate Mariæ, Sermo 1. pars 3. ac the close.

h Bernardinus de Bussi Mariale pars 2. Sermo 1. mo 1. v.

i Bernardinus de Bussi Mariale, pars 10. Sermo 1. De Gaudis Mariæ, pars 7. Pars N. de Assumptione Mariæ, Sermo 2. pars 2. 2. C. R. Q. R. S. R.

k 164. Pars 11. Sermo 1. pars 6. G.

l Mariale, pars 11. Sermo 1. pars 2. A. & B.

m Bernardinus Senensis Sermo 51. Artic. 2. c.

2. Bernardinus de Bussi Mariale, Pars 1. & O. solum Conceptionis Mariæ, Paulus Veneris Tractatus de Conceptione Virginis Mariæ, Franciscus de Mayro, Michael Lochmair, Augustinus Leoniss, and sundry others in their Sermons de Conceptione Virginis Mariæ, cited by them.

preservationis atque sanctificationis, concepta & preservata ab originali peccato, & ab omni actuali culpa, tam veniali quam mortali; against the expresse resolutions of sundry Texts in the Old and New Testament; as Gen. 6. 5, to 13. Psal. 14. 2, 3. Psal. 12. 1, 2. Psal. 25. 15. Psal. 38. 3, 4. 1 Pet. 2. 24, 25. Eph. 5. 26, 27. Tit. 3. 4, 5, 6. 2 Chron. 6. 36. Prov. 26. 9. Jam. 3. 2. 1 John 1. 8, 10. c. 2. 1, 2. 1 Kings 8. 46. Job 14. 4. Ps. 51. 5. Eccles. 7. 20. Rom. 3. 9, to 20. 23. c. 5. 12, to 17. c. 7. 1, to 25. Dan. 3. 5, to 16. Neh. 9. 16, to 36. Psal. 106. 6. Ephes. 2. 1, to 19. Lu. 1. 46, 47, 50, 54, 68, 69, 75, 77, 78. Acts 3. 26. Mat. 1. 21. Isay 53. 4, 5, 6, 8, 10, 11. Gal. 2. 16, 17. c. 3. 10, 12, 14. Rom. 8. 3, to 14. with others; it being the sole prerogative of Jesus Christ to be free from original and actual sinne, 1 Pet. 1. 19. c. 2. 22. Hebr. 4. 15. c. 7. 26, 27, 28. c. 9. 14. Rom. 8. 3, 4. John 14. 13. c. 8. 48. 1 John 3. 5. This they endeavour to prove by sundry forged Miracles, Revelations, miserable perversions of Scripture Texts, and reasons forged out of their own whimsical brains, whereof this is one of the principal. <sup>k</sup> *Congueum fuit propter intercessionem. Conguebat enim Advocatam humani generis tanta puritate fulgere, ut nullum peccatum haberet quod ejus conscientiam morberet.*

Now to excite all sorts of persons to apply themselves wholly or principally to her mediation, they assert her advocacy, intercession on their behalf to God & her Son to be so powerfull, that she never can suffer any repulse, or denial, but alwayes prevayles in all her suites and petitions; whence they in their Sermons, Postills, Missals, Primers, Offices, Hymnes of our Ladies joyes, thus chaunt and court her, <sup>l</sup> *Gaude splendens vas virtutum, cujus pendens est ad nutum tota cœli Curia; Te benignam & felicem Jesu dignam genetricem veneratur in gloria, Ave Maria. Gaude nexu Caritatis & amplexu dignitatis, juncta sis Altissimo, Et ad votum consequaris, quicquid Virgo postularis a Jesu dulcissimo; Ave Maria gratia plena. Gaude mater miserorum, quia pater seculorum dabit te colentibus, Congruentem hic mercedem, et foelicem poli sedem regnis in cœlestibus, Ave. Gaude virgo mater pura, certa manens & secunda quod hac septem gaudia non cessabunt, nec detrescent, sed durabunt et florescent, per æterna secula.* These joyes of hers were first revealed by the Virgin to Archbishop Becker, (as <sup>m</sup> Bernardinus de Busti relates,) who thus rendered the 5th of them, *Gaude quod filius meus mihi semper est obediens, et meam voluntatem, et cunctas preces meas semper exaudit. Gaude, quod Deus semper ad beneplacitum meum remunerat servitores meos in hoc seculo et in futuro.* And then they subjoyne this undoubted promise from our Lady her self: *Quicumque cum his gaudiis lætando in hoc seculo me venerabitur, in exitu animæ suæ de corpore præsentiam meam obtinebit, et ipsam animam ab hostibus malignis liberabo, et in conspectu filii mei ut mecum gaudia possideat præsentabo.* To this St. Bernard, <sup>n</sup> *Lochmair, Bernardinus de Busti, and others, superadd;* De plenitudine ejus accipiant omnes, &c. (contrary to John 1. 16. Eph. 1. 22, 23. Col. 1. 19. which place all fullness in Christ alone, who filleth all in all.) *Idco acutius intuemini, quanto devotionis affectu eam a nobis voluit honorari quæ totius gratiæ plenitudinem posuit in Maria. Nam si quid spei, si quid gratiæ, si quid virtutis in nobis est, et ea nobis abundare.*

<sup>n</sup> De Excel-  
lentia B. Vir-  
ginis Mariæ,  
c. 6.  
<sup>o</sup> De Vita  
Christi, pars 1.  
c. 68.  
<sup>p</sup> De Verbis  
Domini, Tom.  
2. l. 2. c. 2.  
<sup>q</sup> Of the Mass,  
l. 2. part 2. ch.  
3.

Hence their canonized <sup>n</sup> St. Anselme first, and after him <sup>o</sup> Ludolphus Saxo Carthusianus, <sup>p</sup> Chrysostomus à Visitatione Cisterciensis Monachus, and <sup>q</sup> Henry Fitz-Simon a Jesuit, blasphemously assert, *Nihil utile post Deum memoria matris ejus: Cœlo-  
cloque est nonnunquam salus memorato nomine ejus, quam indo-  
cato nomine Domini Jesu unicus filius sui. Quare ergo propitior salus in recor-  
datione ejus quam filii sui sape percipiunt? Dicam quid sentio. Filius ejus Dominus est  
& judex omnium, discernens merita singulorum, dum igitur ipse à quovis suo  
nomine invocatus, non statim exaudit, profero id iussu facit. Invocato autem nomine  
matris, et si merita invocantis non mererentur ut exaudiantur, merita tamen matris  
intercedunt ut exaudiantur. Hoc denique usus humanus quotidie probat. Where-  
upon*

<sup>k</sup> Bernardinus  
Sensenis, Sermo  
51. Artic. 2. c.  
<sup>l</sup> Bernardinus  
de Busti Maria-  
le pars 1. l.  
Offic. Concep-  
tionis B. Mariæ  
Paulus Venerius  
Tract. de Con-  
ceptione Virgi-  
nis Mariæ.  
Franciscus de  
Mairo, Michael  
Lochmair, and  
others De Concep-  
tione V. M.  
Bernardinus de  
Busti Mariale,  
Pars 10. Ser-  
mo 1. pars 11.  
Serm. 2. and  
sundry others.  
<sup>m</sup> Officium B.  
Mariæ secun-  
dum Usum Sa-  
rum 1509. l.  
35, 36. The  
Primer of our  
Lady in Latin  
and English,  
1539. and in  
all other Offi-  
ces, Primers,  
Rosaries of our  
Lady, & Brevis-  
rium Roma-  
num.  
<sup>n</sup> Bernardinus  
de Busti Maria-  
le Pars 10. Ser-  
mo 1. pars 7.  
De Gaudiis  
Mariæ.  
<sup>o</sup> Michael  
Lochmair Ser-  
mo 6.



upon *Anselm* concludes his Book of her Excellency, with this prayer to her, wherein he useth these expressions, *Proculdubio benignissimus filius tuus Dominus noster Jesus Christus erit ad concedendum quicquid vobis promissimus & exaudibilis. Tan-*  
*tummodo ergo velis salutem nostram, et vere nequaquam salvi esse non poter-*  
*imus. Siquidem filius tuus ubi voluntatem tuam sua dilectissima matris magis por-*  
*rectam advertebat, illud scilicet aequitate rationis, iudicii sui sententiam, sua ad mis-*  
*ericordiam inflectendo, sive ad iustitiam intendendo pronuntiabat. Subveni ergo, velis*  
*Domina piissima, &c. ut filium tuum totius mundi Salvatorem, et te ejus reconcilia-*  
*tricem esse veraciter sentiamus. Ab initia denique renovationis humanae, omnibus sub*  
*tinum praesidium confugientibus hucusque succurrissi, & iacinto pra omni creatura omni*  
*lande dignissima dici & esse meruisti. Eja succurre oramus, ut laus quam per tot se-*  
*culum dignè possedisti, continuo tibi dicat in gratia ipsa qua mundo perditio subvenisti.*  
*Tibi ergo nos commendamus, tu procura ne pereamus, &c. Amen.* Yea <sup>m</sup> *Virga* the Jesuit affirms, *Maria est nomen tanta virtute, ut ad ejus*  
*Invocationem caelum videat, infernum conturbetur. Est illa spiraculum hominis, quia*  
*sublato ejus patrocinio peccator vivere diutius non potest: And <sup>n</sup> *Alanus de Rape, blas-**

phemo animo & calamo scribit, such is the power of her advocacy, that it delivers  
 not only souls out of Purgatory, but, *et si tota Trinitas iurasset per vulnera*  
*Christi, se nunquam misericordiam futuram peccatori, Maria impet-*  
*petrabit; et quod reprobi et praescripti per devotionem Rosarii Mariae*  
*vitam aeternam assequantur.*  
 Upon this Account they thus further court and extoll the prevalence and bene-  
 fits of her advocacy and fullness of all grace. <sup>o</sup> *Vinc nos per te haereditamus*  
*miseri cordiam miseri, ingrati gratiam, veniam peccatores, subli-*  
*mia infirmi, coelestia terreni, Deum homines, mortales vitam, et*  
*patriam peregrini: Yea they in their devotions stile her, Tu es aqua vitae,*  
*de qua dicitur Il. 55. Accipe aquam vitae gratis; sed heu, quia tu conqueri potes de*  
*quibusdam indebitis tuis, & dicere illud Hier. 2. Me dereliquerunt fontem a-*  
*quae vitae; in refusing to own her for their Expiation, refrigeration, Reconcilia-*  
*tion, and Redeeming Saviour. But to encourage all their seduced Catholics to re-*  
*sort to her as their most potent Advocate and Mediatrix, they further assert, P Ip-*  
*sa quoque super omnes creaturas est potentissima. Licet enim omnes Sancti in caelo poten-*  
*tes sint apud Deum, tamen ipsa omnes excedit in potentia. Nec immerito. Ipsa enim*  
*est mater coelestis Imperatoris. Item, quia sancti sunt potentes apud Deum propter me-*  
*rita; quia unus meruit plus alio, ideo est potentior eo. Ipsa autem Gloriosa Vir-*  
*go plus meruit sola, quam omnes Sancti; & ideo ipsa ait, Eccl. 24.*  
*In Hierusalem potestas mea, scilicet, super omnes alios Sanctos. Sed quid tan-*  
*ta potentia Mariae nobis prodest, si illa de nobis non curaret? Sed O Christiane,*  
*bonum novum nuncio tibi; Sicut Maria apud Deum omnibus sanctis potentior est,*  
*ita et pro nobis apud Deum diligentius intercedit et ferventi-*  
*us. Et ideo peccator, ne permittas te desperationis barathro de-*  
*mergi, sed confidenter ad istam potentissimam et Clementissimam*  
*Advocatam recurre. Ipsa enim omnino tibi succurret quia et po-*  
*terit. Si enim potuit Deum facere hominem, et Creatorem crea-*  
*turam, infinitam finibilem, impalpabilem mortalem, immensum*  
*parvulum, aeternum temporalem, invisibilem et incorporeum visi-*  
*bilem ac corporeum, atque Divinam Majestatem sub forma serbi t*  
*Et si suis blanditiis et virtutibus potuit Deum trahere de caelo in*  
*terram, multo magis et facilius poterit nos trahere de terra ad coe-*  
*lum. Dignetur serenissima Regina nostra, quia subest tibi cum vo-*  
*lueris posse. Sap. 12. Ideo misere omnia quia omnia potes. Hence their*  
*two grand Saints and her devoted servants, <sup>1</sup> *Anselm* and <sup>2</sup> *Bernard*, with sundry*  
*others out of them, speak thus to God himself, Quomodo veniam ad te nisi*  
*per Mariam, per quam venisti ad me? qui enim per aliam viam vadit,*  
*potius debuit quam vadit. And thus to Mary her self, Sancta Maria Virgo*  
*beata, rudis es per quam homo venit ad Deum, et peccator ad be-*  
*nitiam, et per quam venit ad peccatorem venia: Non enim venit ad*  
*gra-*

m *Comment. in*  
*Apoc. 12. scilicet*  
*2. nu. 6.*  
*n Mirrour des*  
*Rosaries l. 3493*  
*352, 354, 362,*  
*386, 176. Lu-*  
*dovicus Lucius*  
*Hist. Jesuitica,*  
*l. 2 cap. 4. p.*  
*218.*

o *Bernardus de*  
*Busti Mariale*  
*par. 11. Sermon*  
*1. De Assump-*  
*tionem Mariae*  
*par. 3. M. Sera-*  
*mon 2. par. 9. La*  
*De Excellencia*  
*B. Virginis, c.*  
*6. Ludolphus*  
*Carthusianus*  
*de Vita Christi*  
*par. 2. c. 68.*  
*Chrysostom. a*  
*visitatione. De*  
*Verbis Doctri-*  
*ni Tom. 2. l. 2.*  
*c. 4.*  

p *Bernardus de*  
*Busti Mariale*  
*par. 11. Sermon*  
*1. par. 3. M.*  
*Sermon. 4. par.*  
*2.*

q *De Excellencia*  
*beate Mariae,*  
*c. 7. 12. Ser-*  
*mon 1. super*  
*Missus est.*  
*1 De Assump-*  
*tionem Mariae, Bernar-*  
*dinus de Busti*  
*Mariale par. 2.*  
*Sermon 5. De*  
*septima Condi-*  
*tionem Sponsae*  
*coelestis.*



f Bernardinus  
de Busto Maria-  
le pars 2. Ser-  
mo 5. De Na-  
tuitate Mariæ,  
De septima  
condicione  
Sponsæ cele-  
stis D. ult. pars  
5. Sermo. pars  
11. Sermo 1.  
De Assumpt.  
Mariæ, Azori-  
us Jesuita, Hom.  
Tom. 4. De  
devot. Ma-  
riæ Virginis,  
Sec. 2. Assu-  
latio.

1 See Offic.  
beate Mariæ  
secundum usum  
Sarum, 1509.  
f 12, to 19.  
35, to 47. 51,  
55, 75, to 86.  
and all other  
her Missal, Of-  
fices, Hours,  
Litanies, Ro-  
saries, Crowns.

u Maiiale, pars  
12. Sermo. 2. de  
Coronatione  
Mariæ, pars 1.  
E. in sine ejus-  
dem.

gratiam, qui non novit venerare Mariam. And no wonder, since they af-  
firm, <sup>1</sup> A tempore quo virgo Maria concepit in utero Verbum Dei,  
quandam ut sic dicam jurisdictionem seu auctoritatem obtinuit om-  
ni Spiritus sancti processione temporalis, ita ut nulla creatura ali-  
quam a Deo obtinuit gratiam vel virtutem, nisi secundum ipsius pi-  
etatis dispensationem. Hinc Bernardus devotissimus ait, Nulla gratia venit  
de coelo ad terram, nisi transeat per manus Mariæ. Et Hieron. Serm. de  
Assumptione, (falsely attributed to him) inquit, In Christo fuit plenitudo gratiæ, si-  
cut in Capite influente. In Maria vero sicut in collo transfundente. Unde  
Cantic. 7. de Virgine ad Christum Solomon ait, Collum tuum sicut Turris eburnea.  
Nam sicut per collum vitales Spiritus à Capite descendunt in corpus; sic per Virgi-  
nem à Capite Christo vitales Gratia in ejus Corpus mysticum  
transfunduntur. Unde iste est ordo divinarum Gratiarum effluxus, ut prius à  
Deo influant in Christi animam benedictam; deinde in animam virginis Matris;  
deinde in Seraphim, & sic successive in alios ordines Angelorum & Sanctorum. Denique  
in Ecclesiam militantem: Cum enim tota natura divina, totum etiam scire, posse & velle  
divinæ intra Virginis uterum extiterit clausum, non timeo dicere, quod omnis  
fluxus gratiarum quandam jurisdictionem habuit hæc virgo, de  
cujus utero quasi de quadam divinitatis oceano tibi et flumina e-  
manabant omnium gratiarum, &c. Upon which account they addressle them-  
selves to her as their most powerful, mercifull, learnedest Advocate, and Medi-  
tor between God and Man; craving audience and acceptance even with Jesus Christ  
(our sole Advocate and Mediator) and God the Father, not for Christs own Passi-  
on, Merits, Intercession, Grace or Pity; but for *Maryes* alone: to which they yet  
<sup>2</sup> sometimes (forgetting themselves) annex the petty merits and intercessions of other  
inferior Saints.

I shall cloze up their Lady *Maryes* Advocateship, and her other Offices peculiar  
to Jesus Christ, with this Cabalistical Contemplation and Prayer of her most  
devoted Advocate Bernardinus de Busto, who after many extravagant Encomiums  
of her transcendent Excellencies, from the 5. Letters in her name *Maria*, in each of  
which he hath found out several offices and Excellencies peculiar to her, hath made  
a further discovery of her Prerogatives and Titles in every Letter throughout the  
Alphabet, and turned them into this Alphabetical prayer. *"Habet quoque alias innu-  
meras Excellencias, quas devotis mentibus contemplandas relinquo, solummodo aliquas  
tangam qua incipiunt ab aliqua literarum alphabeti, sic invocando et orando eam  
per discursum singularem literarum. A. Advocata humani Generis, de-  
fende causam nostram, et ora pro nobis. B. Benedicta super omnes mulieres, fac nos  
nos a tuo filio benedici. C. Consolatio desperatorum et conforta-  
tio eorum, ne permittas nos in desperationis barathrum mergi. D. Dulcedo devoto-  
rum, fac nos devotionis suavitatem repleti. E. Excellentissima omnium creaturarum,  
recommenda nos tuo et nostro Creatori. F. Fons divinarum Gratiarum, silentibus  
et ardentibus nobis aquas salutes effunde. G. Gratiola Dei, Angelis  
& hominibus, fac nos sponso tuo Celesti gratiosos. H. Honorificentia  
populi Christiani; fac nos nitentes esse tue venerationi. I. Impe-  
ratrix Paradisi, impetra nobis ut efficiamur participes tui regni. K. Karissimum  
Dei dispensatrix, paupertatem et mendicitatem nostram subleves. L. Laborantium  
requies et refrigerium, æternam nobis paulationem præpara. M. Mater nostra  
et Dei; fac nos cum filio tuo fratre nostro conjungi. N. Nobilitas Mundi,  
ne dimittas nos peccati ignobilitate confundi. Nutrix pupillo-  
rum et Orphanorum, nobis miseris et Orphanis subveni. O. Dyna-  
mentum Universi, fac nos virtutibus et bonis moribus ornari. P. Pacificatrix  
discordantium, nos discordes et rebelles tuo Rato jubeas concordari. Q. Quarta  
Hierarchia præfida, nos in tertia fac locari."*

locari. R. Regina cœli et terræ, nos tuos servos suscipe. S. Spes omnis tribulati, adjuva nos naufragos in hoc mari. T. Tutela oppressorum, sœvientium in nos iram compesce Dæmonum. V. Vita mundi, fac recludi portas mortis et inferni. Nasque tecum fac deduci in terram viventium. Amen.

Upon serious perusal of all the premises, I conceive all judicious conscientious Papists, must be enforced to make the same publick confession and acknowledgement, as \* *Georgius Cassander* a moderate ingenious learned *Romanist*, (by command and approbation of the Emperors *Ferdinand* the 1. and *Maximilian* the 2. his successor) did about the year of our Lord 1565. *Verumtamen, & illud fatendum est, et multos et magnos errores hoc pretextu intercessionis et meritorum (Sandozum) in vulgi animos et mores invasisse; quibus etiam quorundam Doctoꝝum viroꝝum inconsiderata scripta et dicta occasionem et fomentum suppeditarunt, quos impietatis et quidem summa diligentia correctos oportuit: Ut ex quibus contrarii errores, totius Ecclesiæ consuetudinem damnantium, originem duxerunt: quare nisi remotis causis ea quæ ex causis efficiuntur, non facile remobentur. Primus itaque error est, quod impij homines, et in peccatis perseverantes, ac nullam vitæ emendationem meditantes, Sandozum intercessionis ac meritis temere confidunt, nec ipsi pœnitentia ducti preces suas ad Deum adjungunt, quem errorem non uno in loco Chrysostomus graviter reprehendit. Hæc falsa et perniciosa opinio, quantum in vulgus invaluerit nimis compertum est; existimant enim homines improbi, et in sceleribus suis perdurantes, sola Sandozum (quos sibi patronos diligunt, et frigidis ne dicam prophætis Cæremoniis coluerunt) intercessione et patrocinio veniam sibi et gratiam apud Deum esse paratam; quæ perniciosa opinio, quantum etiam fieri potuit commentis miraculoꝝum confirmabatur. Alter error est, quod homines etiam non mali, certos sibi Sanctos, tanquam patronos et tutores delegerunt, in eozum meritis atque intercessione plus quam in Christi merito fiduciam posuerunt, atque adeo unico illo advocacionis Christi officio obscuro, Sanctos, atque impietatis Virginem Patrem in illius locum substituerunt. Quin et eo ventum est, ut etiam Christum jam in cœlo regnans Patri subjiciatur, &c.*

Yet for all this, the Popes and Church of Rome (who pretend they cannot erre) have been so far from purging out in their *Indices Expurgatorii*, or suppressing in their *Indices librorum Prohibitorum*, these their transcendent blasphemous exorbitant Devotions, that they still approve, defend, justify, reprint, confirme, practise them both in publick and private: Yea which is more strange, instead of censuring the compilers and asserters of the premised Passages, Psalters, Hourses, Offices, Crowns, Rosaries, Postils, Prayers, for their intollerable Extravagances, Blasphemies, Idolatries; wrestings, corruptings most sacred Texts in the Old and New Testament, peculiar to *Iesus Christ* as God and Man, and the Three Persons of the sacred Trinity, and appropriating them to *Mary*, they not only advanced them to great honours, and Ecclesiastical preferments whiles they lived, but have since canonized them for most devout, eminent Seraphical Saints in their Church, and Heaven it self, for making the Virgin *Mary* the greatest Idol in the *Christian world*, and highest Invader, Usurper of all her Sons *Regal, Prophetical, Pontifical* incommunicable Offices, Titles, Excellencies; witnesse the *preferring, magnifying, and canonizing* of *Ildephonsus* Archbishop of *Toledo* in *Spain*, (one of the first Idolizers of the Virgin, and asserters of her exemption from the contagion of all original and actual sins) *St. Bernard* Abbot of *Clareval*, and *St. Anselme* Archbishop of *Canterbury*, (his two seconds therein) *St. Thomas Becket* Archbishop of *Canterbury*, the Author of her Joyes; *St. Dominick* and *St. Francis*, her two grand Chaplains, sent out into the world by her special designation, whose Orders

\* Consultatio, Artic. 21. De cultu & meritis Sanctorum, In his Works, Parisiis 1616. p. 970.

a Bibliotheca Patrum, Tom. 7. p. 430, to 471. Antoninus, Vincentius, Surius, Ribadeniera, Lipomanus, Opmeerus, and others, in the several Lives of these their Saints, and their Lives prefixed to their Works.

b See her Works  
and Revelati-  
ons in Folio, al  
most in every  
page, & Sermo  
Angelicus.

e Historiarum,  
pars 3. Tit. 23.  
cap. 3.  
d Revelatio-  
num, l. 3. c. 17.

\* Rom. 1. 1,  
2, 25.

e See Dr. Beard  
of Antichrist,  
part 3. ch. 34,  
§. 6.  
f Bernardinus  
de Busti, Mari-  
ale Pars 3, 10,  
11, 12.

g See Mr. Fox  
his Acts & Mo-  
numents, Vol.  
3. p. 277. The  
Fraternity of  
the Rosary.

amongst others, are specially devoted to her Service and Adoration ; St. Bonaventura, made a Bishop and Cardinal, the compiler of her most blasphemous *Ladies Psalter*, who turned the word *Dominus*, attributed to God alone, into *Domina*, and *Mater Dei*, throughout the Psalmes of David, St. Bernardinus de Senis ; their illuminated Doctress<sup>b</sup> St. *Briget*, (instructed from Heaven by divine immediate Revelations from Christ himself, and *Mary* the Queen of Heaven, or Angels specially sent by them unto her from time to time) and their St. *Catherine of Senis*, to whom she frequently appeared with her Son Jesus Christ : Yea all the Freers of St. *Dominicks* Order, are not only taken into, and continued in her peculiar service, under her protection whiles on earth, but also sheltered, fostered sub scapulari, capaque decorata coloris Sapphirini Virginis Mariæ gloriose ad dextram Filii sui sedentis in cœlis : sub hoc securitatis tegmento, in hoc pietatis gremio, vidit ille contemplator sublimium et prospector Domini secretorum Divus Dominicus Fratrum sui Ordinis innumeram multitudinem singularis protectionis custodia, et brachiis amoris peculiaris complexam : when he was rapt up into Heaven in spirit ; and there espying many of all other Religious Orders, near *Maries* and her Sons throne, but none of his own, upon which weeping for grief, as if none of them had been saved, thereupon Christ himself with his own hand lift up his Mothers coat or mantle, (tantæ capacitatis et immensitatis, quod totam cœlestem patriam amplectendo dulciter continebat) and shewed him an innumerable company of his brethren lying in her arms and bosome, under the secure shelter of this her large cœlestial coat or mantle, as <sup>c</sup> St. *Antoninus* Archbishop of Florence, and <sup>d</sup> St. *Briget* (to omit others of lesse authority) have assured us ; *Sed audi mirabile*, (addes St. *Briget* in the Virgins words, thus complaining to her Son of the degeneracy of St. *Dominicks* Order, devoted to her service) Dominicus assignabit filios suos sub mantello meo lato ; et ecce pauciores sunt nunc sub mantello meo lato, quam tunc erant sub scapulari suo stritto. Nec tamen omnes vivente ipso Dominico habuerunt ovina velleræ, & Dominicos mores, &c. But I much doubt whether such extravagant Magnificats, Passages, Devotions, Practises, Adorations, enthusiastical, cabalistical, seraphical Postils, Sermons, Prayers, Hymnes, Adulations, Panegyricks as the premised, will bring any of their Authors, Practisers, or this chaste Virgins Adorers, (especially leacherous Freers) under her very coats, or into her amorous armes and bosome, at Christs right hand in Heaven ; since they have rather just cause to fear, that Christ should thrust them for the same into the very bottom of the bottomlesse pit of Hell, being in truth the greatest affronts, contempts, dishonors they can possibly put upon this most humble blessed Virgin, or on God the Father, Son, and Holy Ghost ; whereby they have changed the truth of God into a lye, and worshipped and served the Creature (*Mary*) more then the Creator, who is blessed for ever, Amen ; as \* St. *Paul* himself (the first Apostle of the *Romans*, and Church of *Rome*) and St. *Peter* too 2 *Pet.* 2. 1 2, &c. assures them ; who thus prophesied of these False Teachers, and his pretended Papal Successors : There shall be false Teachers among you, as there were false Prophets among them, who privily shall bying in damnable heresies, even denying the Lord that bought them, and bying upon themselves swift destruction ; and many shall follow their pernicious wayes, by reason of whom the way of truth shall be evil spoken of : And through covetousnesse shall they with fained words make merchandize of you, (as they do of all the parts of the Virgins Offices, Oblations, Images, Reliques, Crowns, Rosaries, Masses, Psalters) whose judgement now of a long time lingreth not, and their damnation ceaseth not : They having not only equalized her with, but advanced her in sundry particulars above God the Father, Son, and Holy Ghost, and that in point of <sup>e</sup> Divine Adoration, as these ensuing particulars superadded to the premises will demonstrate.

1. As they have <sup>f</sup> advanced her soul, body, and placed her person on the very Throne of the Trinity, on Gods and her Sons right hand in heaven ; & so they have erected, dedicated as many, if not far more Churches, Chappels, Oratories, Religious Houses, Orders, Fraternities, Societies, Brotherhoods of Monks, Nuns, and other Votaries,



Votaries, stiled by her name, for her special worship, adoration, service, honour here on earth, as unto God, or Christ her Son.

2ly. They have compiled, published, dedicated not only hundreds of Postils, Sermons, Legends, but of Offices, Masses, Primers, Psalters, Crowns, Rosaries, Anthems, Hymnes, Litanies, Liturgies, Magnificats, Mattens, Evening-Songs, Hours, Collects, Complins, Processions, Manuals, and other sorts of Prayers, Poems, Books for her divine worship, service, adoration; more frequently, fervently, devoutly used in the Church of Rome, then those relating to the worship of God the Father, Son, or Holy Ghost; especially in our Ladies Churches of *Savoy, Walsingham, Frankville, Paris, Ara cali, St. Maries le Grand at Rome, Covadonga in Spain, de Pilari, Casaraugusta*, and sundry other places at this very day; to whose Person, Images, Pictures, Altars they make more Prayers, Vows, Pilgrimages, Oblations, and ascribe more Miracles, Deliverances, then to God the Father, or Son, as their <sup>b</sup> Histories and experience evidence.

3ly. They have consecrated every *Saturday* throughout the year to the Virgin Mary, upon which account <sup>i</sup> Bernardinus de Busti informes us, *Multæ meretrices in die Sabbati non peccarent propter reverentiam Virginis* (taking the more liberty on the Lords day) *et multi videntur beatam Virginem in majori reverentia habere quam Christum Filium ejus* (note it) *magis ex simplicitate moti quam scientia. Sed quia honor Matris redundat in Filium.* Prov. 17. *Patientiam habet Filius Dei in hac quodammodo virozum et mulierum simplicitate.* Excellent Seraphical Divinity, much like that of their Freer \* Teel, who to set forth the glory and prevalency of the Popes Pardons, (whereof he was the Pedlar) for the encouragement and comfort of Harlots and Whoremongers, so far forgot the honour and reverence he should have given (like these Harlots) to the chaste Virgin Mary, that he impiously averred, *If a man had lain with our blessed Lady, the Mother of Christ, and gotten her with Child, yet the Popes pardon was able to set him free from this offence.* Besides, as if one day in each week were not sufficient for this Queen of Heavens adoration and honour, they have *ex abundantia* at several times, by their Bulls and Canons dedicated no lesse then five grand solemn annual Festivals or Holy-dayes; (to wit, of her <sup>k</sup> Conception, Nativity, Salutation or Visitation, Purification, and Assumption (soul and body into Heaven) to her peculiar worship and adoration; which are usually more religiously, devoutly, magnificently observed by all sorts of *Romish* Votaries, Orders, with more varieties of divine Services, Prayers, Hymnes, Litanies, Anthems, Crowns, Aves, Postils, Sermons, Panegyrics, Orations, Processions, then any dayes or Festivals dedicated to Christ her Son, or God the Father, as their Postils, Psalters, Primers, Breviaries, Missals, Rosaries, Crowns, Offices, Hours of our Lady, and other Books attest.

4ly. Whereas Vows are a part of *divine* worship to be made and performed to God alone, as Numb. 21. 2. c. 30. 3, to 15. Psal. 50. 14. Psal. 65. 1. Psal. 66. 13. Psal. 116. 14, 18. Psal. 132. 2. Isa. 19. 21. resolve. Whence <sup>i</sup> Aquinas and Cardinal <sup>m</sup> Bellarmine assert, *Votum soli Deo fit*, as well as Oaths and Sacrifices: Yet the *Franciscans* and *Dominicans*, with other Religious Orders in the Church of Rome, when they enter into Religion, make their Vows and Professions in this forme, as <sup>n</sup> Pere Basil a late *Franciscan* informes us; *Je Frere Basile fais van & promesse a Dieu le Pere tout puissant*, (omitting God the Son, and Holy Ghost, like the Council of Oxford in their Excommunications) *a la B. Vierge Marie, au B. S. Francois, et a vous mon Pere*, (one motive of his renouncing the Roman Church and Religion.) And Cardinal <sup>o</sup> Cajetan records, *In professione Fratrum Prædicatorum sic vocatur; Aveo Deo, et B. Mariæ, et omnibus Sanctis*; on whose Reliques they likewise vow and swear, as well as on the Evangelists; whereby they idolize and adore her and their Saints as Gods, to their and Gods dishonour.

5ly. They call and entitle all their Offices, Hours, Psalters, Primers, Masses, Litanies, Crowns, Rosaries, Anthems, Hymnes, Prayers, Magnificats, Churches, Chappels, Altars made for her publick worship and adoration, by her name alone, as *Officium, Hora, Psalterium, Missa, Litania, Corona, Rosarium, Ecclesia, &c.*

<sup>h</sup> See Lypsius Diva Virgo Halensis, Antwerp. 1604. Tursellinus Jesuita Historia Lauretana, Baronius & Spondanus An. 367. nu. 3. An. 718. nu. 3. An. 1118. nu. 7. & Annales nu. 27. Petrus Canisius De Sancta Maria, l. 5. throughout, Dr. Beard of Antichrist, part 3. ch. 3. i Mariale, Pars 6. Sermo 2. m.

\* Jo. Sleidanus Comment. l. 15. Mr. Cartwright his Consultation of the Rhemish Testament, Act. 1. sect. 8.

<sup>k</sup> See all their Kalendars, Martyrologies, Offices, Primers, Bernardinus de Busti his Mariale, and all their Postils, Sermons on these dayes; Surius Concil. Tom. 4. p. 122. De Vitis Sanctorum, & Ribadeniera. l. 2. 22. qu. 88. Art. 3. m De Cultu Sanctorum, cap. 9. n Pere Basil, Declaration a Sedan, 1639. p. 46. o In Thomam 2. 22. qu. 88.

\* A Prayer for to save her, as if not yet actually saved.  
 p. Mariale Pars 32. Sermon 1.  
 Pars 2. L. M. Rosarium B. Mariz, Dr. Boyes his Poeticals, p. 662. Sir Edwyn Sandys his Relation, p. 5, to 9. George Dowly Priest, his Brief Instruction, p. 211  
 212, 213. Jean Crispin L'ectur de L'eglise, p. 498, 510. Thomas Bacon his Reliques of Rome, vol. 3. f. 334.  
 q. Ribadeniera Fleurs des Vies des Saints, p. 222.  
 r. Mat. 6. 7, to 14. Lu. 11. 2, 3, 4.  
 s. Lu. 1. 26, to 32.  
 t. Ribadeniera Fleurs des Vies des Saints, Feste de L'assumption, p. 128, to 130. Hubbard, Fox Acts & Monuments, p. 310, 311.  
 George Dowly Priest, his Brief Instruction, p. 214. Catechismus Tridentinus, cap. 5. de Oratione, Pelargus Jesuita, Locus 16. u. In his Works, London 1622. p. 145. x. See Henry Stafford his Female Glory, p. 228, to 238. Antoninus & Ribadeniera in the Lives of St. Dominick and St. Francis.  
 y. Polydore Virgil De Invent. Rerum, l. 5. c. 1. Francis de Croy his First Conformity, c. 19, 25.

beata Maria, (not Dei, Christi, or Spiritus Sancti) preferring her before them, and her adoration before theirs, since her Name thus gives them both their denomination, form, and being. In which Books of their publick and private Devotions it is observable; 1. That they have usually 5, 7, 10, or more Ave Marias, (besides Salves, as \* *Salve Sancte Parens, Salve Regina, or Mater Misericordia*, and other Collects, Prayers, Anthems, Litanies) prescribed to be said to her, for every Pater Noster they say to God the Father; their Marias Crown (as P. Bernardinus Senensis and others inform us) consisting of 63. Ave Marias, and but 12. Pater Nosters; and their Rosaries, Primers, Chaplets, Beads, being usually made up with 150. Aves, and 15. Pater Nosters; so as by this computation they adore, worship, invoke, praise and magnifie her at least 9, 10, or 20 times more in their publick and private Devotions, then they do God the Father, Son, or Holy Ghost. Yea their devout canonized St. Margaret, said no lesse then a thousand Ave Marias on every Vigil and Festival dedicated to the Lady Mary, as their Legends record for her honour, in adoring the Virgin a thousand times more then God the Son, or Father. 2ly. That in them they usually begin with an Ave Maria and Pater Noster said to Mary, and alwayes annex an Ave Maria to the end of every Pater Noster, as a branch thereof, or necessary Appendix to it; as if they could not possibly adore and pray to God the Father in Heaven, without adoring, invoking her as their Goddesse or Mother in Heaven; though Christ himself when he instituted and prescribed the Pater Noster, never annexed the Ave Maria to it, which was at first no Prayer to, but a meer salutation of her, used only once, not 10, 20, or more times together, and that only by an Angel specially sent with a message to her from God, not by any men or women without the like message or commission; and that to her person alone, when present with her on earth, and she amongst women, which they now use only to her whiles absent, and as far distant from them, as the highest Heavens are from Earth, where they place her (body and soul) on the Throne of Majesty, far above all Orders of Saints or Angels, having no women nor Saints in her company; which Aves they utter only to her Pictures, Images, as if she were present in them. 3ly. They say and direct their very Pater Nosters in her Offices, Hours, Crowns, Rosaries, &c. to her, as a part of her worship, service, kneeling before her Images, Pictures, Altars, not to God the Father, which Paters some of their Doctors justifie they may say to her, and other Saints too; whereas Dr. Boyes his new Mater Nostra, (compiled out of their own Authors and Offices) would be far more suitable to her service. 4ly. That they have many more Religious Orders of Freers, Nuns, and other Fraternities, Sodalties, dedicated to her worship, adoration, and obliged daily to say her Offices, Litanies, Hours, Crowns, Rosaries, Collects, Anthems; and dedicate, offer more rich Gifts, Oblations of all sorts at and to her Altars, Churches, Chappels, Orders, Images, especially more Tapers, Candles on Candlemas day, and make more Pilgrimages to them, then to God the Father, Son, or Holy Ghost.

z. Calderinus Tractat. 1. De Interdictis, pars 1. c. 79. Albertus de Rosaris Dictionarium, Verbum Campanile, Philippe de Marnix, Le Tableau de difference de la Religion, pars 1. p. 178. Sir Edwyn Sandys his Relation,

6ly. They begin their first Morning, Noon, Evening Devotions, with Ave Marias to her Majesty, to which they are specially summoned \* by ringing an Ave Mary Bell, (which no Interdict can suspend) as soon as they awake; about which there happening a long Suit in the Court of Rome between their 4. Orders of Freers, which Order ought to ring it first each morning, the Pope and his Conclave at last gravely resolved, by an immutable Decree, That that Order which first rose every morning, should first ring the Ave Mary Bell, if they pleased. Besides, they commit the custody of their souls, bodies, senses, and all they have to her hands, not to Gods, first and last each day, by this Prayer prescribed them in their publick Offices, Honres, and particularly in the beginning of their Hora beata Mariz secundum usum Romanum, p. 7. In manus tuas, o Sanctissima Virgo Maria, ego indignus peccator (or servus tuus) bodie commendo totum corpus meum, & totam animam meam, quinque sensus meos, & totam vitam meam, & omnes actus meos, &c. Yea sundry of their

p. 8. a. Officium beate Mariz secundum usum Sanum, f. 42.

Monkish

Monkish and other Predicant Writers, <sup>b</sup> begin their Sermons, Books with an Ave Maria, Salve, Gaud Maria, or some other addresse unto her; and end them with Laus beata Virgini, instead of Laus Deo: Yea their great Historian Cardinal Baronius, concludes the <sup>c</sup> First Tome of his Annals thus; Sanctissima Virgini Mariæ (not Deo) ut hac omnia accepta fecimus, ita pariter offerimus: And their grand Champion Cardinal Bellarmine, affixeth this Postscript to the <sup>d</sup> two First Tomes of his Controversies, Laus Deo, Virginique Patri Mariæ, coupling both of them together, as coequals; and then adding, Deo item Jesu Christo after her; and Gregorius de Valentia the Jesuit closeth up his Books de Missa, & de Purgatorio, with Laus Deo & B. Virgini Mariæ, item Jesu Christo, (as <sup>e</sup> Bp Morton, and <sup>f</sup> Dr. Boyes observe) setting the Cart before the Horse, Laus Mariæ Virgini, before filio ejus: And no wonder, since almost throughout Bernardinus de Busti his Mariæ on her festivals, and most Postillers, Writers of her Excellencies, and in sundry Prayers in her Letanies, Psalters, Offices, Hours, Crownes, Rosaries, directed joyntly to Mary, and Christ her Sonne, or God, she is præponed before them, and first saluted, adored, invoked, and they only in the rear or last place; more particularly in this Prayer of their Canonized St. Anselm Archbp. of Canterbury, her devout Chaplain, in the end of the last <sup>g</sup> Tome of his Works. Anselmi nuper præcatio, Matri Virgini Mariæ, simul & filii ejus, In which he first invokes her with, Sancta & inter Sanctos, post Deum singulariter S. Maria, &c. O mater salutis! O templum pietatis & misericordie, &c. confessing the filthinesse of his Nature to her with shame and grief, as offensive to her transcendent purity, imploring her pitty; with, Sana ergo clementissima infirmitatem, & dele qua te offendit sceleratam. Aufer benignissima languorem, & non sentias quem horris factorem. Sana animam servi tui peccatoris, &c. Nunquid tu Domina mea mater Dei poteris perditum clamantem non curare? At last he introduceth her Sonne, and thus conjoynes the mother and sonne together, as coequals. Nonne ille filius hominis venit vocare ad penitentiam peccatores, & Mater Dei contemnet precantem in penitentia? Sed si pariter ambo offensus es, nonne & ambo clementes es? Fugiat ergo reus iusti Dei, ad piam matrem misericordie Dei; refugiatque reus offensæ Patris, ad pium filium benignæ Patris. Ingerat se reus utriusque inter utrumque. Inficiat se inter pium filium et Matrem; Pie Domine, parce serbo matris tuæ; Pia Domina, parce serbo Filii tui, quia me inficio inter duas tam immensas pietates, non lucidam inter tam potentes severitates. Non erubescam quod spero in vobis hanc pietatem. Dic mundi Juder cui parcis? Dic mundi Reconciliatricem quem reconciliabis? si tu Domine damnas, et tu Domina averteris homunculum bona vestra, cum amore, mala sua cum misericordia consentitem. But no marvel they thus place the Mother before the Sonne, or Father, and their Lady before their Lord; because,

7ly. As they have obliterated their Name, Title of Dominus, &c. and thrust in hers of Domina and Maria instead thereof throughout Davids Psalms in their Saint Bonaventura his Psalterium beata Maria, and Bernardinus Senensis his Officium Conceptionis Mariæ, authorized by their Popes Bulls; So it is likewise observable, that in their Hora beatissima Mariæ secundum usum Romanum, Antwerpæ 1568. p. 328. to omit others set forth by authority of their Church and Popes, they have metamorphosed St. Ambrose and their own Te Deum laudamus, &c. into Te Matrem Dei laudamus, Te Mariam virginem confitemur. Te æterni patris sponsam, omnis terra veneratur. Tibi omnes Angeli & Archangeli: Tibi omnes Principatus humiliati serviunt. Tibi omnes potestates et supernæ virtutes, tibi omnes coelorum dominationes obediunt, &c. Tibi cuncta Angelica creatura, delectabili voce proclamabant. Sancta, Sancta, Sancta Maria Mater Dei & Virgo, &c. Te gloriosus Apostolorum chorus, creatoris Matrem collaudat, &c. Te tota cælestis curia oculorum Reginam honorat. Te per universum mundum sancta Ecclesia invocando celebrat Matrem divina Majestatis, Venerandum te veram Regis cælesti puerperam, &c. Tu Angelorum Domina, Tu Paradysi janua, Tu scula regni cælestis, &c. Te ergo poscimus servulis tuis subire. Salvandæ populū servarū tuorum Domina, ut simus particeps hereditatis tuæ: Et tege nos, & extolle

<sup>b</sup> Dr. Boyes his Possils, p. 664.

<sup>c</sup> Antwerpæ 1597.

<sup>d</sup> Lugduni 1587. & 1597

<sup>e</sup> Protestants Appeal, Bo. 1. c. 12. Sect. 10. p. 240. <sup>f</sup> Possills, p. 664.

<sup>g</sup> Operum, Tom. 3. Coloniz Agrippinæ 1560. p. 260.



*extolle usque in aeternum. Per singulos dies O Domina te salutamus, Et laudare te cupimus in aeternum, devota mente et voce. Dignare dulcis Maria, nunc & semper sine delicto nos conservare. Fiat misericordia tua nobiscum, quia Maria in te confidimus; In te dulcis Maria speramus, ut nos defendas in aeternum.*

8ly. In the Popish Council held at Oxford, Anno 1222. 6 Henry 3. under Stephen Langton Archbishop of Canterbury, (that arch Rebell to King John and his Realms, intralled to the Pope by his Treasons and Rebellions) the whole Council and all the Prelates, Clergy of England, were so intent upon the Priviledges of the Church, and honour of the Virgin Mary, with other Saints, that in the very Prologue of their Canons and Excommunications (agreed upon in that Council) they quite forgot the Names of God the Son, and Holy Ghost; inserting *Maries* and the Saints in their steeds; as our learned Bishop <sup>f</sup> Jewel observes, yea all the Editions, in <sup>g</sup> Lyndeworde, <sup>h</sup> Johannes de Aton, <sup>i</sup> Laurentius Surius, and others attest. *Ex auctoritate Dei Patris omnipotentis, et beatæ Virginis et omnium Sanctorum,* (not Filii, & Spiritus sancti) & *presati Concilii, Excommunicamus omnes illos qui Ecclesias suo jure maliciose privare presumunt, aut per maliciam earundem libertates infringere vel perturbare contendunt.* It seems God the Sonne and Holy Ghost were not present in this Council, but only God the Father, the Virgin Mary, and Saints, else they could not have been thus quite forgotten.

<sup>f</sup> Bishop Jewels  
Defence of the  
Apology Part 2.  
ch. 8. divil. 1.  
p. 308.  
<sup>g</sup> Provinciali-  
um Constit. l. 5  
De Sententia  
Excommunicati-  
onis, f. 148.  
<sup>h</sup> Constitutio-  
nis Leg. timz.  
f. 111.  
<sup>i</sup> Conciliorum,  
Tom. 3. p. 360

9ly. In the *Litania Deipara Virginis ex sacra Scriptura desumpta, qua in alma domo Lauretana omnibus diebus Sabbatis, Vigiliarum & Festorum ejusdem Virginis musicè decantari solent*, printed at the end of the Instructions and Advertisements of Dr. Gaspar Laerte of the Society of Jesus, (how to meditate the Mysteries of the Rosary of the most holy Virgin Mary, translated out of Italian into English) as they sacrilegiously wrest, apply sundry Scripture Texts unto her, not meant nor intended of her, and amongst other Titles thus stile her, *Famillarum restauratio, Reparatrix Parentum, Reparatrix Posterozum, Mediatrix Mundi, Auxiliatrix presentis, Causa salutis humani generis, Advocata nostra, Advocata Eux, Obles fidel nostræ apud Deum, Scala celo-  
zum, Redemptio captivorum, Adjutrix destitutorum, Solatium mundi, Christianorum profugium, Spes desperantium, Spes unica peccatorum, Spes Christianorum sanctissima, Lætitia Sanctorum, Expectatio et Præmium bonorum, &c.* So they likewise obliterate the usual clauses proper to Christ as God, with his Name and the Title of Lord, and thus insert new petitions unto her, instead of Christ, God, the Lord, in their Litanies. *Per sanctam nativitatem tuam, per admirabilem annunciationem tuam, per memorabilem purificationem tuam, per gloriosam assumptionem tuam, libera Nos, Virgo gloriosa, Peccatores, ut veram poenitentiam nobis impetrare digneris.* Resp. *Te Rogamus audi nos. Ut Societates tibi peculiari obsequio devotas conservare et augere digneris.* Resp. *Te Rogamus audi nos. Ut Ecclesia sanctæ cunctoque populo Christiano curam & unitatem impetrare digneris.* Resp. *Te Rogamus audi nos.* After which there follows in the Breviary, *Intercedente beata Maria Regnum etiam Angliæ, una cum universis in ea commorantibus ab hæreticorum seritate converte;* the like *Metamorphoses* they have made in other parts of their antient *Liturgies* and *Missals* to adore and deifie her instead of God the Father, and the Sonne.

<sup>k</sup> Excitat. lib. 8.  
Bishop Jewels  
Defence of the  
Apology, Part  
2. divil. 1. c.  
p. 366.  
<sup>l</sup> Mariale pars  
12. Sermo 1.  
De Coronatione  
Mariæ, pars 1.  
K. M. See Bp  
Ushers Answer  
to the Jesuits  
Challenge, p.  
494.

Finally, as <sup>k</sup> Cardinal Cusanus and others, who assert her to be born without original sinne, write, that she stood in need of no Saviour, *Non indiguit virgo Liberatoze, qui ipsam abolveret a sententia in Adam et in posteros lata, quod ipsa sub principatu auctoris mortis nullo unquam tempore fuit.* Maria non est deleta de libro mortis, quia in ea nunquam fuit, &c. So on the contrary, <sup>l</sup> Bernardinus de Bessi seraphically and blasphemously avers, *Sola benedicta Maria plus fecit Deo, vel tantum, ut sic dicam, quantum fecit Deus toto generi humano. Ipsa perfectionibus omnibus ultimam perfectionem adduxit, cum ea ipsi universitatis auctori, ut ita dixerim, nonnulla adduxit; puta æterno principio inceptio-*  
nis

nis exordium; æternitati divinæ temporale periodum, infinitati  
 immentæ quantitatem corpoream: (Whence St. Briger brings in all the  
 Saints praying thus unto her. *Ô Domina benedicta, tu portasti Dominum*  
*in te. Tu Domina omnium es: Quid est quod non poteris? Quod*  
*enim tu vis, hoc factum est, &c..*) Neither rests he here, but elsewhere thus re-  
 peats it with additions, and far greater impudence; *⁴ Sed ô Virgo gratissima, nunquid*  
*tu aliquid fecisti Deo? Nunquid vicem ei reddidisti? Profecto, si fas est*  
*dicere, tu secundum quid, majora fecisti Deo quam ipse Deus tibi*  
*et universo generi fecit humano. Volo ergo ego dicere* (such is his im-  
 pudence) *quod tu ex humilitate tacuisti: Tu enim solum cecinisti; Quia fecit mihi*  
*magna qui potens est. Ego vero cano et dico, quia tu fecisti majora ei qui po-*  
*tens est. Deus namque hominem de limo terra formavit: Tu vero beatissima virgo*  
*Deum de tuis preciosissimis sanguinibus genuisti, et illum purissima carne tua cooperu-*  
*isti & velasti: Item, Deus hominem de fructibus paradysi educavit; & tu ipsum Deum*  
*pavisti ubere de celo pleno; cuius lactis una gutta parvula prævalet omnibus lignis pa-*  
*radysi, fructibusque omnibus totius mundi. Deus quoque hominem pellicea induit veste;*  
*Et tu Virgo gloriosa Dei filium tuis panniculis involuisti, & postea tunica incensurili in-*  
*duisti, qua prævalet omnibus tunicis mundi. Et sic discutendo probare possum,*  
*quod tu virgo dignissima secundum quid, multa ampliora beneficia*  
*contulisti Christo, quam Deus homini in suæ creationis primordio.*  
 Their late Canonized Saint Bernardinus Senensis sings the like Magnificat to the  
 Virgin; *Sola benedicta Virgo Maria plus fecit Deo vel tantum (ut*  
*ita dicam) quam fecit Deus toto generi humano. Credo etenim*  
*certe quod mihi indulgebit Deus, si nunc pro Virgine loquar.*  
*Congregemur in unum qua Deus homini fecit; & consideremus qua Maria virgo Domino*  
*satisfecit: (which he recites, compares, and then concludes:) Reddenda ergo singula*  
*singulis, scil. qua fecit Deus homini, & qua fecit Deo beata Virgo, videbimus, quod plus*  
*fecit Maria Deo, quam homini Deus: Ut sic pro solatio dicere liceat, quod*  
*propter beatam Virginem (quam tamen ipse fecit) Deus quodammodo plus*  
*obligetur nobis, quam Nos sibi. Good Roman Catholick Blasphemy! demerit-*  
*ing no less then a canonization by the Popes and Church of Rome. Neither doth*  
*the Jesuit <sup>f</sup> Oforius come much short of them. Dubitant aliqui, an Maria adeo bona*  
*mater Christi dici debeat, ac bonus est æternus Pater. At verò si duntaxat filium ab*  
*utroque genitum attendamus, in nihilo Pater excedit matrem. Idem enim filius*  
*est ab utroque genitus; et hac ratione Pater adeo bona Maria est, ac æternus*  
*Pater. To which he <sup>g</sup> elsewhere adds, Cui ergo B. Mariam comparabimus? Non Evæ, non Saræ,*  
*non Racheli, nec Lunæ, nec Soli. Cui igitur? PLANE DEO*  
*bona omnia continent. Therefore <sup>h</sup> Cardinal Bellarmine, had little cause thus*  
*to censure Luther for this saying; Papistæ, inquit Lutherus, B. Mariam Deum*  
*constituunt; omnipotentiam ei tribuunt, omnes se ad eam confe-*  
*runt, et plus gratiæ ab ea expectant, quam a Christo Jesu. Hor-*  
*renda est hac ejus impostura, &c. Quis enim Catholicorum uni vero Deo, cæli Regi-*  
*nam, Mariam ullo modo æquavit? since these thus equallize her to him; and their*  
*own <sup>i</sup> Ludovicus Vives confesseth, Multi Christiani in re bona plerumque peccant,*  
*quod Divos, Divasque non aliter venerantur quam Deum, especially*  
*the Virgin Mary; and their learned Bishop <sup>k</sup> Claudius Espencam assures us, that*  
*their Christiani vetuli & seniculi, as well as their benè & devotius educati pueri,*  
*hodie non minus tribuunt Divis quam Deo; qui hunc quam illos*  
*minus placabilem aut exorabilem putant; concluding it with an At-*  
*tinam mentiar, as a truth beyond denial.*

I appeal now to the Souls and Consciences of all sober judicious Pontificians, or  
 Roman Catholicks, and other ingenuous Christians, for whose conviction and sa-  
 tisfaction I have so largely insisted on the premises:

1. Whether the Popes, Church of Rome, with these their Seraphical Doctors,  
 Saints, Predicants, whiles they thus over-advance, extoll the Virgin Mary, have  
 not thereby in a great measure dethroned, ungodded (if I may so speak) both God  
 the Father, Son, and Holy Ghost, and advanced this their Lady, Queen, Empreſſe,  
 Goddesse of Heaven and Earth above them, adoring her with, yea investing her in  
 all

c Revelatio-  
 num, l. 4. c. 74  
 k, &c.

d Mariale pars  
 6. Sermo 2.  
 pars 2. quæ di-  
 citur Causali-  
 tatis II.

e Petrus Opa-  
 m. erus, Opus  
 Chronogr. p.  
 414 & Riba-  
 deniera in his  
 life, Sermo 61.  
 Artic. 1. cap. 11.  
 See Bishop  
 Ullers Answer  
 to the Jesuites  
 Challenge, p.  
 494.

f Tom. 3. Conc.  
 in Assumpt. S.  
 Barthol.

g Tom. 5. Do-  
 minic. 4. Epi-  
 phan. See Lu-  
 dovici Lucius  
 Hist. Jesuiticæ,  
 l. 2. c. 4. p. 218.  
 h Præfatio ad  
 lib. de Ecclesia  
 triumphante, &  
 l. 2. c. 1, 6.

i Bishop Mortons  
 Protestants Ap-  
 peal, Book 2.  
 ch. 12. sect. 10.  
 j In Augustin.  
 de Civit. Dei,  
 l. 8. cap. ult.  
 k Comment. in  
 2 Tim. 3. p. 511

all their Divine Attributes, Titles, Offices, adoring, extolling, honouring, invoking, serving her farre more then all or any of their sacred persons, equalizing her with them in all respects, and making, stiling her a *Goddesse*, yea *Dea Deorum*, as they directly stile her; not to her honour or her Sons; but to hers and his *a great dishonour, and reproach*; as *b* George Cassander resolves, *Hoc non est Filium honorare, sed potius Filio contumeliam facere.*

*a* See Claudius  
Espenceus  
Comment. in  
Tim. 3. p. 118.  
Bishop Morton

Protestant Appeal, Book 2. ch. 12. Sect. 12. *b* Defensio, lib. de Officio pii viri.]

*b* Mr. Fox his  
Acts & Monu-  
ments, Vol. 3.  
p. 277.  
*c* Defence of  
the Apology,  
Part 2. ch. 18.  
p. 366. part 6. ch. 7. divif. 1. p. 682, 683.

*d* Dr. Rainolds de Idololatria Romanæ Ecclesiæ throughout, Ormerod. his Pagano-Papismus. *e* Bishop Morton his Protestants Appeal, Book 2. chap. 12. Sect. 9, 10, 11, 12.

2ly. Whether they are not herein guilty, (as *b* Mr. Fox, *c* Bp Jewel, *d* Dr. Rainolds, *e* Bishop Morton, and others assure us) of most transcendent blasphemie, execrable Idolatry, and more apparent wresting, perverting, altering, corrupting innumerable Texts of sacred Scripture, then any former Hereticks in the Christian Church? Against Deutr. 4. 2. c. 12. 32. Josh. 1. 7. Prov. 30. 6. Rev. 22. 18. 2 Pet. 3. 16.

3ly. Whether the Romanists in invoking, adoring, crying to the Virgin *Mary* as aforesaid, and other Saints, be not more brutish then the very brute beasts of the field, young Lions, and Ravens, who both look up, and cry, seek to God alone (their creator, not to any Saint or creature) for every thing they want, as these Scriptures resolve, Psal. 104. 21, 24, 25, 27, 28. Ps. 145. 15, 16. The young Lions roar after their pray, and seek their meat from God; The eyes of all creatures in the sea and earth, both small and great beasts, fish and creeping things (as well as men) wait all upon God, that he may give them their meat in due season. &c. Thou openest thy hand and fillest the desire of every living thing. Joel 1. 20. O Lord the beasts of the field cry also unto thee. Jon. 3. 8. Let man and beast be covered with sackcloth, and cry mightily unto God. Psal. 147. 9. God giveth to the beast his food, and to the young ravens that cry, (to him for it.) Job 38. 41. who provideth for the raven his food, when his young ones cry unto God: whence the Psalmist, Psal. 148. 11, 12. exhorts beasts and all cattel, creeping things and flying fowls, (as well as Angels, Kings of the earth, and all people, high or low, young and old, males and females) to praise the name of the Lord (a part of divine adoration and prayer) for his name alone is excellent, his glory above the earth and heavens: Not the Virgin *Maries*, as they assert, & Psal. 150. 6. Let every thing that hath breath (as well beasts, fowls, fishes, and creeping things, as men) praise the Lord, not our Lady, as *\* Bonaventure* hath blasphemously perverted it.

*\* See Heic, p.*  
29.

4ly. Whether they be not more sottish, stupid herein, then the very worst of Pagan Idolaters, who by the light of Nature never prayed to any Saint, Angel, creature for help in time of trouble, nor adored any thing, but what they really believed to be a God, and their God, able to help and save them. Hence *Plato* in his *Alcibiades 2. De Oratore ad Deum*, Legum Dialog. l. 4. & 6. and in his *Definitiones Philosophorum Rerum*, resolves; That God only is to be adored, sacrificed and prayed to in publike and private; defining, *Sacrificium est donum Victimæ DEO. Precatio est petitio bonorum, aut qua bona videntur hominibus à DEO.* The like saith *Cicero* in his Books *de Natura Deorum*, *Ovid.* Fastorum lib. & Tristium, l. 1. Eleg. 1. *Virgil.* Æneid. l. 3. *Homerus.* Iliad. l. 9. *Terentius* Phormion. Act. 2. Scen. 2. *Dionysius Halicarn.* Antiqu. Rom. l. 2. pa. 5. *Plutarchi.* Numa Pompilius, *Pindarus.* *Euripides.* *Sophocles* in their Poems, *Diodorus Siculus.* *Alexander ab Alexandro* Gen. Dierum, lib. 3. cap. 13. and other Heathen Authors attest; whence *Jonah* 5, 6. when God sent a mighty tempest, so that the ship wherein *Jonah* fled from Tarshish was like to be broken; the heathen mariners being afraid, cried every man to his God; Yea the shipmaster coming to *Jonah* (who lay fast asleep) said unto him, arise, call upon thy God, if so be that God will think upon us that we perish not. After which, ver. 14. They cried unto the Lord, and said, we beseech thee O Lord, we beseech thee let us not perish, &c. So *Jonah* 3. 8. The King and people of *Nineveh* proclaiming a fast, prescribed, that both man and beast should cry mightily unto God. The Psalmist assures us, Psal. 107. 18, 19, 23, 28, 29. That all sorts of men in their afflictions, and all that go down to the sea in ships, (like the mariners in *Jonah*) do then cry unto the Lord God in their trouble, and storms (not to any Saint, Angel, or other creature)



creature) and he bringeth them out of their distresses. Thus the Priests of Baal cryed and prayed unto Baal to hear them, as to their God, 1 Kings 18. 21, 24, 26, 27. Thus the Idolaters transplanted from Assyria and other Countreies to Samaria, being destroyed by Lions, made and served several Gods of their own, and yet feared the God of the land, 2 Kings 17. 26. to 35. So the \* Israelites revolting to Idolatry, cryed and offered incense only unto the new Gods they had chosen, to save them in the time of trouble, which they could not do. Yea the most sottish Idolater, who planted, watered a tree, burnt one part thereof, and made the residue a God, fell down unto it, worshipped and prayed unto it, (upon this account alone that, he beleaved it to be his God,) saying, Deliver me for thou art my God, Isa. 44. 9. Yea Cyrus and Artaxerxes, two heathen Kings, prescribed prayers and sacrifices to be made unto the God of heaven for their lives, and the lives of their sons, Ezra 6. 8, 9. c. 7. 21. And the Athenians erected an Altar to the \* unknown God they ignorantly worshipped. As the \* Scriptures are expresse, that God only is to be adored, worshipped, prayed to; That the Apostles, Saints in the Old and New Testament never made any prayers or supplications to any Angel, Saint, but God alone; yea Christ himself in the Lords prayer instructed his Disciples to pray only to God, no petition or clause of that exact pattern of prayer being communicable to any Angel, creature but only to God: So the Roman Historians and Poets, as <sup>b</sup> Tacitus Annal. l. 4. c. 3. l. 16. c. 6. Seneca de Consolatione ad Polybium, c. 31, 32. Martial Epig. l. 4. Epig. 1. l. 7. Epig. 51. l. 10. Epig. 32. l. 11. Epig. 4. C. Plinius secundus, Epist. l. 10. Epist. 44, 45, 60, 101. Panegy. Trajano dictus, p. 21, 25, 49, 52, 59, 142, 167, 168. Julius Capitolinus in Vita Antonini Pij, p. 10. <sup>c</sup> Elius Lampridius, p. 280, 281, 333, to 358, 388, in the Lives of Antoninus Domitianus, & Alexander Severus, Julius Capitolinus, p. 412, 413, 423, 424, 439, 440, 459, 460, 473, &c. 490, 491, 492. & Flavius Vopiscus, p. 860, to 693. record, that the Pagan Romans prayed only to their Gods, and none else, for the lives, safeties of their Emperors and others; yea reputed prayer a divine worship, adoration, peculiar only to the Gods, and incommunicable to any others. If therefore the Roman Church, Popes, beleave not Mary and other Saints to be real Gods; and yet invoke, adore her or them as their only Aiders, Protectors, Saviours, Deliverers in their distresses; They are farre more sottish, idolatrous, then the very bruits and sottishest Pagan Idolaters, there being no president in the Old or New Testament, of any prayer made to Angels, or Saints departed, or other creature, but unto God alone, or what was reputed to be a God, who knew, searched the very secrets of their hearts, and was able to save and deliver them in their extremities; which none but the true God alone can do: Now whereas Popes and Popish Doctors have fancied, that the Virgin Mary and other Saints departed, do know their persons, necessities, hear their prayers, and can supply their wants; it is directly contradicted by Job 5. 1 c. 24. 20, 21. 2 Kings 22. 20. 2 Clon. 6. 9. c. 34. 28. Eccl. 3. 22. c. 6. 4, 12. c. 7. 24. c. 8. 7. c. 9. 5, 6. Isay 63. 1, 6. c. 8. 19. c. 26. 13, 14. Psalm 88. 5, 10. Psal. 115. 17. Lam. 3. 6. John 5. 25. <sup>d</sup> Augustinus De Cura pro mortuis, p. 13, 14, 15. And whereas they suggest, That they see all their prayers and necessities in the looking-glasse of the Deity, as their <sup>d</sup> Seraphical Doctors resolve, it is the most sottish whimie that ever was invented: For 1. the Scripture assures us, that God is invisible in his own essence, that no man nor eye hath seen, or can see God at any time, Rom. 1. 20. Col. 1. 15. 1 Tim. 1. 17. c. 6. 16. Heb. 11. 27. John 6. 46. cap. 1. 18. 1 John 4. 12. 20. If then God be thus invisible in himself, how can he be fancied to be a meer common looking-glass, which not only all Saints departed clearly behold, but likewise see all things done or spoken on earth by reflection in him, who is invisible. 2ly. No species can be received into or reflected by or from a glasse, but only at a convenient distance, and that by a corporeal visible substance, capable to receive & reflect corporeal species visible to the eye: But that all things acted, yea all prayers uttered on earth, should be visible, or reflected in God a Spirit, at so grand a distance as the highest heavens are from earth, and that so visibly, as all the Saints, Angels in heaven, do or may exactly see and take

2. 18. c. 3. 13. to 21. c. 5. 19, 20. b See my Signal Loyalty and Devotion of true Christians, and also Idolatrous Pagans to their Sovereigns, part 1. ch. 5. p. 63, to 87. c 1 Chron. 6. 30. c. 28. 9. Acts 1. 24. Rom. 8. 28, 29. Pfl. 1. 8, 9; 10. Pfl. 139. 1. Pfl. 65. 2. Jam. 1. 6, 7. Is. 43. 20. c. 46. 7. Jer. 2. 28. Pfl. 145. 19. Pfl. 108. 6. Jer. 11. 12. c. 31. 7. Hosea 13. 16. d Cajetanus, Scotus, Durandus, and other Schoolmen, in 4 Sentent. distinct. 25. Bellarmin. de Beatitudine Sanctorum l. 2. c. 29. Morel, Becanus, Manuale Controvers. l. 1. c. 7. De Invocatione Sanctorum, Sect. 20.

knowledge of them, is a most extravagant phantasia. 3ly. That Prayers, which are either meerly mental, or vocal, having no visible colours, species, being *always said to be heard by God himself*, who is therefore stiled a *God hearing prayers*, Psal. 65. 2. 1 Kings 8. 30, 34, 36, 37, 43, 45. 2 Chron. 6. 21, 23, 25, 27, 30, 33, 35, 39. Nehem. 1. 6: c. 4. 4. Job 27. 9. John 11. 42. Psal. 4. 1. Psal. 10. 17. Psal. 17. 1. 6. Psal. 20. 1, 9. Psal. 27. 7. Psal. 28. 2. Psal. 30. 10. Psal. 39. 12. Psal. 54. 2. Psal. 61. 1. Psal. 64. 1. Psal. 84. 8. Psal. 102. 1. Psal. 119. 149. Psal. 130. 2. Psal. 140. 6. Psal. 143. 5. Neh. 9. 27, 28. should not be heard but only *seen by Mary*, the Saints or Angels now in heaven, and that in *speculo Trinitatis*, is as great a solecism, absurdity, contradiction, as to averre that men may see sounds with their eyes, or in a looking glasse, and see colours with their ears: since sounds, prayers are only the objects of the ears, not eyes; and colours of the eyes, not ears. Hence the Prophet *Daniel* thus prayed to God, Dan. 9. 18, 19. *O my God incline thine ear and hear, open thine eyes and behold our desolations, &c.* O Lord hear, O Lord hearken; Hence we read of the *seeing eye, and the hearing ear*. Prov. 20. 12. *That the ear only (not the eye) trieth words, as the mouth tasteth meats*, Job. 12. 11: c. 34. 3. Hence *hearing with the ears, and seeing with the eyes* of the body or minde, are usually put in contradistinction in Scripture, Ifay 6. 9. Mat. 13. 13, to 19. Mar. 4. 12. Eccles. 1. 8. Lu. 8. 10, 11. John 12. 40. Acts 28. 26

\* Just like their drinking Christs bloud and the Sacramental wine in eating the consecrated dry bread.

† Can an ignorant Country Clown, Novice know all that the learnedest Divine, Physician, or Lawyer knows, because he sees their faces?

‡ Epiphanius Episcopi Lib. 3. Tom. 2. contra Hæres. Hæres. 79 col. 882 & c. Sec. Cent. Magd. 4. col. 299, 485. Dr. Fulke and Mr. Cartwright Answer to the Rhemish Testament, on Acts 1. 14. Sect. 7.

g Ann. 1167. nu. 2. & 1195. nu. 6. Henr. de Knyghtron de Event. Angl. 1. c. 5. col. 2359.

Rom. 11. 8. Therefore the Virgin *Maries* or other Saints seeing (not hearing) their prayers in heaven, in the looking-glasse of the Trinity: is as grosse, as senselesse a Bull, repugnant to the Nature of God, the whole series of Scripture, and common sense, as \* absurditie it self can invent; which no rational man can beleieve, till deaf men can see voyces, sounds with their eyes, hear or tast colours with their ears, mouths. 4ly. If the Virgin and Saints departed, because they † *see God*, do therefore certainly see, know all things in God, that he sees or knows, (especially all mens hearts and mental prayers) and hear, understand millions of prayers made in all kind of languages they never knew on earth, at one instant, they should then be as omniscient as God himself, and so Gods outright, as they make the Virgin *Mary*.

5ly. Whether by all the premised particulars it be not apparent, that the Popes, Clergy, and whole Church of *Rome* have been, and still are farre worse, greater Hereticks and Idolaters, then the *Collyridians*, condemned for Hereticks and Idolaters too in the primitive Church, about the year 370. by *Epiphanius* Bishop of *Constantinople* in *Cyprus*, and others; whose Heresie, Idolatry is related to be only this; *Hæc hæreses in Arabia, & Thracia, & superioribus partibus Scythiæ emicuit*, introduced, practised only by a few women; *Quidam enim mulieres currum quendam, sive sellam quadratam ornantes, expanso super ipsum linteo, in die quadam illustri anni per aliquot dies panem proponunt, et offerunt in nomen Mariæ. Omnes autem de pane participant.* This they did in honour to her as the Queen of Heaven, as his, *Ne dicant honoramus Reginam cœli*, intimates: This is all they were guilty of. Now compare these and the Romanists heresie and idolatry to her together, and we shall easily discover how farre they outstrip them in all particulars.

1. This their Heresie and Idolatry was introduced, practised only by women, and those but few, simple, seduced by the Devil, like as *Eve* was of old; But theirs was introduced, fomented, propagated, justified by Monks, Popes, Prelates, Priests, Canonists, Casuists, Schoolmen, reputed the wisest, holiest, most Seraphical Doctors in the Church of *Rome*, led by the unerring Spirit of God (as they pretend;) and is universally practised by their Male as well as Female Catholicks of all orders & degrees. 2ly. They only at one solemn time in the year did publicly set little Cakes of bread, called *Collyrides*, in a Chariot thus adorned, for some few dayes space, before the Virgin *Maries* Image, & then offered them to her themselves, but consecrated no Priests; nor Religious Persons, Orders, Churches, Chapels, Altars, Images, compiled, used no publike Offices, Psalters, Primers, Crowns, Masses, Litanies, Anthems, Prayers, Aves, Salves, made no Processions, Pilgrimages to her, as the Pontificians practise, not at one time of the year alone, but daily, or on all Saturdayes, and 5. annual Festivals dedicated to her. 3. *Baronius* and *Spondanus* assure us, that *Petrus Damianus* at the request of some melancholly Hermits, was the very first who introduced the Office and Service of the Virgin *Mary* into his Private Monastery, Anno 1056. with much opposition of *Gozo* and others, who dissuaded his Monks from the use thereof; and that her office was not publicly received nor practised in the Church, till confirmed afterwards by Pope *Urban* the 2d. in the Council of *Claremont*, An 1095. their Hours, Psalters,

Psalters, Crowns, Rosaries, Litanies, *Mariales* being introduced long after by degrees: Therefore not used by these *Collyridians*. 3ly. They offered only little Cakes unto her in a Chariot: These Prayers, Praises, Incense, Gold, Silver, Pearls, Jewels, Tapers, yea Houses, Churches, Lands, and things of greatest value, her Churches, Chapels, being more richly adorned then their Chariot. 4ly. They all divided and did eat the cakes they offered to her in this their May-game, feasting themselves therewith: But all their oblations bestowed on her, are divided amongst her Priests and Freers, for the maintenance of her worship. 5ly. They placed only one Image of her in a Chariot: These erected thousands of costly Images, Statues to her in stately Churches, yea oft times carry them about \* in *Gilded Chariots*, or on Prelats, Priests, Princes shoulders in their Processions, Triumphs, with a glorious *Imperial Crown* on her head, and a *royal Scepter* in her hand, with Christ her son as yet a sucking babe, lying unactive in her arms, ruling and domineering over him as \* *aforsaid*; when they had nothing but her bare Image, without her babes. 6ly. Though they thus honoured, and called her, *The Queen of Heaven*, yet they gave her no other Titles, applied no Attributes, Offices, Texts of Scripture peculiar unto God or Christ, unto her: Whereas they honour, adore, pray to and extoll her, not only with the very same Title of *The Queen of Heaven*, but with farre more and greater Divine Titles, Attributes, Excellencies, Offices, and wrest, corrupt sundry expresse Scriptures for that purpose, which they appropriate to her, though peculiar unto God, or Christ our Saviour, which the *Collyridians* never did. 7ly. They made, published no such *Magnificats, Mariales*, Books, Anthems, Postills, Sermons, to extoll her transcendent Excellencies, and excite others to worship, adore her in such sort as they, and were never guilty of such extravagant blasphemies prayers, assertions as those forementioned: Therefore their Heresie, Idolatry in these and other premised respects is greater and more detestable then the *Collyridians*. 9ly. All the Arguments produced by *Epiphanius* against these *Collyridians*, which then suppressed their Heresie and Idolatry, directly condemn the adoration of the Virgin *Mary*, as not only ridiculous, foolish, repugnant to the Scriptures, not warranted by any presidents in sacred story, or the Primitive Church or Saints, who never invoked nor adored *Mary*, nor any other male or female Saints how great or holy soever, nor any Angel, but God alone, but as introduced by the Devils suggestion, yea damnable and destructive to their souls; as these passages (worthy special observation) will demonstrate. First, in his prologue he writes of this their Heresie, \* *Quæ sane et ipsa ridicula est, ac ludibrii plena apud prudentes reperitur. Incipiens autem de ipsa tractare, & opiniones ipsius recensere, soliditatis enim potius condemnationem incurret, quam ut aliquid sapientie in ipsa, esse iudicetur, quemadmodum etiam alia similes huic fuerunt. Sicut enim supra per contumeliam in Mariam, hi qui hac opinari videntur nocivas opiniones in Cogitationes hominum seminant; sic etiam hi ad alteram partem inclinantes in summo detrimento deprehenduntur, quo illud quod apud externos quosdam philosophos celebre est, dum dicunt, extremitates aequalitates, etiam in ipsis impleatur. Equale est enim in utrisque his scilicet detrimentum, illi quidem vilipendunt sanctam Virginem, hi vero rursus ultra decorum glorificant. Hi enim qui hoc docent, qui sunt præterquam mulieres? Muliebre enim genus lubricum est, erroneumque ac intellectu humili pradiatum, etentim et ipsi Diabolo visum est hoc a mulieribus ebomere. Quemadmodum enim supra apud Quintillam & Maximillam ac Priscillam ridicula sunt dogmata, sic etiam hic: 2ly. He thus proceeds against and encounters their heresie, after his recital of it. Nunc autem clare de ipsa dicemus & confutationes contra ipsam pro viribus Deum invocantes apposituri sumus: quo huius simulacris & hæresis radicibus excisis, a quibusdam talem radicem extollere in Deo possumus. Age igitur, virilem animum induamus, et harum mulierum insaniam dissipemus. Totum enim hoc mulieris opus est, et Evæ rursus deceptæ morbus, imo potius serpentis, bestie illius irritatiæ, et quæ loquuta est in ipsa, est hæc erroris promissio, nihil in medium afferens, neque promissa perficiens, sed solum mortem efficiens, ea quæ non sunt, velut quæ sunt nominans, et per visionem ligni inobedientiam faciens et aversionem ab ipsa*

\* See heres. p. 41.

\* Here, p. 18, 22, 23, &c.

\* Epiphanius  
Hæres. 79. col.  
881, 882, &c.



veritate, et ut ad multa se converteret. *Æstimare autem licet qualia impostor ille seminarit, dum ait, eritis sicut Dii; sic et harum opinio per prædictæ Bestiæ elationem impulsæ est. Nam in hac Natura rursus moxem, velut sæpe dixi. Primum equidem statim consideremus, ab æterno usque in hunc diem, cui non mania festum est, quod demoniorum est Doctrina et forma et abalienata aggressio, Deo enim ab æterno nullatenus mulier sacrificavit, non ipsa Eva & quidem in transgressione constituta. At non ausa fuit amplius talem impiam aggressionem perficere, non una ex ipsius filiabus, &c. where he proves at large, by sundry Scripture presidents and Texts, which I pretermitt, that no women ought to be Priests, or to offer sacrifice, or speak in the Church, as these women offered sacrifices to Mary, Then he thus proceeds to refute their invocation and adoration of Mary. Unde vero nobis rursus hac nova fabula excitata est? Unde mulierum fastus: et insania mulieribus? Unde nutrita malicia rursus per foeminam nobis foemineam opinionem mentibus infundens, suam voluptatem operans à proposito decedere miserum hominum naturam cogere conatur? Caterum suscipiamus animum ipsius Job, firmitatem Athletæ illius armemur iusta responsione, in labia assumpta. Dicamus & ipsi, velut una ex stolidis mulieribus loquuta es, unde enim non stolidum hoc apparebit, omni prudentiam habenti, eamque per Deum adeptæ. Unde non est simulacrum hoc studium, et Diabolus, mortalem naturam in hominum oculis Despicans, statuas humanas imagines præ se ferentes per artium varietatem expressit. Et mortui quidem sunt, qui adorantur, ipsorum vero imagines, quæ nunquam vixerunt, neque enim mortuæ esse possunt quæ nunquam vixerunt, adorandas introducunt, adulterante mente ab uno et solo Deo commune scortum, ad multam multiplicis coitus absurditatem scitatum, et quod temperantiam legitimi conjugii unus viri detribuit. Rebera, sanctum erat corpus Mariæ, non tamen Deus: Rebera virgo erat ipsa virgo et honorata, sed non ad adorationem nobis data, sed ipsa adorans eum qui ex ipsa carne genitus est, de coelis vero ex sinibus paternis accessit. Et propterea Evangelium monuit nos dicens, quod ipse Dominus dixerit, <sup>h</sup> Quid mihi & tibi cura est mulier? nondum venit hora mea. Quo non putarent aliqui magis eximiam esse sanctam virginem, mulierem eam appellavit, velut prophetans, quæ futura essent in terra scitarum ac hæreseon gratia, ut ne aliqui nimirum admirati sanctam, in hanc hæresim ejusque deliramenta dilabantur. Est enim ludibrium tota res, et anicularum fabula, ut ita dicam, tota hæresis tractatio. Quæ vero scriptura de hoc narravit? Quis prophetarum præcepit hominem adorari, nedum mulierem? Eximium equidem est vas, sed mulier, et nihil a natura immutata, verum et intellectu, et sensu in honore honorata, velut corpora sanctorum; et si quid amplius ad glorificationem dixerim, sicut Helias, ex matre virgo et sic manens in perpetuum, et translatus, et mortem non conspiciendus; sicut Johannes qui super pectus Domini recubuit, quem diligebat Jesus; sicut Thecla sancta, et Maria adhuc honoratioz hac est, propter dispensationem mysterii qua digna facta est. Sed neque Helias adorandus est etiam si in visibilibus sit, neque Johannes adorandus, quanquam per preces suas propitias dormitionem suam admirandam effecerit, imo potius ex Deo gratiam acceperit. Sed neque Thecla, neque quisquam Sanctus adoratur. Non enim dominabitur nobis antiquus error, ut relinquamus Deum viventem, et adoramus ea quæ ab ipso facta sunt. <sup>i</sup> Coluerunt enim & adorant creaturam præter Creatorem, & stulti facti sunt. Si enim Angelos adorari non vult, quanto magis eam quæ genita est ab Anna, quæ ex Joachim donata est Annæ, quæ per preces, & omnem diligentiam secundum promissionem patri ac matri data est, non tamen aliter genita est præter hominum naturam, sed sicut omnes ex semine viri & utero mulieris. Tametsi enim Historia Mariæ & traditiones habent, quod dictum est patri ipsius*

Nota.

<sup>h</sup> Joan. 1. 4.<sup>i</sup> Rom. 1. 25.

ipſus Joachim in deſerto. Uxor tua concepit; tamen non quod ſine conjugio hoc factum, neque ſine ſemine viri, ſed futurum Angelus miſſus prævaticinatus eſt, ut ne qua heſitatio fieret propter id quod in veritate factum eſt, & jam ex Deo ordinatum & juſto promiſſum. Et undique videmus ſcripturæ ſic narrantes. Elaias enim prædixit de futuro in filium Dei implendis. <sup>k</sup> Ecce Virgo in utero habebit, & pariet filium, & vo- <sup>k</sup> Iſay 7. 14. cabunt nomen ipſius Emanuel. &c. Solum enim ipſum decuit, ſoli ipſi natura ceſſit, hic velut placent, & rei poſſibilitatem habens, ſtipſum de virgine, velut de terra efformavit, qui de calis deſcendit & carnem induit. Dens Verbum ex Sancta Virgine, non tamen ut adoꝛetur virgo, neque ut Deum hanc efficeret, non ut in nomen ipſius offeramus, non ut poſt tot ſecula mulieres Sacerdotes ac ſacriſcualas oſtenderet. Non complacuit hoc Deo in Salomne fieri, non in Maria. Non permiſit ipſi dare baptiſma, non benedicere diſcipulos, non impetrare in terra juſſit, ſed et ſolum ipſam ſanctificatam eſſe, dignam ſacram eſſe regno ipſius. Non appellata Mari Ruſi, non his qua ſequuta ſunt ipſum à Galilea, non Marthæ ſorori Lazari & Mariæ, non aliis ex ſanctis mulieribus qua digna facta ſunt à præſentis ipſius ſalvari, & ſubminiſtrant ipſi ex propriis ſuis bonis, non mulieri Chananidæ, non è ſanguinis profluvio laboranti ac ſanata, non ulli aliæ mulieri in terra hanc dignitatem demandavit. Unde igitur rursus nobis rotundus et in orbem ſe gyꝛans Draco? Unde renobantur ob aliquo illa conſilia? Sit in honore Maria, Pater, et Filius, et Spiritus ſanctus adoꝛetur; Mariam nemo adoꝛet, non dico mulierem, imo neque virum. Deo debetur hoc myſterium; Neque Angeli capiunt talem glorificationem. Deleantur quæ male ſcripta ſunt in corde deceptorum: Collatur ex oculis cupiditas ligni. Convertatur rursus ſigmentum ad dominum. Revertatur Eva cum Adam ut Deum colat ſolum; ne ducatur ſerpentis voce, ſed permaneat in Dei præcepto; ne comedas de ligno. Et erat lignum non error, ſed per ipſum lignum facta eſt inobediencia erroris. Ne comedat quis de errore, qui eſt propter ſanctam Mariam. Nam etſi pulchrum eſt lignum, ſed tamen non ad Et- <sup>North</sup> bum; et ſi pulcherrima eſt Maria, et ſancta et honorata, ac non ad adoꝛationem. Hæ vero rursus renobant fortunæ mixturam, et præparant Diabolo et non Deo menſam, velut ſcriptum eſt, Et paſcantur cibo impietatis, velut dicit divina Scriptura, & <sup>m</sup> foemina terunt polli- <sup>m</sup> Iſay 7. 18. nem, & filii colligunt ligna, ut faciant placentas oleo ſubactas exercitui cœli. Compellantur à Jeremia tales Mulieres, et ne turbent orbem terrarum. Ne dicant, honoramus Reginam cœli: novit enim ſaphnas has pu- <sup>n</sup> Jer. 44. 17; <sup>n</sup> 18, 19, 25. nire. Noverunt loci horum adificiorum corpora ſuſcipere ad putrefactionem. Ne cre- <sup>o</sup> Prov. 6. 13; <sup>16</sup> das Iſrael mulieri. \* Reſulta à malæ mulieris conſilio. Mulier enim precioſas vi- <sup>16</sup> rorum animas corripit. Hujus enim pedes ducunt utentes poſt mortem in Infernum. Ne attendas prava mulieri, mel enim diſtillat à labiis mulieris meretricis, quod ad tempus lenis guttur tuum, poſtea tamen amariuſ felle reperies, & magis acutum quam anceps Gladius. Ne credas huic mulieri præbæ. (omnis enim hæreſis eſt præbæ mulier) amplius vero mulierum hæreſis hæc, et ea quæ eſt ejus qui prænam mulierem decepit. Honoretur mater noſtra Eva, velut à Deo formata, ne audiat autem, ut ne perſuadeat filios, ut edant de ligno, et tranſgrediantur mandatum. Poenitentiam vero agat etiam ipſa, hanc loquiſ convertatur pudenda, et foliis ſi- <sup>North</sup> cus amicta. Conſideret autem ſeipſum etiam Adam, et non amplius ipſi crebæ. Nam erroꝛis perſuaſio, et mulieris ad contrarium conſilium mor- tem proprio conjugi effici, et non ſolum, ſed etiam filiis. Subvertit ſigmentum Eva per tranſgreſſionem irritata, per vocem ac promiſſionem Serpentis, ſeducta ex prædicatione, et ad aliam ſententiã progreſſa. Quapropter omnium Dominus & Salvator volens curare morbum, & adifi- <sup>North</sup> care ſubverſum, & corrigere imminutum, quandoquidem à muliere mors in mundum <sup>North</sup> venit

venit, ex muliere virgine ipse genitus est, quo mortem concluderet, & defectum expleret, & imminutum perficeret. Revertitur autem nobis rursus malitia, ut defectum in mundum producat. Sed neque juvenes, neque senes credunt mulieri, propter temperantiam ab initio. Non ludificat Egyptia castum Joseph, neque evertit, &c. Quam multa dicere possem. Sive enim velut ipsam adorantes Mariam, Ipsi offerant collyridem sive placentam banæ istæ mulieres, sive pro ipsa offerre conantur, prædictam hanc putidam oblationem tota res stolidæ est, et aliena, et ex Damonum motu fraudis et impostura. Quo vero non longius extendam sermonem, sufficienti nobis relata; Maria in honore sit, Dominus adoratur. Iusti enim nemini exhibent errorem, Deus malis non tentatur, & tentatur etiam ipse neminem, neque servi ipsius ad deceptionem; Unusquisque vero tentatur ex propria concupiscentia, attractus & inescatus. Deinde cupiditas parit peccatum, peccatum autem perfectum parit mortem. Ceterum quum de omnibus his hæc sufficere, O charissimi putemus, et hanc, ut ita dicam Cantharidem, formam quidem auricolæ, alatam vero ac volantem, venenumque ejaculantem, et virus in seipsum habentem, per Doctrinam veritatis consideremus, ad unam illam quæ adhuc restat pergamus, Deum invocantes, ut opituletur nobis, quo veritatis partes investigemus, et contra adversarios confutationem perfectam efficiamus.

a Jac. 1. 13,  
14, 15.

\* See Mr. Cartwright and Dr. Fulke Answer to the Rhemish Testament, on Acts 1. 14. Sect. 7.

a Apparatus, An. 48. nu. 14. An. 373. n. 5. b De Cultu Sanctorum, & De Ecclesia Triumphante.

\* 2 Cor. 6. 14, 15, 16, 17, 18, 1 Cor. 5. 10, 11, 11. Rev. 18. 4.

Hay 51. 1. Ro. 16. 17, 18.

a Thef. 3. 6.

2 Tim. 3. 1. to 10. a John 10. 11.

1 The Primer in English and Latin, Paris 1518, f. 29.

Officium B. Mariæ Virginis nuper reformatum, & Pii V. Pontificis

Maximi iussu editum, Rouen 1632. Horæ B. Mariæ ad usum Romanum, Antwerpæ, 1568. p. 8.

2 Lefelma, Petrus Canisius Summa Doctrinæ Christianæ, p. 78. Catechismus Tridentinus

3 Georgius Bartheolus Pontanus Ritua e Parachorum, Colonia Agrip. 1611. p. 60, 61. & Pontificale Romanum lib. 2. p. 367, 368.

3 Ritua e Parachorum.

All these antient Passages of Epiphanius directly condemn the Heresie and Idolatry of the Church of Rome, for offering not only the Sacrifices of Tapers, Gold, Frankincense, and other things, but even of Prayers, Prayses, Psalms, Thanksgivings, and solemn Vowes to the Virgin Mary, and other Saints, which the Collyridians never did; whom yet <sup>a</sup> Cardinal Baronius, <sup>b</sup> Spondanus, <sup>c</sup> Bellarmine, and other Pontificians confesse to be both Hereticks and Idolaters; only for sacrificing Cakes, and adoring her as aforesaid; which I desire all Romanists seriously to consider.

6ly. I further appeal to all judicious, unbiassed Roman Catholics, whether upon serious consideration of the premises, our Protestant Kings, Bishops, Churches of England, Scotland and Ireland, had not just cause, grounds, in point of conscience, to abominate all these heretical, blasphemous, idolatrous Abominations, Devotions, Assertions, Practises of the Church of Rome, as Antichristian Innovations, Corruptions, to <sup>a</sup> separate themselves from them, and all others of like nature accompanying them; and to renounce the Popes usurped Authority, which introduced, fomented, established them, and would never to this day suppress or reform them, after all detections, convictions of their execrable impiety, idolatry, and inconsistency with the Principles, Verity, Purity of the Christian Religion, and Divine Worship of God alone, prescribed in his Word.

7ly. Whether this was not the main ground of their impious bold obliterating the 2. Commandment out of the Decalogue in all their 1 Offices, Primers, Hours, Psalters of our Lady, and most of their late 2 Catechismes, because it is diametrically repugnant to, and inconsistent with their erections, invocations, adorations of, prostrations to the Images, Statues, Pictures of our Lady, and saying Ave Mariæ, Pater noster, with other prayers to and before them, as if she and they were God himself. And because it is directly contrary to this their usual forme of consecrating their adored Images of God, Christ, the Virgin Mary, and other Saints, thus recorded in their

Benedictio Imaginum Dei, aut B. Mariæ Virginis, vel Sanctorum. Adjutorium nostrum, &c. Domine exaudi, &c. Dominus vobiscum, &c.

Oremus. Omnipotens sempiternus Deus, te suppliciter exoramus, ut hanc Imaginem in memoriam et honorem tui, vel unigeniti filii tui Domini nostri Jesu Christi, vel beatissimæ Virginis Patris Domini, vel beati N. præparatam bene dicere et sanctificare digneris, ut quicumque ad ipsum venerandum se devote inclinaverint, salutem mentis et corporis consequantur, et quicquid jussu petierint, se impetrasse fateantur, &c. Et aspergantur aqua benedicta. And to the larger special forme, de Benedictione Imaginis beatæ Mariæ Virginis, to be made by their Bishops alone in all their Pontifical accoutrements, with no lesse



lesse then 4. special Prayers; quatenus precibus ejusdem sacratissimæ Virginis quocunque eandem Reginam et gratiosissimam Dominam nostram coram hac effigie suppliciter honozare studuerint, et de instantibus periculis eruantur, et in conspectu divinæ Majestatis tuæ de commissis et omisissis veniam impetrent, ac mereantur in præsentis gratiam quam desiderant adipisci, et in futuro perpetua salvatione cum electis tuis valeant gratulari. And with the repetition of Psal. 87. & 123. *Unto thee lift I up mine eyes, O thou (blessed Lady Mary) that dwellest in the Heavens, &c.* with the *Magnificat* Luke 1. and *Allelujahs, Ave Maries*, and these two special *Antiphonæ* chanted to her before her new consecrated Images, by their whole Cathedral Chorus, with sound of Organs, Sacbuts, and all kinds of Musick, (as at the consecration of \* *Nebuchadonors* golden Image) \* Dan. 3. 37.

Sub tuum præsidium confugimus, Sancta Dei genetrix, nostras deprecationes ne despicias in necessitatibus, sed a periculis cunctis libera nos, semper Virgo gloriosa et benedicta. O gloriosa Dei genetrix Virgo semper Maria, quæ Dominum omnium meruisti portare, et Regem Angelorum sola Virgo lactare, nostri quesumus pia memorare, et pro nobis Iesum Christum deprecare, ut tuis fultis patrocinis ad cœlestia Regna mereamur pervenire. All which are prescribed in the very *Pontificale Romanum*, Clementis 8. Pontificis Max. jussu restitutum atque editum, authorized by his special Bull prefixed to it, in perpetuam rei memoriam, Datum Romæ apud Sanctum Petrum, sub Annulo Piscatoris, die decima Februarii 1596. Pontificatus nostri anno quinto; printed then at Rome, and since that *Antwerpia* 1627. lib. 3. p. 364. Which Prayers, Antiphonæ, Images, can no more consist with, nor stand upright before the Second Commandments presence, then the Image of Dagon with and before the \* Ark of God, but must needs fall down on their faces, and loose both their heads and feet before it, which it quite cuts off; to prevent which they have totally expunged it out of all their Offices, Primers, Hours, Crownes, Litanies, late Catechismes, and other Offices of our Lady, worthy our special notice.

\* 1 Sam. 5. 2,  
3. 4.

8ly. Whether the premised passages concerning their Lady *Maries* Universal Sovereign Power, Monarchy over all Angels, powers, Kingdoms, Nations, Persons, Churches, Creatures both in Heaven, Earth, Purgatory and Hell, as their real Lady, Queen, Empreffe, Goddesse; with her Prophetical and Sacerdotal Offices of the Advocate, Mediatrix, Reconciliatrix, Redemptrix, Saviourresse, Helper, Instructor, &c. of all Catholicks, Saints, or Sinners, and of all afflicted, distressed persons in earth, purgatory, and hell it self, do not very much eclipse, impeach, if not subvert the Sovereign Kingly power, Priesthood and Prophetical Offices of Christ; and totally overthrow all St. *Peters* and Popes Claims, Titles, Charters, pretences thereunto, even by their own premised Doctrines, resolutions, and these very Texts of Psal. 110. 1. Mat. 28. 19, 20. Phil. 2. 9, 10. with others, on which they found her temporal Monarchy over the whole Church, world, whiles on earth, and ever since her Ascension into Heaven: And if so, as the premises clearly evidence; Whether they must not now in point of conscience, justice, policy, henceforth renounce their Popes pretended Universal Ecclesiastical and Temporal Monarchy over all Churches, Kingdoms, Nations, Persons throughout the world; if they will avoid her displeasure, retain her favour, or enjoy the benefit of her Intercession, Advocation, Mediation, and Reconciliation; Or else abandon her forecited Dominion, Monarchy, and Empire over them, to retain and enjoy the Popes; Or otherwise professedly disclaim and abjure both their pretended Monarchies, Powers, as inconsistent with Christs Sovereign Regal, Sacerdotal, Prophetical Offices, and the antient Sovereign Ecclesiastical and Temporal Prerogatives of all Christian Emperors, Kings, Monarchs, but more especially of our own?

I have the longer insisted on these particulars, as not only most pertinent to subvert the Popes pretended Universal Monarchy, Vicarship, and the very foundations whereon it depends, and as most powerfull arguments both to reclaim all seduced Pontificians from the Idolatry of the Church of Rome, and keep all unstable Protestants from Apostatizing to her; but likewise because our two Archbishops of *Canterbury*,

\* See his Treatise De Excellentia B. Virginis Mariæ; & Bernardinus de Bufti, Mariale Pars 30. Sermo 2. sect. ult. De Gaudiis Mariæ.

2 Pag. 4, 5, 6, 13, 14, 17, 24, 66, 78, 144, 149, 247. See Philippus Mornay Hist. Papatus, Salmutii 1612. p. 344, 345. Vincentius Belvacensis Speculum Hist. l. 3. c. 97. Antonini Chron. pars 3. Tit. 24. c. 1, 2, &c. Ribadeniera Fleurs des Vies des Saints, part 2. p. 281, &c. Bernard. in Rosario, & Vitis Patrum.

bChronica pars 3. Tit. 23. c. 1, 2, 3, 4. Laurentius Surius De Vitis Sanctorum Tom. 14. Theodoricus de Alpodiis in Vita ejus, Ribadeniera Fleurs des Vies des Saints part 2. p. 85, to 96. Philipous Mornay Historia Papatus, p. 346, 347.

torbury, \* Anselme and Becket, (canonized for Saints in and by the Popes and Church of Rome) who first introduced the Offices, Joyes, publick Invocations of the Virgin Mary into our English Church, and extolled her Sovereignty, Excellencies above her Sons, were the two first grand Trayterous Oppugners, Underminers of our Kings Ecclesiastical Sovereignty and Jurisdiction, as well as of Jesus Christs, and first Propugners of the Popes Usurpations; not unworthy observation.

I might here subjoyn to these their *Catholic Blasphemies* concerning the Virgin *Maries Monarchy, Mediation, Redemption, &c.* the like concerning her two grand Chaplains St. Francis and St. Dominick; to whom their followers apply sundry Scripture Texts peculiar to our Lord Jesus Christ his person, Kingly and Priestly Offices, in derogation of his Sovereignty, Priesthood, Advocacion, and of the Virgin *Maries* and Popes too: Witnesse their *Conformatum Sancti Francisci*, (presented by Bartholomæus de Pisis to, and specially approved by the General Chapter of the Franciscans, Assisii 2<sup>o</sup> Augusti 1389. as *Liber Aureus*, yea by Pope Gregory the 9. Alexander the 5. Nicholas the 3. Benedict the 12. since printed and reprinted by publick authority) wherein they assert of St. Francis; *Ipse merito dicere possit illud, quod cantatur in Evangelio; Omnia mihi tradita sunt à Patre meo. Ero illi in Patrem, & ipse erit mihi in Filium. Hic est Dei gratia, totum Christo conformis: Omnia perfectionis exemplar; In gloria Dei Patris Dedicatus: In gloria Sanctorum Deo unitissimus. Unde et præfuit universæ creaturæ, factus unus Spiritus cum Deo. Quem Ecclesia militans ADVOCATUM apud Deum possidere meruit. Eriens de vulnere laterale Christi, Jesus typicus passione factus, ad similitudinem Jesu Christi crucifixi. In eo passio Jesu Christi pro genere humano renovatur. De quo David dixerit; Gloria & honore coronasti eum, & constituisti super opera manuum tuarum; Datus est, in lucem Gentium. Quod propter unam Missam beati Francisci placatus fuerit Deus pro toto mundo. Omnes salvantur qui moriuntur in ordine et sub regula Sancti Francisci. Et indutus cuculli dat ei plenam peccatorum remissionem, tam a poena quam a culpa.* In a word, Christus oravit, Franciscus exoravit. Witnesse what St. Antoninus Archbishop of Florence, Surius, Ribadeniera, and others, storry of St. Dominick; *Christus post mortem dicit, Omnis potestas mihi data est in cælo & in terra: Et hæc potestas non parum communicata est Dominico, (therefore not wholly transferred to the Pope or Virgin Mary) cælestium, terrestrium, et infernorum. Nam Angelos Sanctos in suum Ministerium habebat, ad nutum ejus Dæmones contremiscebant, nec Imperium ejus recusare valebant: (for which they produce several examples) Quia Christo similis, à Domino Christo aptissime denominatus est Dominicus, Dominicus namque quasi totus Domini: Ut Christus sit Dominus absolute, & authoritativè, Dominicus autem principaliter & possessivè: Whom as they parallel with Christ in many things, so they preferre before Christ in others, as in the multitude of his miracles, and prevalency of his Prayers and Advocacion. Nam Christus cum in horto oravit, Calicem à se transferri, non fuit exauditus, &c. Dominicus autem eundem religioso viro sibi familiari insinnavit, se nunquam a Deo aliquid postulasse, quod ad votum non obtinuerit. That, Christus Dominus dilexit nos, & lavit nos à peccatis nostris in sanguine suo; but by one suffering. Dominicus verò charitatis perfectione non vacans, pro salute omnium animam ponere promptus erat: For which end, trinam disciplinam quasi de manu propria non cordula, sed cathena terrea usque ad sanguinis effusionem capiebat; pro suis culpis unam quæ minimæ erant, pro in purgatorio existentibus aliam, tertiam pro iis qui versantur in mundo. That at his death, to comfort his sorrowfull and mourning Disciples, he used the same words to, and Prayer for them, as Christ did to his Disciples John 17. promising them, *In loco ad quem vado utilior vobis ero quam hic: Et post mortem ADVOCATUM POTIOREM HABEBITIS, quam in hac vita habere possitis: As if he would then prove a better Advocate for them in Heaven, then the Virgin Mary, or Christ himself: Who both honoured him so far, That adjuvavit in hac hora transitus sui beata Virgo cum Filio; as was revealed to Freer**

Guala,

*Guala*, then Prior, afterwards Bishop of *Brixia*, who saw Heaven opened, and two most white Ladders let down from thence: *Summitatem unius scala tenebat in manu beata Virgo Maria, alterius summitatem Filius ejus Jesus Christus tenebat: Angeli autem discurrerant per eas ascendendo & descendendo;* at the end of both which Ladders *St. Dominick* was placed in a Chair fastned to them; *Scalas autem illas sursum trahebat Dominus Jesus cum Matre paulatim, & ducebatur sursum simul cum illis scalis sedes pariter cum sedente comisantibus Angelis. Denique receptis in calum scalis & sede cum sedente, apertura illa caeli clausa est, visuque disparuit.* In brief, they preferre him before *St. Paul*, and all the Apostles; recording, that before his birth there appeared to all the people two Images in the Church of *St. Marke* at *Venice*, the one of *St. Paul*, with this motto under it; *Hec ipsum itur ad Christum*; the other of *St. Dominick*, with this inscription, *Facilius itur per ipsum*; *Quia* (writes *St. Antoninus*) *Doctrina Pauli sicut caterorum Apostolorum, erat Doctrina inducens ad fidem & observantiam praeceptorum: Doctrina Dominici ad observantiam consiliorum; et ideo facilius per ipsum itur ad Christum*; and so by his Mediation and Advococation, they may easier go and be reconciled to God the Father, then by Christs, *St. Pauls*, or their grand Advocate the Virgin *Maries*.

I shall no longer insist on these or any other of their Saints Powers or Advocations, but proceed to the second sort of established Doctrines and Practices in the Church of *Rome*, which directly overthrow the very foundation of *St. Peters* and the Popes Universal Monarchy over the World and Church Militant; to wit, \* Christs personal corporal absence from his Church, and all Kingdoms, Nations on Earth, during his residence at his Fathers right hand in Heaven; which could not be supplied but only by constituting *St. Peter* and Popes his pretended Successors in his Chair at *Rome*, to succeed him in his Supreme Universal Monarchy and Priesthood, as his sole Viceroyes and Vicars, to instruct, feed, comfort, direct, rule them in his stead, untill his second coming to Judgement.

\* See Here p. 10, 11. Franciscus Torrensis De Summi Pontificis, supra Concilia auctoritate, lib. 1. & 2.

This foundation of *St. Peters* and Popes pretended Universal Monarchy, Vicarship, as it is directly contradicted, 1. By our Saviours own expresse promises, made to his Apostles, Church, at the very time of his ascension, when he informed them, \* *all power is given to me in heaven and earth*; and that with a special *Eccc*, *Mar. 28. 20. And lo I am with you alwayes, even to the end of the world*: And before that time, *Mar. 18. 20. Where two or three are gathered together in my name, there am I in the midst of them*: As likewise *Hebr. 13. 5, 6. For he hath said, I will never leave thee nor forsake thee, So that we may boldly say, The Lord is my helper, I will not fear what man can do unto me. Compared with Pl. 125. 2. As the mountains are round about Jerusalem, so the Lord is round about his people from henceforth even for ever. Isa. 43. 2. When thou passest through the waters I will be with thee, and through the rivers they shall not overflow thee; when thou walkest through the fire thou shalt not be burnt, neither shall the flame kindle upon thee. Fear not, for I am with thee. Psal. 91. 15. He shall call upon me, and I will answer him; I will be with him in trouble, I will deliver him, and honour him. Isa. 41. 10, 13, 14. Fear thou not, for I am with thee; be not dismayed, for I am thy God; I will strengthen thee, yea I will help thee, yea I will uphold thee with the right hand of my righteousness. For I the Lord thy God will hold thy right hand, saying unto thee, Fear not, I will help thee. Fear not thou worne Jacob, and ye men of Israel: I will help thee, saith the Lord, and thy redeemer the holy one of Israel. Together with Jer. 1. 8, 19. c. 15. 20. c. 30. 11. c. 39. 17, 18: to the same effect; Thus experimentally fulfilled after his ascension into Heaven; *Acts 18. 9, 10. Then spake the Lord unto Paul in the night in a vision, Be not afraid; but speak and hold not thy peace. For I am with thee, and no man shall set on thee to hurt thee. 2 Tim. 4. 16, 17, 18. At my first answer no man stood with me, but all men forsook me; notwithstanding the Lord stood with me, and strengthened me; that by me (not Peter) the preaching might be fully known, and that all the Gentiles might hear; and I was delivered out of the mouth of the Lion. And the Lord shall deliver me from every evil worke, and will preserve me to his heavenly kingdom.**

\* Id est, in Eucharistia, secundum humanum & divinam naturam, writes Petrus Canisius Societ. Jesu, Summa Doctr. Christianae, De Eucharist. Sacramento, sect. 4. p. 153. c. Deut. 31. 6. 1 Chron. 28. 20. Josh. 1. 5. Psal. 56. 4, 11.

2ly. By Christs reiterated promises to send the Holy Ghost as a Comforter unto his Apostles, Church, Saints, to supply his absence, (not *St. Peter*, or the *Pope*) *John 14. 16, 17, 26. I will pray the Father, and he shall give you another Comforter; that he may abide with you for ever: Even the spirit of truth, for he dwelleth in you; and shall be with you. I will not leave you Orphans, I will come to you; because I live;*



ye shall live also. But the Comforter, the Holy Ghost, whom the Father will send in my name, he shall teach you all things, &c. John 16. 7, 8. It is expedient for you that I go away; for if I go not away, the Comforter will not come unto you; but if I depart, I will send him unto you. And when he is come, he shall convince the world of sin, &c. which promises he fulfilled in sending the Holy Ghost upon them in cloven tongues, immediately after his ascension; Acts 2. and by shewing him on them and us abundantly, through Jesus Christ; Tit. 3. 5, 6. 1 Cor. 12. 4, 5, &c.

3ly. By Christs expresse provision for his Churches, when he ascended up on high, and gave severall gifts unto all his Apostles and others, (not to Peter alone) for the perfecting of the Saints, for the work of the Ministry, for the edifying of the body of Christ, to wit, his Church; Ephes. 2. 8, to 17. 1 Cor. 12. 4, &c. to 31. All which as they subvert this foundation of St. Peters and Popes pretended Monarchy and Vicarship. So likewise;

4ly. It is directly refuted, disproved, and totally overturned by the avowed Practises, established, professed Doctrines of the Church and Popes of Rome; to wit, of the breads and wines \* real transubstantiation in the Sacrament of the Lords Supper, by *Hoc est corpus meum*, &c. uttered by the Priest, into the very natural body and blood of Jesus Christ, born of the Virgin Mary, crucified on the Crosse, ascended into Heaven, accompanied with his humane soul, and actually united to his Deity; his whole body, person both as God and Man, being really and substantially present in, and contained under every consecrated Hostia, and each part thereof, and in every drop of the consecrated wine too on earth; and thereupon adored by them as their Lord God and Saviour, with *Latria* or divine adoration; whose very body is made and continually reserved by them in all their Churches, \* Pixes, under lock and key, carried about in Processions, and to sick persons; as their Popes, Councils, Doctors of all sorts assert, and their grand Council of Trent, hath thus Affirmatively and Negatively resolved in direct words. *Semper hac fides in Ecclesia Dei fuit, statim post consecrationem, verum Domini nostri corpus, verumque ejus sanguinem, sub panis et vini specie, una cum ipsius anima et divinitate existere, sed corpus quidem sub specie panis, animamque sub utroque, vi naturalis illius connerctionis et concomitantia, qua partes Christi Domini, qui jam ex mortuis resurrexit non amplius moriturnus inter se copulantur, divinitatem porro propter admirabilem illam ejus cum corpore et anima hypostaticam unionem. Quapropter verissimum est, tantundem sub alterutra specie, atque sub utraque contineri: Totus enim & integer Christus sub panis specie, & sub quavis ipsius speciei parte; totus item sub vini specie & sub ejus partibus existit.*

Quoniam autem Christus Redemptor noster corpus suum, id quod sub specie panis offerebat, vere esse dixit, ideo persuasum semper in Ecclesia Dei fuit, idque nunc denuo Sancta hæc Synodus declarat, per consecrationem panis et vini conversionem fieri totius substantiæ vini in substantiam sanguinis ejus: quæ conversio convenienter et proprie a Sancta Catholica Ecclesia transubstantiatio est appellata.

Nullus itaque dubitandi locus relinquitur, quin omnes Christi fideles pro more in Catholica Ecclesia semper recepto latriæ cultum, qui vero Deo debetur, huic Sanctissimo Sacramento in veneratione adhibeant. Neque enim minus est adorandum quod fuerit a Christo Domino, ut sumatur institutum. Nam illum eundem Deum præsentem in eo adesse credimus quem Pater æternus introducens in orbem terrarum; dicit, Et adorent eum omnes Angeli Dei; quem Magi procidentes adoraverunt, quem denique in Galilea ab Apostolis adoratum fuisse Scriptura testatur.

Declarat præterea Sancta Synodus, pie & religiose admodum in Dei Ecclesiam institutum fuisse hunc morem, ut \* singulis annis peculiari quodam et festo die præcellum hoc et venerabile Sacramentum singulari veneratione ac solemnitate celebraretur, utque in processionibus reverenter, et honorifice illud per vias et loca publica circumferretur, &c.

Consuetudo

\* Petrus Canisius Sum. Doctr. Christianæ, De Eucharist. Sacramento, sect. 4, 5, 6. See Here p. 15.

\* See Benedictio Tabernaculi pro corpore Domini nostri Jesu Christi in commendando: Missale parvum pro Sacerdotibus in Anglia itinerantibus, Anno 1624. p. 146. d Concilium Tridentinum, Sessio 13. Decretum de Sanctissimo Eucharistiæ Sacramento, Surtius Concil. Tom. 4. c. 3, to 5. p. 634, to 637. Thomas Waldensis Doctrin. Fidei, Tom. 2. De Sacramento Eucharistiæ, c. 25. sect. 2.

\* Corpus Christi day, See Ribadeniera & Surtius on that Festival, & others Postils thereon.

Consuetudo asservandi in sacratio Sanctam Eucharistiam, &c. antiqua est. Porro deferri ipsam sacram Eucharistiam ad infirmos et in hunc usum diligenter in Ecclesiis conseruari, præterquam quod cum summa aequitate & ratione conjunctum est, tum multis in Conciliis præceptum invenitur, & vetustissimo Catholica Ecclesia more est observatum. Quare Sancta hæc Synodus retinendum omnino salutarem hunc et necessarium morem statuit.

To which they subjoyn these Canons in the Council of Trent, against the Wickliffs, Hussites, Lutherans, Protestants, and all other dissenters from them.

\* Canon 1. Siquis negaverit in Sanctissimo Eucharistia Sacramento contineri, vere, realiter et substantialiter corpus et sanguinem, una cum anima et divinitate Domini nostri Jesu Christi, ac proinde totum Christum: Sed dixerit tantummodo esse in eo, ut in signo, vel figura aut virtute, Anathema sit. \* Surjus Ibid.

Canon 2. Siquis dixerit, in Sacrosancta Eucharistia Sacramento remanere substantiam panis et vini, una cum corpore et sanguine Domini nostri Jesu Christi, negaveritque mirabilem illam et singularem conversionem totius substantia panis in corpus, et totius substantia vini in sanguinem, manentibus duntaxat speciebus panis et vini, quam quidem conversionem Catholica Ecclesia aptissime Transubstantiationem appellat, Anathema sit.

Canon 3. Siquis negaverit in venerabili Sacramento Eucharistia sub unaquaque specie, et sub singulis cujusque speciei partibus separatione facta totum Christum contineri, Anathema sit.

Canon 4. Siquis dixerit, peracta consecratione in admirabili Eucharistia Sacramento, non esse corpus et sanguinem Domini nostri Jesu Christi, sed tantum in usu dum sumitur, non autem ante vel post, et in hostia seu particulis consecratis, quæ post communionem reſervantur vel supersunt, non remanere verum corpus Domini, Anathema sit.

Canon 6. Siquis dixerit, in Sancto Eucharistia Sacramento Christum unigenitum Dei filium non esse cultu Latræ etiam externo adorandum, atque ideo nec festiva peculiari celebritate venerandum, neque in processionibus, secundum laudabilem et universalem Ecclesiæ Sanctæ ritum et consuetudinem solenniter circumgeſtandum, vel non publice, ut adoratur populo proponendum, et ejus adoratores esse idololatrias, Anathema sit.

Canon 7. Siquis dixerit, non licere sacram Eucharistiam in sacratio reſervari, sed statim post consecrationem assistantibus necessario distribuendam, aut non licere, ut illa ad infirmos honorifice deferatur, Anathema sit.

These Canons and Doctrines of theirs, are confirmed by the generality of all their <sup>e</sup> *Canons* and *Glosses*, in *Gratian* De Consecratione, Distinctio 4. by all their Schoolmen, Divines, and others, in their Treatises De Sacramento Eucharistia, De Missa Sacrificio, & Transubstantiatione; their <sup>f</sup> *Commentators* on the Evangelists, Acts, and St. Paul's Epistle to the Corinthians, of which there are thousands, who generally assert, Verum et totum Christi corpus et sanguis, in vera carne et forma et quantitate, quam de Virgine sumpsit, et habuit in cruce, sub specie panis et vini, ubique est vere et realiter in quolibet altari ubi consecratur, vel asservatur, tamen non subſcitur corporis sensibus. Hostia consecrata est identice corpus Christi, et Deus secundum essentiam.

From these their *Roman Catholick* premises, I shall thus argue: If the very natural body and blood of Jesus Christ, born of the Virgin Mary, crucified for us on

<sup>e</sup> See Th. Waldensis Doctrinalis Fidei, Tom. 3. Tit. 4. De Missarum Sacr. c. 38. Tom. 2. De Sacramento Eucharistia, cap. 21, to 91.

<sup>f</sup> See the Rhemists in their Notes on Acts 1. vers. 17. & 1 Cor. 10. & 11.

g See Baronius  
An. 34. sect. 59.  
See Here p. 15.  
Hervæus Bruno  
Quodlibetti  
Sept. qu. 5.  
Tho. Walden-  
si Doctrinalis  
Fidei, Tom. 2.  
De Eucharistia  
Sacram. c. 21,  
to 95.  
h Mar. 15. 21,  
29. c. 24. 23. c.  
26. 36. c. 28. 6.  
Mar. 1. 15. c. 6.  
46. c. 16. 6. Lu.  
2. 4. 6. 15. 31.  
36. c. 21. 37. 30  
52. Joh. 6. 3. 15.  
43. c. 11. 28. c.  
12. 36.

i Bernardinus  
de Busti, Mari-  
ale pars 1. Ser-  
mo 1. pars 5.  
quæ dicitur  
Consolationis,  
Michael Loch-  
mair Sermo 76,  
77. Gasper Lao-  
rite, of the glo-  
rious mysterie  
of the Assump-  
tion of our La-  
dy, Georgius  
Bartholdus  
Pontanus, Au-  
reum Diurnale  
Concionato-  
rum, Ribade-  
niera Fleurs des  
Vies des Saints  
and most others  
in their Histo-  
ries and Postils  
of her Assump-  
tion.

\* Here p. 17,  
19, 20, 23, 24,  
28.

the Crosse, together with his humane soul and Deity, be really and substantially present in and under every consecrated *Hostia* and piece thereof, in every sacred drop of Wine, and in every Church, Pix, Place throughout the world, where the Elements of Bread and Wine are consecrated, or *Hostias* reserved, as their Councils, Schoolmen, Casuists, Canonists, Missals, and Popes themselves resolve; Then St. Peter and Popes neither are nor can be his Vicar-generals in any such Church or Place, because the sole ground, or chief foundation whereon they found St. Peter and the Popes *Universal Vicarship* over the Church Militant on earth, is Christ corporal absence from it in his humane body and nature, upon and ever since his ascension into heaven, as they acknowledge: But by their own premised contradictory Resolutions, Christ himself remains always not only spiritually, but likewise corporally and personally present on earth in both his Natures, in every consecrated *Hostia*, and sacred drop of Wine, and will be so in all their Churches where *Hostias* are and must be reserved, till the end of the world; therefore they cannot possibly be his Vicars or Successors: For if Christs corporal presence with his Church and Disciples, but in one place alone at one time, before his ascension into Heaven, (he being never corporally present in two places at the self-same time when on earth, as all the *Evangelists* attest, but only in one) did really exclude, totally disable St. Peter himself to be his *Vicar-general*, because he needed no *Vicar* whilst himself was there corporally resident: And since by the rules of the Canon, Civil, and Common Laws, *In presentia majoris cessat potentia minoris*, the Popes or other Bishops *Vicar-generals*, and Kings *Viceroyes* being uselesse, and having no actual Jurisdiction at all as such, when and where Popes, Bishops, or Kings themselves are really present in proper person: Then *à multo fortiori*, Christs personal corporal real presence as aforesaid, in every *Hostia*, Chalice, Pix, Church, and on every Altar, (especially in Rome, and every great Cities where there are so many *Hostias* continually consecrated, reserved, adored, and carried in Processions) must exclude St. Peter and Popes pretended *Vicarship* in every Church, Place throughout the Popes Dominions, and the world, even to Christs second coming.

And so much the rather, because their *Doctors, Writers, Legends* assure us, that Christ in his very humane body, nature, since his ascension, hath sundry times descended from his Fathers right hand in heaven, to his Saints and Church on earth, upon several occasions; 1. To visit his Mother Mary in her sickness; 2ly. To interre her body, after he had ascended with her soul into heaven; 3ly. At her corporal assumption into heaven, some 15 or 16 years after his ascension, (many years before St. Peters death) For, 1. They assure us, that her death being predicted by an Angel sent from heaven, who saluted her with sundry Ave Marias; thereupon, *Apostoli cum essent in diversis mundi partibus dispersi, in quibus fidem Christi predicabant, desiderans illos videre beatissima Virgo ante mortem suam, affectansque eos esse presentes sacra dormitioni, & ejus corpori impendere sepulturam, Dominus noster Jesus Christus filius ejus, eos fecit esse ante conspectum Matris suæ dilectissimæ.* What speeches she made to them, and in what sort they condoled her death, (Christ having left her with them to comfort them and supply his absence) you may read at large in Bernardinus de Busti; she assuring them, *Cum filius meus semper permansurus sit vobiscum*; Mat. 28. 20. *Ego quoque nunquam recedens ab eo vos non deseram, sed ad pugnam confortabo, ad filium advocabo.* That likewise, *Jesus Christus filius ejus eam in infirmitate visitavit. Ipse Dominus Jesus de cælo descendit cum Angelicis ordinibus, cum Cætu Patriarcharum, cum Martyrum exercitu, cum Virginum Choro, cum societate confessorum, & omnium Sanctorum, qui omnes ipso Domino incipiente subsequentes dulcia cantica circa lectum beatissima Virginis frequentabant, &c.* Ipse enim Dominus Jesus post suavissima oscula & dulcissimos amplexus dixit dulcissima matri suæ illud, Cant. 3. *Veni de Libano, &c.* Ascendit autem cælos Dominus noster Jesus Christus, cum anima gloriosa suæ dilectissimæ matris, cum ineffabili totius curiæ cælestis jubilatione, et ad dextram Throni sui in Gloria eam collocabit, &c. After which, 2ly. Ipse Dominus Jesus sicut suæ dilectissimæ mater corpus ejus mortuum sepeliet: *Ita etiam voluit corpus ipsius matris propriis manibus in sepulchro coaptare, &c.* Opus enim misericordiae sepelire mortuos. Ergo ipse Pater Misericordiarum Dominus Jesus matris suæ sepultura, in propria persona voluit interesse. 3ly. How he afterwards descended personally with all the Angels, to assume and carry up her body in triumph into heaven, you have \* formerly heard. Now these three descents of Christ in his natural



natural body (during St. Peters life) did certainly interrupt or suspend his pretended Vicarship. How many scores of times he hath corporally descended from thence, and visibly appeared on earth to several of their Romish Canonized Saints, you may read at large in *Vincentius* his *Speculum Historiale*, *Jacobus de Voragine*, *Antonini Chronicon*, *Hercules Lipomannus*, *Savins*, *Capgrave*, *Ribadeniera*, and sundry others who have written the Legends and Stones of their Lives. Our Monkish Chronicles relate, that Christ personally appeared to St. Patrick in Ireland, before he was made a Bishop, *dans sibi textum Evangelii, & baculum unum, quæ adhuc manent in patria illa apud summum Archiepiscopum; per quem baculum, ut aiunt, Patricius primus vermes eiecit*: After which, *Eduxit Dominus Patricium in desertum locum, ubi fossam rotundam intrinsecus obscuram ostendit, (since stiled Purgatorium Patricii) dicens; Quod si veraciter quis penitens per diem & noctem in illa fossa manserit, & fide constans per illam transierit, videbit tormenta malorum, & gaudia beatorum*: After which Christ disappeared. They further assert, that Christ appeared to *Thomas Becket* Archbishop of Canterbury, when he celebrated the Masse, and said unto him with an audible voyce; *Thomas, Thomas, Ecclesia mea glorificabitur in sanguine tuo, (twice one after another) & tu verè glorificaberis*. That Anno Dom. 1188. *Iesus Christus visibiliter apparuit in aere, Cruce pendens, apud Dunlapulam in Anglia, videntibus multis*: That about the year 1216. Christ himself in the form of a beautiful Child appeared to St. Edmund Archbishop of Canterbury near Oxford, with this Inscription in his forehead; *Iesus Nazarenus Rex Judæorum*; saluting him with a *Salve dilecte mi, miror quod me non agnoscis, præsertim cum ad lectus tuum in scholis, & alibi jugiter assistam*; quod igitur videris in facie mea scriptum, hoc fronti tua singulis noctibus imprime. I shall instance only in two foreign particulars of special Note, omitting all others: The first is, Christs often apparitions to their Seraphical Doctor St. Francis, and sending a Seraphin to him with a Crucifix, who actually imprinted in his hands, feet, and side, the characters of all the wounds which Christ suffered on the Crosse, as *Antoninus*, *Bonaventura*, *Bernardinus de Senis*, *Ribadeniera*, and others attest in his life. The second is, his frequent apparitions to, and personal familiar almost daily converse with their St. Catharine de Senis, (his most beloved Mistress) whether she were praying, meditating, waking, or sleeping, so that he seemed to be almost perpetually with her: thus related by *Antoninus* Archb. shop of Florence, and others out of him: That St. Catharine having chased away a great company of Devils which assailed her, *quædam magna lux superne totam camerulam suam illustrans apparuit, ac in luce illa Dominus Iesus Christus crucifixus, totaliter cruentatus, vocavitque de cruce Virginem, dicens, Catharina, vides, quanta ego passus sum pro te, &c. Et illa victoria habita de inimicis, cepit sacratissimus sponsus ejus Iesus familiariter conversari cum ea, ut incredibile videretur. Apparebat igitur sibi frequentius Dominus Iesus, et diutius solito cum ea manebat: ducebatque secum aliquando beatissimam genetricem suam, aliquando beatum Dominicum, quandoque Mariam Magdalenam, vel Joannem Evangelistam, vel Apostolum Paulum, & alios, secumque confabulabatur sicut amicus cum domestico suo, et frequenter simul Dominus et ipsa dicebant Psalmos, ambulando per camerulam, sicut solent agere duo Clerici vel religiosi summi officium dicentes. Crescente verò quotidie amplius in ea gratia conditoris, unus dierum Christus ei apparens visibiliter sibi eam desponsavit, adstantibus ibi gloriosissima ejus genetrice Maria, ac beatissimo Johanne Evangelista, Apostolo Paulo, ac beato Dominico, & cum his David Propheta Psalterium in manu gestante; ac supersuavissime modulante. Et tunc Dei genetrix Maria cepit manum extendere ad Filium, postulans, ut ipsam Catharinam Virginem dignaretur sibi desponsare in fide. Quod annuens Dei filius unigenitus, anulum protulit aureum, habentem in suo circulo quatuor margaritas ac adamantem in summitate inclusum; quem anulum digito Virginis dextra sua imponens, ait; Ecce desponso te mihi Creatori & Salvatori tuo in fide; remansitque anulum in digito; non quidem secundum visionem aliorum, sed tantum secundum Virginis visionem. Post dispensationem prædictam cepit Dominus eam paulatim ad conversationem humanam trahere, unde & postquam sibi apparebat, ut ostendisset sibi quædam arcana, et cum ipsa horas et Psalmorum dictaret:*

k Chron. Joannis Bromton, col. 1076, 1078  
See St Bernard in vita Malachie Archiepiscopi, Giraldus Cambrensis, Hybernia, &c. Mr. Camden of Ireland, p. 116. Henr. de Knyghton de Event. Angl. l. 2. c. 10. col. 2399.  
l Chron. Geravasi, col. 1407.  
m Henricus de Knyghton de Event. Angl. l. 2. c. 10. col. 2399, 2432, 2433.

n Chron. Antonini pars 3. Tit. 23. c. 14. sect. 4. to 12.  
Savins de Vitis Sanctorum, Tom. 2. Ribadeniera Fleurs des Vies des Saints, part 1. p. 435, to 442.

dirisset: Subjungebat, vadas quia hora est jam prandii, &c. Et sis cum eis. Et postea revertaris ad me, &c. & ad cellulam revertens, sponsum suum Jesum imminabat, quem dulcius amplexabatur, & reverentius adorabat. Ex tunc vero cepit, in ea oriri desiderium sacra communionis sumenda, ut non tantum spiritus ejus uniretur sponso suo, sed ut corpus ejus (ut ita dixerim) corpori ejus societur Sacramentaliter. Erat satis inter Laicos vulgatum, quod Catharina ista quotidie communicabat, atque ex sacro absque alio cibo vitam transigebat. Utique verum non erat, non enim quotidie, sed frequenter Sacramentum sumebat. Senis commemoranti Confessori suo significabat, quod tardaret missam suam, quia intendebat adesse, & communicare; sed cum nimis tardaret, peracta consecratione, cum Sacerdos jam pertransisset ad fractionem hostie primam in duas partes, Deo dispensante prater intentionem ejus in tres partes facta est divisio; quarum una in magnitudine quasi unius saba aspectum ejus subterfugit. Ista particula, (which the Priest could no where find, after much search) was carried by Christ himself to St. Catharine, who coming like, was praying in the Church far from the Altar, the Priest not knowing she was there, her Companions being unwilling she should communicate that morning, she thereupon being lothe to grieve them, recurrit ad benignissimum sponsum suum Jesum, qui sublatam a Sacerdote particulam ad eam attulit, et eam propriis manibus communicavit. Cum accipere vellet hostiam parvulam sibi porrigendam, ipsa hostia distans a patina per aliquod spacium, per se accessit ad patinam, vel manum celebrantis divinitus mota, quam ei tradidit. Pluries etiam Sacerdote celebrante, vidit in hostia consecrata puerum Jesum, aliquando etiam sub diversis formis ostendentibus magnitudinem Sacramenti. After which Christ appeared to her with a glorious Crown of Gold in his right hand, and a Crown of Thornes in his left, and proffering her which of them she would chuse; she electing the Crown of Thornes in this life, to receive the Crown of Gold in the next, she thereupon set it on her head with such violence, that it pricked and put her to great torment: Yea Christ himself at another time, actually imprinted the wounds of his body, on her body, in this manner, as she related to her Confessor. Dominum meum vidi crucifixum super me magno cum lumine descendente. Tunc ex sacratissimorum suorum cicatricibus vulnerum quinque in me vidi radios sanguineos descendere, qui ad manus, ad pedes & cor mei tendebant corpusculi, ad latus sinistrum; which put her to such intolerable pain in all the five places, especially at her heart, that she swooned and was like to dye; being thus united to Christ in his passion on earth, which she could not be in heaven, the prints thereof remaining in her body. Not long after, Cum semel ferventius Dominum orasset, ut auferret sibi proprium cor, daretque sibi cor secundum ipsum: videbatur sibi, quod adveniens Dominus latus ejus sinistrum apernit, & cor ejus auferret & absconderet, sique sine corde remaneret: Postque una diem in Capella Ecclesie praeicatorum Senis, circumfusus eam lux de caelis; & in luce apparuit Dominus ejus, habens in manibus cor rubicundum & lucidum; ad cujus aspectum in terras cecidit, et appropinquans Dominus, aperuit latus ejus sinistrum intromittens cor istud, & dicens; Ecce filia sicut postulasti pridie abstuli tibi cor tuum, & dedi tibi cor meum, quo semper vivas; clausitque latus & abscessit: & pro miraculi signo, remansit in ipso loco cicatrix obducta, ut asseruerunt socia, qua pluries hoc viderunt. Post hanc cordis immutationem, (and exchange of her heart for Christs heart) dicebat Confessori suo, tantum gaudium tantamque jubilationem possidere mentem suam, quod grandis erat admiratio qualiter omnia possent in corpore remanere, tantumque ardorem esset in corde suo, quod iste ignis materialis videretur respectu ejus potius refrigerans quam urens, & magis frigidum quam accensus. Altera vice apparuit ei Rex Regum cum caeli Regina matre sua, & Maria Magdalena, dicens, Ecce filia Christiana pro ampliori solatio tuo trado tibi Mariam Magdalenam in matrem, ut possis ad eam cum omni fiducia recurrere, inique curam spiritualem sibi committo. All these particulars (with others of this kind) are recorded for undoubted truths by Antoninus Archbishop of Florence, canonized for a Ron an Saint, by Laurentius Surius, with others; and last of all by Ribadeniera the Jesuit in her Life, in his *Fleurs des Vies des Saints*, thus specially approved by the Doctors of Theology at Paris, in the French Translation of him by Rene Gaulier Angevin, the last day of November 1608. In les *Fleurs des Vies des Saints*, A Paris 1637. avec Approbation des Docteurs; who attest in their Approbation thereof,

• Ibid. Sc. 10.  
f. 181.

au quel n'avons rien trouve que ne soit conforme à la Foy de l'Eglise Catholique, Apostolique & Romaine : Et pourtant l'avons juge tres-utile & necessaire par estre mis en lumiere ; yea thought worthy to be dedicated, *Alc Royme mere du Roy.*

Now if this be agreeable to the Faith of the Roman Catholick Church, that Christ so familiarly, frequently, and almost continually conversed with this their famous Canonized St. Catharine, for 20. years space or more together, in his bodily and natural presence on earth, imprinted the five wounds of his own body on hers, shewed himself corporally and visibly present oft times to her, when the Priest lifted up the consecrated *Hostia*, once actually delivered the Eucharist to her with his own hands, thus solemnly espoused her to himself, and exchanged his own heart for hers, not in imagination only but reality ; How Popes who lived in that age, could be his real Vicar-generals, to supply his corporal or personal absence upon earth, being so visibly present and resident even at *Senis* and *Rome* it self, where she frequently was, let them resolve their judicious Profelytes when they are able.

I shall further adde to this, that *Paschatius Rathertus*, ( one of the first professed asserters of *Transubstantiation*, and Christs corporal presence in the Eucharist ) with sundry of their Legends, Monkish Historians, Schoolmen, Canonists and Casuists assure us, that as this St. Catharine did frequently see Christ himself, appearing to her in the shape of a petty Infant in the consecrated *Hostia*, so he hath likewise several times visibly, really, and miraculously appeared therein to several of their Saints, Priests, and others ; sometimes in the forme of a little Infant, sometimes of a *Lambe*, other times in forme of *raw flesh*, and frequently in drops of blood issuing out of the *Hostia*. I shall recite *Paschatius* his words and instance to this effect at large, being the first of this kind, I have yet observed. *Nemo enim qui*

*Sanctorum vias & exempla legerit, potest ignorare, quod sæpe hæc mystica corporis et sanguinis Sacramenta, aut propter dubios, aut certe propter ardentius amantes, Christum visibili specie in agni forma, aut carnis et sanguinis colore monstrata sint ; quatenus de se Christus clementer adhuc non credentibus fidem faceret, ita ut dum oblata frangitur vel offertur hostia, videretur agnus in manibus, et cruor in calice, quasi ex immolatione profluere, ut quod latebat in mysterio, patetceret adhuc dubitantibus in miraculo. Fecit enim hoc pietas divina quibusdam jam credentibus, & tamen adhuc dubitantibus, ut & ipsi fiduciam de veritate perciperent, et alii de miraculo ad fidem solidarentur, & de Christi gratia per eandem fidem uberius participarentur. Nam quæ veritas re promittit, sine assensu credenda sunt. Sed quia duri corde sumus, voluit divina munusculum in quibusdam omnibus satisfacere, ut ulterius de his jam nemo dubitet. Porro quod si nec ostensa credantur, nec ea quæ veritas testatur ex fide communicantur, quærat quilibet ob satisfactorem sui quid expectet, quoniam nihil extra veritatem est ; et quicquid veritas habet hoc ostensio per speciem quando placuerit representat. Unde credere oportet, quod et hæc opportunissime ostensa sint, et nihil dubitare de his quæ veritas repromittit ; quia quisquis extra veritatem aliquid querit, non nisi falsitatem invenit, & semetipsum ( sic quæ à Christo dicta sunt non receperit ) extra veritatem secludit. Quod autem dixi sæpe quibusdam ardentius ( Christum amantes ) hæc præmonstrata fuisse, unum à pluribus pandam. Nam quidam Presbyter fuit Religiosus valde \* Plegiles nomine, frequenter Missarum solennia celebrans ad corpus Sancti Nini Episcopi & Confessorii, qui cum digno moderamine Sanctam Christo propitio duceret vitam, cepit omnipotentem Deum piis pulsare precibus, ut sibi monstraret naturam corporis Christi atque sanguinis. Itaque non ex infidelitate, ut assolet, sed ex pietate mentis ista petivit. Fuerat enim à puero divinis legibus imbutus, & propter amorem superni Regis olim patria fines & dulcia liquerat arva, ut Christi mysteria exul sedule disceret. Idcirco ejus amore magis succensus, quotidie preciosa munera offerens poscebat sibi præmonstrari, quæ foret species latitans sub forma panis & vini. Non quia de corpore Christi dubius esset, sed quia vel sic Christum cernere vellet, quem nemo mortalium jam super astra levatum, in terris \* passum, consficere \* passim, potest. Venerat ergo dies, \* & idem celebrans pie solennia Missarum more solito procuravit genibus ; Te deprecor, inquit, omnipotens pande mihi exiguo in hoc mysterio naturam corporis Christi, ut mihi liceat eum prospicere præsentem corporeo visu, & formam pueri, quem olim sinus matris tulit vagientem, nunc manibus contrectare. Qui dum talia precaretur, Angelus de celo adveniens affatur ; Surge, inquit, propere,*

p Paschatius Rathertus De corpore & sanguine Domini, cap. 14. Bibl. Patrum, Coloniæ Agripinæ, Tom. 9. pars 1. p. 191.

\* Plegils v. Codex.

\* passim, ut.

&c



& si Christum videre placet, **adest præsens corporeo vestitus amictu, quem sacra puerpera gessit.** Tum venerabilis Presbyter pavidus, ab imo vultum erigens, vidit super aram Patris filium puerum, quem Simeon infantem portare suis ulnis promeruerat. Cui Angelus inquit, quia Christum videre placuit, quem prius sub specie panis verbis mysticis sacrare solebas, nunc oculis conspice, manibus attrecta. Tum Sacerdos caelesti munere fretus, quod dictum mirum est, ulnis trementibus puerum accepit, et pectus proprium Christi pectori junxit. Deinde proflusus in amplexum dat oscula Deo, et suis labiis prexit pia labia Christi. Quibus ita exactis, præclara Dei membra restituit in verticem altaris et replevit coelesti pabulo Christi mensam. Tunc rursus homo prostratus deprecatus est Deum, ut dignaretur ipse iterum verti in pristinam speciem. Qui expleta oratione surgens à terra, invenit corpus Christi in formam remeasse puerum, uti deprecatus fuerat. Et mira omnipotentis Dei dispensatio, qui ob unius desiderium, ita se præbere dignatus est visibilem, non in figura Agni, ut aliis quibusdam sub hoc mysterio, sed in forma pueri, quatenus et veritas patefceret in offenso, et Sacerdotis desiderium impleretur ex miraculo, nostraque fides firmaretur ex relatu. Ceterum tamen non prius idem communicasse pueri corpus et sanguinem legitur, quam rediret in prioris formæ speciem: Ne absurdum videretur quod præsumperat, & fides uberius requiratur interius in eodem, quod exterius visu conspexerat. Hoc interim dixisse sufficiat de offensione carnis Christi pro assertionem veritatis; although this Miracle was seen only by this Priest himself, and no other spectators.

Our famous Historian <sup>9</sup> *Willielmus Malmesburiensis*, relating this Miracle out of Paschatus, Presbyterum Plegildum, visibiliter speciem pueri in altare contractasse & post libata oscula in panis similitudinem conversum Ecclesiastico more sumpsisse; addes, quod arroganti cavillatione ferunt Berengarium, sic carpere solitum; speciosa certe pax Nebulonis, ut cui oris præbuerat basium, dentium inferret exitium; quale de pñione Judaico, quod in Ecclesiam cum coquoquo Christiano fortè & ludibunde ingressus, \* vidit puerum in ara membratim discerpi et victim populo dividi. Id cum innocentia puerili parentibus pro vero assereret, in rogam detrusum, ubi oculo ostio astuabat incendium, multis postea horis, sine jactura corporis, exuviarumq; & etiam crinium à Christianis extraxit. Interrogatusque quomodo voraces ignium globos evaserit, respondit: *Ma pulchra foemina, quam vidi sedere in cathedra, cujus filius populo dividebatur, semper mihi in camino astitit ad dextram,* (not Christ the little divided Infant) *flammeas minas & fumea volumina populo suo sum-movens:* A Miracle calculated more for *Maries* honour, then *Christi* her Son. To these miraculous apparitions of Christ himself in the forme of a little Child in the *Hofia*, the Popish Patrons of *Transubstantiation* have added sundry other Miracles out of forged Authors and Saints Legends; *Tho. Bozium* De Signis Ecclesie, l. 14. c. 7. *Coccinus* De Thef. Catholico, l. 6. De Eucharistia, Mr. *Brerely* Tract. 4. l. 3. *Bellarmini* of the Sacrifice of the Masse, De Eucharistia, l. 3. c. 8. *Baronius* Anno 1059. nu. 20. Anno 1091. nu. 20, 21. Mr. *Mallon* the Jesuit in his *Reply*, (to omit others) relate 12. more Miracles, collected by Bishop *Morton* in his *Institution of the Lords Supper*, Book 4. ch. 2. sect. 1, 2, 3. One to an antient Eremit, Anno 400. out of *Simeon Metaphrastes*; another in the Kings Chapple at *Paris*, Anno 1258. wherein Christ appeared in the *Hofia* in forme of a little Infant; as they say he did to <sup>7</sup> *Wintichindus*, a Pagan Saxon Prince, converted to the Faith eo maxime miraculo, quod in communione Paschali vidisset sacratissimam Eucharistiam ab omnibus sumi forma pulcherrimi pueri; in which form he frequently appeared to <sup>8</sup> *St. Catharine* of *Senis*, when she communicated, (which two last examples *Bozium* and *Coccinus* have omitted.) The other Miracles are only his apparitions in forme of a *Lambe*, <sup>1</sup> finger, raw flesh, or drops of real blood issuing out of the *Hofia*, or the appearance of blood in the Chalice. Whereunto I shall adde, what <sup>2</sup> our *Ailredus Abbas Rievallis*, and the <sup>3</sup> *Chronicle of Bromton* record, that King *Edward* the Confessor, and *Leofric* Earl of *Chester*, being in *St. Peters Church* of *Westminster* at Masse; *Agitur in altari caeleste mysterium, manibus Sacerdotis divina Sacramenta tractantur.* Et ecce speciosus ille forma præ filiis hominum Christus Jesus in ara consistens, oculis utriusque visibiliter corporalibus

q De Gestis Regum Angl. l. 3. p. 114, 115. See Bp. Ushers Answer to the Jesuits Challenge, p. 70, 71. \* Which occasioned the Pagans forgery, that the Primitive Christians did in their Feasts kill and eat an Infant covered with piss, and divide him amongst them, &c. Minucius Felix Octavius, Epiphanius Hæc. 26. See Bishop Mortons Institution of the Sacrament of the Lords Supper, Book 5. ch. 10. sect. 12. r Crantzii Metrop. Saxoniz, l. 1. c. 9. Hist. Sax. l. 2. c. 23. Spondanus Epit. Baronii An. 785. nu. 3. p. 764. s Ribadeniera in her life, Here p. 70. t Joan. Disconus, Vita Gregorii I. l. 2. c. 41. Surius Tom. 4. p. 257. Henr. de Knyghton de Event. Angl. l. 1. c. 9. col. 265. u De Vita & Miraculis Edwardi Confessoris, col. 489. x Chronicle, vol. 949.

corporeis apparuit, who, in elevatione corporis Christi Sacramentum illud, a forma panis in formam unius pueri aperte viderunt transmutari: Puero dextra elevata primo Regem, postea Comitem benediciente; So Bromton. Sacraque dextera super Regem extensa, signum Sancti Crucis eum benedicendo impinxit. At Rex dimisso capite, divina adorabat presentiam Majestatis, humiliatoque corpore tanta benedictioni reverentiam exhibebat. Comes itaque hoc viso, versus Regem continuè se vergebat, ut illam sanctam visionem illum faceret intueri. Cui statim Rex ait, Domine Comes, quod tu vides, Dei misericordia cooperante vides, et ego, et Jesum Christum Salvatorem meum in forma humana visibiliter adoro, cujus nomen sit benedictum in infinita secula, Amen. Inde ad preces lacrymasque conversi, inebriantur ab ubertate domus Dei. Post finem officii conferunt de coelesti visione sermonem, suspiriisque crebro sermonem interrompenti. **T**unc, ait Rex, Leofrice, per ejus quem vidimus majestatem obtestor, ne quoad usque vixerimus sermo proferatur in publicum, ne vel nos in perniciem nostram ob favorem vulgi pulset elatio, vel fidem deroger dictis infidelum amulatio. This Earl notwithstanding, divina ut creditur inspiratione edoctus, ita Domini sui servavit imperium, ut tanta virtutis sublimitas posteris non latere, revealing it in his confession to a certain religious Monk of Worcester, rogans ut literis tradat tantæ visionis arcum, which was kept secret till long after the Kings death, and then read by the Freers in the ears of all the people. Ita quod Rex voluit esse calatum, Dei est providentia propalatum, ut & Regis humilitas probaretur, et nichilominus prodito miraculo fides credentium confirmaretur. Our<sup>c</sup> Chronicles likewise story of Peter the Hermit, (executed by King John for a false Prophet and Traytor) That Christ had twice appeared to him in shape of a child between the Priests hands, once at York, another time at Pomfret, and that he had breathed on him thence, crying, Peace, Peace, Peace; teaching him many things, which he anon after declared to the Bishops. Therefore he was not only visible, but acting and speaking too in this shape in these Hostia's, if we believe these three domestick Miracles. Moreover, <sup>d</sup> Henry de Knyghton stories, that in the year 1382. Cornelius Clonne, a Knight, (and disciple of Wickliff,) who would by no means believe the consecrated bread to be Christs very body, hearing Masse in the Chappel of the Freers Predicants in London, in fractione Hostie respexit, et vidit oculo suo corporeali in manibus fratris celebrantis veram carnem crudam et sanguinolentam divisam in tres partes. Admirans vero & stupescens, vocavit Armigerum suum ut ipse videret, qui tamen nichil vidit nisi sicut prius solebat. Miles vero intertia particulam similiter quam in calicem mitti debuit, vidit eundem colorem albedinis qua prius erat, sed tamen vidit in medio ejusdem particulæ hoc nomen Ihesus, scriptum<sup>e</sup> literis carnis crudis et sanguineis, quod admirabile erat aspectu. Et in crastino in festo Sanctæ Trinitatis idem frater predicans in Cruce sancti Pauli, pronunciavit istud toti populo, & in fine sermonis idem Miles ibidem presens narravit oretenus totum processum publicè & apertè ad confirmationem fidei nostra: Et promisit se ibi pugnaturum & moriturum in causa ista, quod in Sacramento Altaris est verum corpus Christi, & non panis materialis solum, ut ipsomet prius credidit. Yea<sup>e</sup> Osberne a Monk of Canterbury, in the life of Archbishop Odo relates; That certain Clergy then maintaining that the bread and wine after their consecration remained in their former substance, and were not transubstantiated into the very body and blood of Christ; a special Miracle was then wrought for their conversion, by blood dropping out of the Host, as Odo was breaking it over the Chalice; at the sight whereof Odo himself wept for joy, and these Clergymen which before believed not Transubstantiation, were converted, and blessed the Archbp. that ever he was born. By these & other lying Miracles they endeavour to prove the truth of Christs bodily presence in the Hostia; Th. Bozins concluding<sup>h</sup> supremus locus detur miraculis, velut testimonium ipsius Dei, which Miracles shewed by God, do forcibly confirm the same, adds<sup>i</sup> Mr. Brerely: and<sup>k</sup> Mr. Mallin the Jesuit stiles them, Miraculous demonstrations in confirmation of the Catholick cause; much like the<sup>k</sup> Mules adoration of the Hostia in the Hospital of Drochora in the Kingdom of Valencia, An. 1239. and of Bovibile his sick Mules refusing his pro-

M

vender

<sup>c</sup> See here, p. 266. Fox Acts and Monum. Vol. 1. p. 318.

<sup>d</sup> De Event. Angl. l. 5. col. 2651.

<sup>e</sup> Drawn per chance before with red letters, like that that in Hospinian; Hist. Sacram. l. 4. c. 13: <sup>e</sup> See Fox Acts and Monum. Vol. 1. p. 197: & 2 p. 446: <sup>g</sup> Bozins De Sign. Ecclesi. l. 14.

<sup>h</sup> See Rod. Hospin. Hist. Sacram. l. 4. c. 12: <sup>h</sup> His Book of the Liturgy of the Mass, p. 188 & 389.

<sup>i</sup> In his Reply Epist. to the Reader.

<sup>k</sup> Bozins de Sign. Ecclesi. l. c. 7.

vender 3. days space, and the falling down on his knees to the *Hostia* brought to him by St. *Anthony* of *Padua* in solemn procession, thereby to convert the Master from his Heresie, in not beleeving the *Hostia* to be Christs natural body; which miracie was for the great consolation and edification of the *Catholicks*, though it would not convert *Bovibile* himself, who had not so much understanding as his Mule to acknowledge and adore his Maker in the *Hostia*, as <sup>i</sup> *Ribadeniera* stories in the life of St. *Anthony* of *Padua*; on the high Altar of whose Church the Mule is yet engraven adoring the *Hostia*, to confirm them in the faith of *Transubstantiation*, and Adoration of the Host. But whatever some Catholick Doctors assert of the reality of these miraculous transubstantiations; yet <sup>k</sup> *Tho. Aquinas*, yea <sup>l</sup> *Vasquez*, and <sup>m</sup> *Becanus*, two Jesuites, but especially *Franciscus Collins* Professor of Divinity at *Milcanus*, De *Sanguine Christo Miraculofo*, printed cum Privilegio Anno 1617. with others, repute all or most of these Apparitions and Miracles; First, not to be the true body, flesh, or blood of Christ, and at most but only a colour or signe thereof: 1. <sup>n</sup> Because they had not the lineaments, shape and proportion of Christs bodie crucified on the Crosse. 2. Because he cannot appear in his proper forme in two places at once. 3ly. Because it were hainous wickednesse to inclose him in a *Pix* appearing in his own form. 4ly. Because blood cannot now be shed out of his glorified bodie. 5ly. The shedding of his blood out of his bodie and veins was only on the crosse, 6ly. No part of his flesh can be reserved out of his body without great undecencie. Secondly, That they proceeded only from a vehement imagination, or a melancholy, weak or crazie fantasie or apprehension, especially when seen only by one or two persons, not by all others present. Thirdly, That they were only ex parte videntium tantum, & non ex parte Eucharistia. Fourthly, That huiusmodi apparitiones solent fieri per illusionem Daemonum; whereupon *Becanus* cautions, *Qualibet talis apparitio diligenter examinanda est.* *Harum autem suspecta esse debet apparitio quæ fit mulierculis*; wherefore he and their wisest Doctors wave all these apparitions of Christ in the form of flesh and blood in the Eucharist, as *Res incerta*, de qua nihil affirmare auserim; Yea most <sup>o</sup> *Protestants* deem them meer figments, Impostures, or impious frauds of their Priests, to delude the vulgar. As for *Alexander Alenfis*, *Gabriel*, *Palacius*, *Bozins*, *Coccins*, *Breterly*, *Mallon*, and others, who repute them reall Miracles and apparitions of Christs natural body, flesh, and blood; I leave them to consider how little they advance the reputation of their Doctrine of Transubstantiation, only shewing the unconscionablenesse of their Disputers, (as <sup>o</sup> *Bishop Morton* largely proves) in requiring faith of others to beleeve such and such apparitions of Christ and his blood, which they themselves by their own Reasons, Contradictions and Conclusions have made incredible. To pretermitt other pretended miracles and apparitions as afore said in the Eucharist.

<sup>p</sup> *Tho. Walsingham* from the testimonie of *William de Bonvil* an English Knight, relates this Miracle, that *Otho Imperator dysenteria morbo laborans*, cum instante morte viaticum recipere non auderet (quia nihil retinere poterit) tamen corpus Christi ad instantiam ejus, ut illud videret, allatum humiliter adoravit, & cum quasi amplexaturus brachiis expansis, nudato corpore appropinquaret, hostia illa in loco illo ubi cor latuit facta apertura intravit, proiliens de manibus Sacerdotis, et abique omni cicatricis vestigio reclusus est: sicque recumbens spiritum reddidit. (this miraculous Hostia leaping so nimbly out of the Priests hands, passing through *Otho* his ribs into his heart, being no other but Christ himself, as they reputed, who came into his disciples after his resurrection, the doors being shut, Jo. 20. 19. 26.)

Our <sup>q</sup> *Historians* likewise record of *Hugo de Sancto Victore*, Prior of St. *Victors* near *Paris*, Quod cum in extrema infirmitate laboraret, & nullum cibum retinere posset, corpus tamen Dominicum sibi dari instanter postulavit, quod cum propter jugem vomitum non posset eucharistiam retinere, & hac de causa fratres ei verum Sacramentum asserre noluissent, rogavit eos ut saltem Sacramentum super ejus latus poneretur. Quo facto latus infirmi aperuit, & hostia corpori se immisit. Others write, that Ille Eucharistiam consecratam videns, sed retinere non valens, erectis manibus ait, *Ascendit filius ad Patrem, & Spiritus ad Deum qui creavit illum*: & statim expiravit, & corpus Domini disparuit; as they <sup>r</sup> storie that it did in the day of King *Stephens* Coronation, cum Rex communionem corporis Christi esset percipiturus, Eucharistia inter manum Archiepiscopi & os Regis subito elapsa, disparuit: as his true and perfect bodie, after his resurrection, and before his ascension, vanished out of the two disciples sight, Luk. 24. 31.

**These**



These forged Miracles to support their Doctrine of Christs corporal personal presence in his natural bodie and blood in their consecrated Hosts, Chalice by way of Transubstantiation as aforesaid, (which hath really transubstantiated many hundreds of orthodox Christians bodies into ashes, burnt as Hereticks for not believing it) seconded with their adoration of the Hostia in their Elevations, Proceffions, Pixes, Altars, (especially on the Feast of \* *Corpus Christi*) as they no wayes prove what they affirm, so they totally overturn the foundation of St. Peters and their Popes Universal Monarchie and Vicarship, as I have evidenced; Let all Romanists therefore henceforth take their choice, either to renounce St. Peters and the Popes pretences, claims thereto, or else to abjure their Trent Popes, Councils, Doctors, Churches Canons, Articles touching the Eucharists Transubstantiation, reservation, adoration, subversive of and inconsistent therewith; And that upon these further grounds, discovering its fality, vanity, which I shall but briefly touch.

First, It is directly contrary to many expresse Scriptures, to some Articles of the Christian faith, and to the Nature and properties of Christs human body. 2ly. It is accompanied with manifold absurdities, contradictions, impossibilities, and apparent untruths, which others have at large demonstrated, and I shall not insist on. 3ly. It is contrary to the veridict, evidence, testimonie of our senses, both of seeing, feeling, tasting (if not of smelling too) which God, yea Christ himself have made, resolved to be not only competent, but infallible Judges of the truth and real presence of Christs human body, yea ground of the truth of the very Articles of our Faith, concerning his Nativity, Passion, Burial, Resurrection and Ascension into heaven, as these signal Texts assure us, 1 John 1. 1, 2, 3. Mat. 24. 20. c. 13. 17. c. 28. 10. Rev. 1. 7. John 19. 37. Lu. 1. 1, 2, 4. c. 2. 10, 11, 12, 16, 17. 27, 28, 30. c. 23. 47, 48, 55, 56. c. 24. 3, 12, to 36, 38, 39, 40, 50, 51, 52. John 20. 14, to 30. 1 Cor. 15. 5, 6, 7, 8. Acts 1. 3, 4, 9, 10, 11. c. 7. 57. c. 13. 31. And St. Peter himself an eye witness of them frequently avers, Act. 2. 27, 32. c. 3. 15. c. 5. 31, 32. c. 10. 38, to 43. 2 Pet. 1. 16, 17, 18. 4ly. Whereas the Romanists as their last and best refuge, pretend their Transubstantiation to be a Miracle; it is so farre from a miracle, that it is directly contrary to the nature, properties of every real miracle wrought by any person in the Old, or by Christ or his Apostles in the new Testament; and that in these respects; which because others have not fully pressed, I shall most insist on. 1. All miracles are ever so visible, apparent, conspicuous to the eyes and senses of all those in whose presence they were wrought, that they leave no place for any ambiguity or dispute, carrying a self-conviction with them beyond contradiction, being therefore usually stiled in the Scripture, *Signa*, or *Ensigna*, in Greek; in Latin, *Signa*; which we English, *Signs*; because they are alwayes visible to mens eyes, like Merchant Marks, or Seals upon their Wares; like Comets or signs in heaven, Beacons upon a hill; *ensigns* of soldiers set up in a field; or as Signs hung up at Innes, Taverns, Shops; or else *banda*, &c. which we translate *Spectaculum* in Latine, in English a *spectacle*, or *publike shew*, from *spec*, *spectatio*, or *banda*, *spectare cum admiratione*, to behold a thing with admiration, as we use to behold a Comet, new blasing Starr, or any strange, unusual spectacle, or glorious sight, or monstrous creature; an invisible Miracle, not apparent to mens eyes, senses, being a direct contradiction both to the Nature and property of a miracle, as these direct Scriptures resolve; Exod. 4. 1, to 10. 28. 30. c. 7. 10, 11, 12, 17. to 22. c. 8. 16, to 20. Deut. 7. 19. c. 29. 3. Josh. 24. 17. Num. 14. 22. 1 Kings 18. 20, to 40. John 2. 9, 11, 23. c. 6. 2. 26. c. 5. 25, 26. c. 4. 45, 46, 52, 53, 54. c. 7. 31. c. 9. 8, 9, 10. 16. 25. c. 11. 45, 46, 47. c. 12. 17, 18, 37. Mat. 9. 29. 30, 33. c. 11. 5. c. 22. 23. c. 12. 38, 39. c. 15. 30, 31. c. 21. 14, 15. c. 24. 35. Mar. 7. 35, 36, 37. Lu. 18. 43. c. 23. 8. Act. 2. 2, to 12. 22. c. 3. 2. to 13. c. 4. 16, 21, 22. c. 6. 8. c. 8. 6, 7, 8, 13. c. 9. 41, 42. c. 14. 10, 11. c. 15. 12. c. 9. 11, 12. Heb. 2. 4. with others in the margin. Now this their pretended Miracle of Transubstantiation, which is almost daily and perpetually wrought in all Churches, Countries, but never visible to the eyes, or but rarely seen, never appearing to all the Communicants or peoples eyes, senses present at their Masses or consecrations of the sacred Elements; must necessarily be no miracle, but a meer absurd forgery, or imposture. 2ly. All real Miracles done by Gods appointment or commission, were very rarely wrought, and

Eucharistia, quia nec potest videri nec per naturam, nec per gloriam, nec per miraculum oculo corporali sub Sacramento, &c. Richardus de Media Villa, Scotus and others, in Sent. l. 4. dist. 20. Petrus Lombardus, & Richardus de Media Villa, and other Scholmen. Sentent. l. 4. dist. 13. Summa Angelica Eucharistia 1, 2. whereas Ocham holds the contrary.

\* See Ribadea  
nietra Fleurs del  
Vies des Sainct  
on this Festival  
a See Bishop  
Morton his In-  
stitution of the  
Lords Supper, p.  
291, to 301.  
230, 240, 241;  
255, 256, &c.  
Archbp. Cran-  
mer, Bp. Jewel;  
Dr. Hoyle, Mr.  
Gataker; Dr.  
White, Peter  
Moulin, Chem-  
nitius Estamen.  
Concil. Trid.  
pars 2. Rod.  
Hospiarius,  
Hist. Sacra-  
ment. and  
sundry Treati-  
ses against  
Transubstan-  
tiation.  
b Sensus non  
fallitur circa  
proprium ob-  
jectum, Bellar-  
min. l. 3. De  
Eucharistia, c.  
24.  
c Exod. 10. 7, 2.  
Num 14. 11.  
Deut. 4. 34. c.  
6. 22. c. 7. 19.  
c. 16. 8. c. 29.  
31. c. 34. 11.  
Josh. 24. 17.  
Neh. 9. 10. Pf.  
78. 43 Pf. 109.  
27. Mat. 12. 38;  
39 Rom. 15.  
19. Mar. 12. 17,  
20. Joh. 10. 30  
Act. 4. 30. c. 5.  
42. 1 Cor. 12.  
12. Heb. 2. 4.  
See Joannis  
Scapula Legi-  
con col. 623;  
624. 1455,  
1456.  
d Jer. 10. 2.  
Dan 6. 27. Jer.  
7. 11. Act. 2. 19;  
Pf. 74. 4.  
e Est Corpus  
Christi penitus  
invisibile oculo  
corporali in

that only in some places by a few extraordinary persons, as *Moses, Aaron, Elias, Elisha* in the Old Testament, and by *Christ and his Apostles* in the New; not daily, ordinarily, nor by every ordinary Prophet, all Evangelists, or Ministers; whence *St. Paul* even in the Apostles age resolves, 1 Cor. 12. 10. 29. *To another is given the working of Miracles; to another divers kinds of Tongues, &c. by the same spirit. Are all workers of Miracles? Have all the gift of Tongues?* But this pretended Miracle of Transubstantiation, is almost daily and perpetually wrought in all Churches throughout the world year after year; and that by *every ordinary Priest* whatsoever, good or bad, holy or unholy, as well as by *St. Peter* himself, or the greatest Pope, Patriarch, Bishop, Cardinal, as they resolve: Therefore it can be no miracle. 3ly. Every true Miracle wrought by *Moses, Aaron, Elisha, Christ, or his Apostles*, was wrought for the *confirmation of the truth of the Messages, Doctrines, or Articles of faith* they were sent to deliver, preach, publish, to work faith or belief thereof in the beholders of them; by the very sight of the Miracles themselves, which were collateral to their Messages, Doctrines; not the very Messages or Doctrines they delivered. But this pretended Miracle of Transubstantiation being invisible, and contrary to the verdict of mens senses, confirms very few or none in any article of the Christian faith; and if at any time visible by an extraordinary apparition of the Hostia in the form of a child, lamb, raw flesh or blood, it is wrought only to confirm the belief of it self, not of any other point or article of our Christian faith: Therefore it is no Miracle. Fifthly, No ordinary part or Ingredient of any Sacrament in the Old or New Testament, was ever a real or proper Miracle, but *only a mystrie, or visible sign of an inward and spiritual grace* represented in or by it: Nor was ever any real Miracle a necessary part of a Sacrament. But the miracle of Transubstantiation, as they resolve, is a necessary part, ingredient of the Sacrament of the Lords Supper, and soul of their Masse: Therefore no real, but forged Miracle. Sixthly, No real Miracle destroyed the use, or end of that very thing for which it was wrought, and of that sacred Ordinance to which it principally related, but ratified and confirmed it. Now this pretended Miracle of Transubstantiation when ever really or apparently wrought, destroys the end, use of the Sacrament of the Lords Supper, for which it was wrought, and to which it appertains; their *Schoolmen, Casuists, Canonists and Legends* generally resolving, that when ever the consecrated Hostia or Wine appears to the Priest or Communicant in the form of a little child, lamb, raw flesh, finger or blood, it is a divine Inhibition to them, not to eat, drink, or receive it, as *Christ* commanded, while it appears in such a form, till it resumes the form or species of bread and wine; which is very observable. Therefore by their own resolutions it can be no miracle, but a meer anti-Sacramental imposture, repugnant to its eating, drinking, the very ends for which it was instituted. Seventhly, No true real Miracle did ever transform the very words, nature of a benediction or consecration, into a meer destructive annihilating execration of the things consecrated. But this of Transubstantiation alters the very words of blessing & consecration, by which it is pretended to be wrought, into a meer destructive annihilating execration, of the very substances of the bread, elements, wine consecrated by their Priests, contrary to all other forms of consecration whatsoever in the Old or New Testament, and in the Church of Rome it self, which never really transubstantiated, much lesse annihilated the substances of the things or persons consecrated, but only altered their common use to a sacred, and thereby preserved, yea priviledged their substances from any violence upon them. For instance; the consecrations of the *Tabernacle, Temple*, of all the utensils, vessels belonging to them, of *Kings, High Priests, Priests, Levites, Prophets*, and their vestments, as likewise of the *First-burn, first-fruits, Tithes, oblations, altars, dayes to God*, by Gods appointment in the Old Testament: Of *Apostles, Bishops, Presbyters, Ministers, Deacons, children* by baptism under the New: Of *Kings, Queens, Princes, Popes, Archbishops, Bishops, Priests, Abbots, Monks, Nonnes*, or other Persons: Of *Churches, Chapels, Churchyards, Altars, Chalice, Corporals, Priests vestments, Bells, Holywater, Holy-dayes, Chrisme, Swords, Banners, Albes, Images, Pixes, Candles*, & other particulars mentioned in their *Roman Ceremonials, Pontificals, Rituals*, did & do never change, much lesse annihilate the matter, substances of any of them; but only their use; yea the consecrations annex-

\* Bellarmin, Canisius, Summa Angelica & Rosella: De Eucharistia Sacramento. Gratian de Consecratione, Dist. 2. Exod. 4. 8, to 17. 28, 30. Kings 18, 20, to 40. John 1. 23. c. 6. 2. 14. c. 11. 47, 48. Mar. 16. 20. Acts 8. 6. 13. h Paschasius Ratbertus De Corpore & Sanguine Dom. cap. 14. Bozcius de Signis Eccles. l. 14. c. 7. p. 170. Bellarmin. l. 3. de Eucharistia, c. 8. i See their own definition of a Sacrament, & their Treatises and Books thereof. k Paschasius Ratbertus De Corpore et Sanguine Domini, cap. 14. Joannes & Paulus Diaconus in vita Gregorii 1. Bozcius de Signis Eccles. l. 14. c. 7. Coccius Theaur. Cathol. l. 6. Eucharistia. Bellarmin. l. 3. de Eucharistia, c. 8. Baronius & Spondanus, An. 1159. n. 20. 1191. n. 20, 21. Petr. Aureolus in l. 4. Sent. Distinct. 9. qu. 2. & other Schoolmen, Summa Angelica, Eucharistia, sect. 3. nu. 6. 18. Aquinas 3. parte, qu. 81. and other Schoolmen on this Text. See Bishop Morton his Institution of the Lords Supper, Book 4. ch. 2. Sect. 2. p. 218, 219, &c. i Deur. 28. 19, 20, 24, 48, 51, 61, 63. 15ay 65. 8. k See Pontificale, Rituale & Cereemoniale Romanum.

ed to their substances, which they exempt, preserve from all violence, injury, prophecies, as<sup>a</sup> sacred, to which they were exposed before their consecrations, as they all resolve and decree. That therefore the very words of benediction, consecration pronounced over the elements of the bread and wine in the Eucharist, should not only transubstantiate but annihilate and destroy their very substances, as some \* Romish Grantees assure us, against the use, scope, end of all other consecrations whatsoever, and metamorphose their very benediction into the <sup>b</sup> greatest curse or execration, worse then that Christ denounced against the <sup>c</sup> barren Fig-tree, which made it only to wither and dry up, but did not quite annihilate it; yea worse then the <sup>d</sup> condemnation of the Cities of Sodom and Gomorrah, which God turned into ashes, but not into meer nothing; inflicting on them the very <sup>e</sup> judgement of the last day, when the heavens shall passe away, and the elements, earth, and works that are therein shall be burnt up and dissolved, instead of a benediction and exemption from violence; is not so much miraculous, as monstrous, impossible, incredible, untheological. Eighthly, God and Christ never wrought a Miracle, but to manifest, or advance their glory, divine adoration, and destroy Idolatry, John 2. 11. 1 Kings 18. 24. 24. 32. But this pretended Miracle serves only to introduce and advance a new kind of Idolatry, in adoring the consecrated Host with divine adoration, as if it were God himself: when as it is in truth but a creature; which is both material and formal Idolatry; as <sup>f</sup> sundry Protestant Divines, and some Pontificians acknowledge: Therefore it can be no Miracle: Especially, if in the Ninth place we consider the sandy foundation whereon this Miracle is built, to wit, on these 4. or 5. words pronounced over the Hostia by the Priest, thus prescribed in the Canon of their Masse, *Hoc est enim corpus meum*: Which being at this day pronounced over the bread, 1. Not by Christ himself in person, as at first, but only by the Priest, who is but Christs Minister, Representative at most. The words & *This is my bodie*, &c. pronounced by him, must be false, or the Priests body, or can only produce a representation of Christs body, as he is Christ, but in representation. 2ly. Not uttered by Christ then, or Priests now, as words of consecration (his benediction of the bread and cup being <sup>g</sup> precedent to them, Mat. 26. 26, 27. Mar. 14. 22, 23, 24. Lu. 22. 17, 19. 1 Cor. 10. 16. c. 11. 23, 24. 1 Tim. 4. 4, 5.) much lesse of operation, or transubstantiation, directed to the bread it self, or wine, to make them his very body and blood; but only by way of excitation, directed wholly to the Disciples and Communicants, as a reason why they should receive it, as the word *Enim* infallibly demonstrates, which themselves in the Canon of the Masse annex to *Hoc est (enim) corpus meum*; as Christ annexed it to *hic est enim sanguis meus Novi Testamenti*, &c. Mat. 26. 28. 3ly. Because now used only as an historical commemoration or recitation, rehearsing what Christ did and said when he first instituted this Sacrament, and delivered it to his Disciples above 1600 years past; as Lu. 22. 19. 1 Cor. 11. 24, 25. their own Canon of the Masse: and Micrologus, c. 23. assure us by their *Qui pridie quam pateretur; accepit panem in sanctas & venerabiles manus suas, &c. Hoc quotiescunque feceritis in mei commemorationem facietis*: not as a thing now really acted over again by Christ when the Priest recites this Historie. Which words used by way of historical commemoration of what Christ then did, spake, can no more (in point of reason or experience) actually transubstantiate the very bread and wine now consecrated by the Priest in memorial thereof; then his reading or recital of the Historie of the Creation, Gen. 1. or drowning of the old world, building the Temple, the several battels, slaughters of men in the Old Testament, or of Christs conception, birth, circumcision, crucifixion, burial, resurrection and ascension in the New, in the Church or at Masse, can produce a new actual creation of the world, or new Deluge, Temple, new Battels, slaughters of the self-same or other men, or a new real conception, birth, circumcision, crucifixion, burial, resurrection, ascension of Christ himself; neither the reciting, acting, nor representing of any History past, ever yet producing an actual real reacting of it in specie or individuo; Therefore this historical rehearsing of what Christ did and spake when he instituted his Supper, cannot possibly make every peece of bread, drop of wine, (made, consecrated above 1600 years after Christs passion) his very natural body and blood born of the Virgin Mary, crucified and shed upon the Crosse, by way of adduction or production, without any new addition thereunto, or creation of a new body and blood, which he had not before, <sup>h</sup> no not by a miracle, or divine omnipotency. 4ly. The words then uttered by Christ

<sup>a</sup> Psal. 105. 15  
Isay 65. 8.

<sup>b</sup> Lessius Jesuita  
Opus. l. 12.  
c. 16. Joan. Palan-  
terius de

Castro, Lectiones  
aureæ. Bel-  
larmine, de Eu-  
charistia l. 3. c.  
24. Glossa in  
in Grat. De  
Consecr. Dist.

1. sect. 1.  
<sup>c</sup> Deut. 28. 21  
to 65. Heb. 6. 8  
Mal. 2. 1, 2.

<sup>d</sup> 1 Kings 12. 19.  
c. 47. 22, 25.

<sup>e</sup> Mat. 21. 19;  
30. Mar. 11.  
20, 21.

<sup>f</sup> 1 Pet. 2. 6.  
c. 2 Pet. 3. 10,  
11, 12.

<sup>g</sup> See Bishop  
Morton his In-  
stitution of the  
Sacrament, &c.  
Book 7. ch. 59  
67, 89. Book  
8. c. 1. sect. 5.  
Pet. Moulin,  
Bishop Jewel  
& others.

<sup>h</sup> See Robertus  
Holcor, in l. 42  
Sentent. qu. 3.  
Bishop Mortons  
Institution of  
the Sacrament  
of the Lords  
Supper, Book 2.  
chap. 4.

<sup>i</sup> See Guliel-  
mus Struckius,  
Antiqu. Con-  
vivialium, l. 2. c.  
36. Buxtorfius  
& Baldwinus  
Wallæus Com.  
in Mar. 26. v.  
25, 26, 27.

<sup>j</sup> See Bishop  
Mortons Insti-  
tution of the  
Sacrament, &c.  
Book 4 ch. 1, 2.  
& the Popish  
Schoolmen  
their cited.



Christ (admit he used the word *est*, not usual in the Hebrew tongue, which he then spake, as some observe) are not direct or positive; This bread or wine *is turned into, or is become, or is made my bodie, and my blood*, used in all other real transubstantiations of one thing into another both in the Old and New Testament, as Gen. 19. 26. Exod. 4. 4. c. 7. 10, 17, 18, 20, 21. c. 8. 16, 17. John 2. 9. c. 1. 14. Rev. 16. 4. 6. Whence the Devil himself when he tempted our Saviour to work a transubstantiation of stones into bread, used this expression, Matth. 4. 3. *Command these stones to be made bread*: But only (as their Latin Translations render it) *Hoc est corpus meum*: which Verb *est*, *est*, or *is*, relating to the words *Hoc*, and *Hic*; and both of them only to the bread and cup, which Christ took, blessed, brake and delivered to his Disciples, as the <sup>1</sup> Evangelists, and <sup>2</sup> St. Paul expressly resolve, (not to any <sup>3</sup> Individuum vagum, materia prima, or <sup>4</sup> plane nihil, as some of their Seraphical Doctors absurdly determine) it must of necessity be interpreted significatively, commemoratively, or sacramentally, not identically; since <sup>5</sup> *Disparata de disparatis non pradicantur identice*; it being impossible that bread and wine, creatures specifically distinct from Christs mystical body and blood, should be identically his body and blood, but only representatively, commemoratively, or sacramentally, as <sup>6</sup> some of their own Doctors confesse. In which sense it is most usually taken throughout the Old and New Testaments in texts of like nature, as Gen. 9. 17. c. 41. 26, 27. Dan. 2. 38. Ezech. 5. 5. c. 37. 11. Mat. 11. 14. c. 13. 30. c. 8. 37. 1 Cor. 15. 4. Gal. 4. 25. Rev. 17. 9, 12, 15, 18. More particularly Isay 40. 6. *All flesh is graspe: surely the people is graspe*; that is, *as or like to graspe in respect of frailtie*, 1 Pet. 1. 24. Job 14. 2. Psal. 102. 11. Psal. 103. 15. Jam. 1. 10. So Ecclef. 1. 2. c. 3. 9. c. 12. 10. *All is vanity*. Job 7. 16. *my daies are vanity*. Psal. 39. 5, 11. *Surely every man is vanity, every man in his best estate is altogether vanity*; Ecclef. 11. 12. *Childhood and youth are vanity*, that is, *like to vanity*. Psal. 144. 4. Thus is *Is* used in all languages by all sorts of persons, and in our own English dialect, as these several instances known to every child, ordinary Porter, and Peasant, will demonstrate. For instance: if any persons come into a Room or Gallery, where are Statues, Pictures, or Hangings garnished with several pourtraitures of Men, Beasts, Fishes, Trees, Flowers, Fruits, they usually say of these Statues or Pictures; This is King Henry the 8. This is King Edward the 6. and so of all other Kings: This is my Father, this is my Mother, this is my Wife, &c. Yea this is the Virgin Mary; This is my Saviour Jesus Christ in her Arms, This is Christ upon his Crosse; This is his body, this is the wound in his side, these are his pierced hands and feet; This is a Lyon, This is a Whale, This is an Eagle, This is a Vine, This is a Rose, this is an Apple; and so of all other Pictures. If we passe through any City where are *Innes, Taverns, Shops*, with signes affixed to them, we use the self same language of them, *This is the Sunne, This is the Kings head, This is the Bear, &c.* Stiling the very Houses by the names of the creatures, persons, whose statues or pictures only are affixed thereunto. The like we say of Ships in a Fleet, distinguished by such signes. If we resort to a well furnished Library or Booksellers shop, we likewise say, *This is St. Augustine, this is St. Chrysostom, this is Plato, this is Seneca, &c.* calling every of these, and all others writings, *Authors themselves*; Thus we stile our owne and other mens *hand-writings*, print of *Seals*, and *declarations of their wills in writing*, when we mention, yea give them in evidence upon Oath. *This is my hand, this is my seal, this is my will*; or *this is the hand, seal, will of such a person*. And to name no more particulars; every Pope in his *Bulls* and *Instruments* usually stiles himself *St. Peter*, the Popes palace, *Petri limina*, the revenues of the Roman Church, *St. Peters Patrimony*, yea the rents reserved on *St. Peters* or our *Lady day*, *St. Peters* or our *Ladies rents*, or *Peter-pence*, only because payable on the dayes dedicated to their memories. Now that the Verb *Is*, (against sense, reason, the rules of Grammar, and all these vulgar forms of speech used in all ages, languages by all sorts of persons in these and other particulars) should be predicated only identically, substantially, in *This is my body*, and necessarily signifie, *that the bread is really transubstantiated into, become, made Christs very natural bodie and blood born of the Virgin Mary*, but not significatively, representatively, that it is only the figure, representation, or Sacrament of his body and blood; and be so peremptorily asserted, when accompanied with variety of absurdities, impossibilities contradictions which attend this sense; may more justly be stiled a *Miracle*, (or

Mon-

q Mat. 26. 26,  
27, 28. Mar. 14.  
23, 23. Lu. 22.  
19, 20.  
r 1 Cor. 23, to  
30.  
f Suarez Jesuit.  
in Thom. Disp.  
q8 sect. 7. p 755  
Bellarmin. l. 1.  
De Eucharistia,  
c. 11. Greg. de  
Valentia, l. 1.  
De praesentia  
Corp. Christi,  
c. 9.  
t Per hanc dictionem  
HOC NIHIL DEMONSTRATUR,  
Bartholomaeus Bixensis  
Glossa in Gratianum. De  
Consecrat. Dist. 2. cap. Timorem,  
l. 650, with others.  
u Salmeron Jesuita  
Tom. 9. Tract. 16. Sect. 1.  
Priventur igitur, p. 109. Archiepisc.  
Cassariensis, Defensio  
Fidei Realis praesentiae, c. 58  
Bellarmin de Eucharistia, l. 2.  
c. 9. l. 3. c. 19.  
See Bishop Mortons Institution,  
&c. Boo. 2. cap. 1. sect. 4.

*Monster*, then *Transubstantiation*, which they found upon it: The rather, because as the Scripture no lesse then ten several times expressly stiles the bread after as well as before its Consecration in the Eucharist, \* *Bread*, because it still remained bread in its substance as well as in its species and accidents; So the word *is*, *est*, or *is*, in sacred Writ, did never yet signifie, is now *made*, *become*, *turned*, or *transubstantiated* into the very substance of the thing it is predicated of, and that by its bare pronounciation, at the very instant after it is pronounced, but only *significatively* or *improperly* as aforesaid, as these instances will most convincingly evidence beyond contradiction. Sundry Evangelical Texts expressly stile and aver, the Church & faithful Christians, to be the members, bodie, bones, flesh of Christ, yea, Christ himself, witness Ephes. 1. 22. **The Church, which is his Body**: and reciprocally, Col. 1. 24. **His body which is the Church**. Eph. 4. 11, 12. **He gave some Apostles, &c. for the edifying of the Body of Christ**. 1 Cor. 12. 27. **Now ye are the body of Christ, and Members in particular**. Ephes. 5. 30. **For ye are Members of his body, of his flesh, and of his bone; and they two** (Christ, and his Church) **shall be one flesh**, which is therefore called *Christ*. 1 Cor. 12. 12, 13. **For as the bodie is one, but hath many Members, even so is Christ**; to wit, his Spouse the Church. Ephes. 4. 13. **Till we all come, &c. unto the measure of the stature of the fullness of Christ**: Whence St \* *Augustine* affirms, *Ipsi Christiani cum Capite suo, quod ascendit in celum, Unus est Christus: omnes in illo et Christi, et Christus sumus*. Now although Christ took upon him their very \* *human nature*, flesh and blood, and was made man like to them in all things, sinne only excepted; yea <sup>7</sup> made one with them and they with him, as their spiritual head, husband, he dwelling, abiding in them and they in him: whence he cries out when they are persecuted, \* *Saul, Saul, why persecutest thou me? I am Jesus whom thou persecutest*: and when they are visited, fed, clothed, he particularly affirms, \* *I was an hungred, and ye gave me meat, I was thirsty and ye gave me drink, I was a stranger and ye took me in, naked, and ye clothed me, sick, and in prison, and ye visited me. Verily I say unto you, in as much as ye have done it unto one of the least of these my brethren, ye have done it unto me*: and so *vice versa* in the negative; Yea though he superadded of those who are his Apostles, Ministers, *He that beareth you beareth me, and he that despiseth you, despiseth me*: Neither of all which was ever once affirmed by him of any of his Apostles of the consecrated bread or wine in the Eucharist, whose nature, similitude he never assumed. Yet no Roman Pontiff, Council, Priest or Prelate, did ever from all or any of these Texts professedly assert, or once endeavour to prove, that the Church and every believing Christian, Priest, was really transubstantiated into the very Natural Body, Members, Flesh, Bones of Christ, and into Christ himself; but only into his mystical bodie, members, flesh, bones, in a mystical and spiritual sense; yea though St. *Augustine* (cited by <sup>b</sup> *Gratian*, *Beda*.) and <sup>c</sup> St. *Chrysostom* too asserts, *Quia passus est Dominus pro nobis, commendavit nobis in isto Sacramento sanguinem suum & corpus, quod etiam fecit nosmetipsos, nam et corpus ipsius facti sumus; & per misericordiam ejus quod accepimus nos sumus*. Yet *Bartholomaeus Brixienensis* and other Glossers thus interpret it. *Hec relatio refertur ad Ecclesiam, non ad corpus suum sumptum de virgine. Non ergo fecit nos corpus suum quod natum est de Virgine, & sumitur in altari sub specie panis & vini, sed fecit nos corpus suum spirituale, scil. Ecclesiam fidelium*: I hough *Chrysostom* avers, \* *Nos secum Christus in unam quasi massam, (ut ita dicam) reduct, neque in fide tantum, sed reipsa nos corpus suum effecit*. Then much lesse can these words of our Saviour; *This is my body, This is my blood of the New Testament, &c.* uttered by him but once, necessarily or probably inferr, that the consecrated bread and wine, whose Natures, shapes, accidents, Christ never assumed; which were never stiled *Christ himself*, his members, flesh, bone, one, or one flesh with him, in Scripture, inferr or imply any real transmutation of them into the very substance of his natural body & blood born of the Virgin, pre-existent so many hundred years before, what ever erroneous Popes, *Romish* Councils, or Doctors, for their own private lucre (to make their *Masse*, a real propitiatory sacrifice for quick and dead) have hitherto disputed, defined to the contrary. Finally, Whereas <sup>a</sup> *Bellarmino*, *Maldone*, and other Pontificians do principally (next after *hoc est corpus meum*) ground their Doctrine of *Transubstantiation*, and Christs corporal personal presence in the Eucharist, on John 6. 53, 54, 55, 56. *Verily, verily*

\* 1 Cor. 10. 16.  
17. c. 11. 26.  
27, 28. Lu. 24.  
20, 25. Acts 2.  
46. c. 20. 7, 11.

\* Enar. in Pl.  
127. & Pl. 26.  
Tit. Psalmi.  
x John 1. 14.  
Heb. 2. 11, 10  
18. c. 4. 15.  
Phil. 2. 7, 8.  
y John 17. 21;  
22. c. 15. 4, 10  
8. Ephes. 3. 17.  
Gal. 2. 20.  
1 Cor. 12. 3.  
Eph. 1. 22, 23.  
2 Acts 3. 4, 5.  
a Mar. 25. 34;  
to 46.

b De Consecratione distinct. 2.  
cap. Quia, p.  
652. Beda in  
1 Cor. 10.  
c Chrysost. in  
Mar. 26. Hom.  
83.

\* Ibid. & Hom.  
24. in 1 Cor. 16

a De Eucharistia l. 2. c. 24.  
&c. Maldone;  
Pererius, Tolletus Medina;  
& Ribera in Joan. c. 6.

a Hom. 7 & 9.  
super Levit.  
Enar. in Pf.  
98. Tractat.  
21, 26. in Joan.  
De Doctrina  
Christiana l. 3.  
c. 16. Ep. 17.  
ad Dardanum.  
b Bibliothec.  
Sanctæ, lib. 5.  
Annot. 120. l.  
6. Annotat.  
196, 198.  
c Maldoner. in  
Joan. 6. c. 53.  
d As is evident  
by Joh. 6. 1. c. 7.  
2. to 45. c. 11.  
47. to 57. c.  
10, 12, &c.  
e Mat. 26. 20.  
26, 27. Mat.  
14. 18. &c. Lu.  
22. 14, &c.  
Joh 13. 21, &c.  
f ver. 32, 33,  
34, 35, 41, 47,  
48, 50, 51, 58.  
g Ver. 29. 35,  
40, 47, 63, 64.  
Amesius Bellar-  
minus Enervat-  
us Tom. 3. p.  
102, 103, 104.  
h John 17. 20,  
to 24. Gal. 2.  
20. Eph. 1. 17.  
i See Bishop  
Morton his In-  
stit. of the Sa-  
crament of the  
Lords Supper.  
Boo. 5. ch. 3.  
to 8.  
k Suarez. Jesuit.  
Tom. 3. qu. 79.  
Disp. 64. sect.  
3. p. 882.

*I say unto you, except ye eat the flesh of the Son of man, and drink his blood, ye have no life in you. Who so eateth my flesh, and drinketh my blood hath everlasting life; For my flesh is meat indeed, and my blood is drink indeed. He that eateth my flesh and drinketh my blood, dwelleth in me and I in him: I answer 1. <sup>a</sup> Origen, <sup>a</sup> Augustin. Bertramus, with Berengarius of old, and of later times Cardinal Cajetan in his Commentar. in Joan. cap. 6. Hermannus Bodius in his Collectanea, (as <sup>b</sup> Sixtus Senensis confesseth) Cornel. Jansenius in his Concord, Evang. in Joan. 6. Biel, Cusanus, Taper, Hesselius, and Petrus Lombardus l. 4. Dist. 8. D. besides other Docti, & religiosi, & probi viri Catholici of the Roman Church, as <sup>c</sup> Maldoner acknowledgeth, as well as Luther, Oecolampadius, and other Protestants resolve; that this Chapter, Text was never intended of the eating of Christs body and blood in the Sacrament, but only of our mystical or spiritual eating and drinking it by faith alone, as these unanswerable arguments will evidence: 1. Because these words were spoken by <sup>d</sup> Christ near a year or more before the institution of the Lords Supper. 2ly. They were spoken to all the people and Capernautes, who followed Christ only for the loaves, John 6. 26, to 67, to whom he never administred the Sacrament, not to his 12. disciples, <sup>e</sup> so whom only he administred it at his last Supper in private. 3ly. Because it speaks only of the eating of that <sup>f</sup> bread and flesh of his which came down from heaven, not of the Sacramental bread or wine, of which there is not one syllable in this Chapter, being not then instituted. 4ly. Of that eating and drinking which is only spiritual, <sup>g</sup> by faith, not oral by the mouth or teeth, and so St. Peter himself as well as Christ then expounded it, v. 69. 5ly. Of such an eating Christs flesh, and drinking his blood without which none can have spiritual or eternal life: Therefore not of a Sacramental eating; else all infants and others who die before they receive the Sacrament, must necessarily be damned: which the Church of Rome as well as Protestants contradict. 6ly. Of such an eating and drinking only which gives eternal life to all who eat Christs flesh, and drink his blood; which the Sacramental eating doth not, for all unworthy communicants eat and drink damnation to themselves, 1 Cor. 11. 23, 24. 7ly. Of such an eating his flesh and drinking his blood, as their dwelling is in Christ, and Christ in them, John 6. 56. but that dwelling is only spiritual or mystical, <sup>h</sup> by faith alone, not by <sup>i</sup> eating, swallowing, bodily inhabitation, union or commixture with the bodies of the Communicants, as many Romanists in odium hæreticorum assert, by <sup>k</sup> Suarez. his confession. 2ly. Admit this Text meant of the Sacramental eating Christs flesh & drinking his blood; it proves only a quite contrary transubstantiation to that the Romanists assert, to wit, of the flesh of Christ into meat or bread indeed; & of his blood into drink or wine indeed; not of bread into his flesh indeed, as the words infallibly attest. 3ly. It utterly subverts their half-communion, and depriving Lay-communicants totally of drinking Christs blood, by taking from them the sacred Wine, Cup, here severed from their eating his flesh in the consecrated bread; as not only sacrilegious, but damnable, since none by the express Letter of the objected Text, can have any everlasting life, or dwell in Christ, and Christ in them, unless they drink his blood as well as eat his flesh, being here thrice coupled together with the conjunction and, yea ratified with this double asseveration of Christ himself, who is the truth; Verily, Verily, I say unto you; So as they must now either renounce their half communion, or this abused Text, and their Doctrine of Transubstantiation founded thereon: Which as it subverts St. Peters and their Popes usurped Universal Ecclesiastical and Temporal Monarchy, Vicarship, and as it is wholly inconsistent with it, or their Ladies, Queens, Empreffe, Goddesse Marias Sovereignty, or the antient undoubted Ecclesiastical and Temporal Rights of all Christian Kings; so particularly of our Kings of England and Ireland; whose Papal usurpations on their Crowns, were the original occasion of many horrid Conspiracies, Insurrections, Rebellions, Treasons, Wars, Attempts against their sacred Persons, Prerogatives, Subjects Liberties, Properties in former ages, as the ensuing Exact Chronological Vindication, &c. will at large demonstrate during the Reigns of King John and Henry the 3d. to which I shall now apply my self; having been more large in this Introduction to it, to help fill up the vacant Pages left for the second Book, which I originally designed to have annexed thereunto, but amounting to an intire Tome of it self, was necessitated to sever from it.*





THE  
SECOND TOME,  
AND  
THIRD BOOKE.

The Prologue.



Am now (through Divine assistance) arrived at the Second TOME, and Principally intended part of An Exact Chronological and Historical Demonstration of our British, Roman, Saxon, Danish, Norman, English Kings Supream Ecclesiastical Jurisdiction over all Prelates, Persons, Causes, within their Kingdoms; and the Popes and Popish Prelates intollerable Usurpations on, Oppositions against

the same: beginning with the Tempestuous Reign of our Unfortunate King John, when the Antientest Charter, Clause, Fine, Liberate, Patent, and other Rolls, yet extant in the Treasury of the Tower of London, begin: the Jawes of All-devouring Time having totally consumed all precedent Rolls of this nature, during his Predecessors Reigns, except some Antient Charters, and other Fragments of Records never reduced into Rolls.

In this Kings Reign we meet with the Highest Attempts, the most Audacious Dangerous Conspiracies, and Treasonable Usurpations, ever formerly made; not only upon the just antient Rights, Priviledges, Prerogatives of the Crown; but also upon this King and his Kingdoms of England and Ireland themselves, occasioned by the Treacheries, Rebellions of some of his disloyal Popish Prelates at home, (instigating the Barons to take up Arms against Him;) and by the Unchristian Praises, Tyranny of Pope Innocent the III. combining with those perfidious Bishops, who perswaded him to Interdict the whole Kingdom, Excommunicate King John himself for sundry years, and at last to deprive him of his Crown, Kingdoms, and give them to the King of France; yea injoyning, exciting him, and other foreign Enemies, to raise puissant forces by Land and Sea, to deprive him and his Posterity of the Crown and Realms

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of England and Ireland by open force. The Clashes betwixt the Papal Crozier and Royal Scepter during his reign ( arising from small beginnings) and the contests between Him, Stephen Langeion Archbishop of Canterbury, and the Bishops, Barons confederating with him, farre exceeding those of King Henry the I. and II. with Archbishop Arselm, and Becket, his trayterous predecessors, (canonized for their Treasons,) and producing the saddest Tragedies ever acted in any Age on the Theatre of our other Little World; Which though resolutely, and gallantly resisted, encountred by King John, with great Regal Magnanimity, Courage, Prudence, and good success for sundry years at first; yet at last through the Terrours of the Popes long-continued *Interdicts*, *Excommunications*, *Abjudication* of him from his Crown, Kingdoms, the formidable Forces of his Foreign Enemies ready to invade, seise upon Him, and them; the Treachery of many of his own Bishops, Clergy, Nobility, Subjects, (all absolved from their Allegiance to him by this nocent Pope Innocent) on whose cordial assistance he could not safely rely, but principally through the pannick Fears, Terrours, wrought in his mind by the prophecies of Peter the Hermit, forged Letters, and the uncessant intoxicating Sollicitations of Pandulphus the Popes Legate, representing all these Dangers to his sad melancholly Thoughts in their blackest colours; perswading him there was no other possible means left to preserve his Life, Crown, Kingdoms, ward off the impendent Dangers, disperse the Tempestuous Clouds then hanging over him, or to save his Immortal Soul, but by making his peace with God, and taking Sanctuary in Pope Innocents bosom, by casting Himself down at his Papal feet, and resigning his Crown, Kingdoms of England and Ireland into his hands, to protect, dispose of as his Own; was thereupon in conclusion (though with much reluctancy) induced to resigne them by a detestable Charter into this Popes Legates hands, to his use, to become the Popes feudatory under an Annual Rent; yea to do Homage, swear Fealty to him and his successors, as their Vassal, to his perpetual Infamy; as likewise to part with other Chief Flowers of his Royal Ecclesiastical Prerogative, and Jurisdiction over his perfidious Usurping Popish Bishops, to his own and his Successors grand prejudice. Which encouraged succeeding Popes, Prelates upon every opportunity to make many new successive dangerous bold Introachments upon the Prerogatives, Rights, Priviledges of our Kings, their Subjects Liberties, Properties, to their Intollerable Grievance; till at last they were necessitated by degrees to shake off their unsupportable Papal yokes, and Usurpations.

I shall begin with some Histories and Records in the first Year of King Johns Reign, evidencing the Supream Ecclesiastical Jurisdiction both claimed and exercised by him in and over all Persons, Causes within his Realms; with his vigilant care, industry to preserve the same against Foreign Papal, Domestick Episcopal and Monastical Usurpations, upon several emergent occasions: proceeding in a Chronological Method, except only where the Series of the History, (to make it compleat and more intelligible) or some other just occasion, shall necessitate me to resort to Subsequent Years and Records, before their just order of Time.

BOOK III. CHAP. I.

Containing Evidences of King Johns Supream Jurisdiction over all Bishops Religious and Ecclesiastical Persons, Causes, Bishopricks, Monasteries, Tithes, Advowsons, in granting Licenses to elect, and to approve or reject Bishops, Abbots, when elected; examining the Jurisdictions of all Ecclesiastical Courts; Imprisoning, Banishing Bishops, Clergy-men; seizing their Bishopricks, Spiritualities; Confiscating their Goods, Benefices, for their Contempts, and Obedience to the Popes Interdicts, and unjust Commands, with other particulars; and his strenuous vigilant defence of the Rights of his Crown, against Provisions, and other Papal and Prelatical Usurpations in England and Ireland, till the 15. year of his Reign.

**I**T is very observable, that King John at his Coronation in Westminster Abby, June 9. Anno Dom. 1199. was sworn in the first place by Hubert Archbishop of Canterbury (as (a) Matthew Paris and others relate :) *Quod sanctam Ecclesiam & eius ordinatos diligeret; & eam ob incursione malignantium INDEMNEM CONSERVARET; & Dignitates illius bona fide et sine malo ingenio SERVABIT ILLASAS*, as (b) Roger Hoveden expresseth it. This Archbishop with all the Bishops, Abbots, Nobles present at, and consenting to this Oath, and doing Homage and Fealty to him, thereby declared him to be Supream Governour, Patron, Protector, and Head on Earth of the Church of England, as well in Ecclesiastical as Temporal affairs, else this Oath had been Nugatory.

The 13. of June following, he was solemnly divorced in Normandy, in the presence of 3. of his Norman Bishops from the Duke of Gloucesters daughter: *Unde magnam Summi Pontificis Innocentii tertii, & Curie Romanæ indignationem incurrit, presumens temere contra Leges & Canones dissolvere, quod eorum fuerat Auogitate Colligatum*, as (c) Radulfus de Diceto informs us: But he no more valuing their Indignation then he did their Canons and Laws, soon after married Isabel sole daughter and heir of the Earl of Engolseme, who was crowned Queen, Octob. 8. by Archbishop Hubert; this Pope and Cardinals not daring to question, or null his marriage.

Immediately after (d) Pope Innocent the 3d. sent his Legate to King John, desiring him to release Philip Bishop of Bevoire, (taken Prisoner by King Richard the first in the Field, and kept Prisoner by him all his life, notwithstanding this and other Popes importunate Letters for his enlargement) *UNDER PAIN OF AN INTERDICT*, who had then by the space of two years been detained under most cruel Imprisonment; (some months in his very Armes, in which he was taken fighting, not suffered to be put off day or night) But because the said Bishop was taken in Armes as a Souldier and Plunderer, against the Dignity of his Order, the King (notwithstanding this Popes intreaties and menaces), would not enlarge him untill he had paid 6000. marks of sterling money to his Exchequer, and 2000. marks for his expences, during his Imprisonment under King Richard and himself; which he accordingly paid: And till he had also taken an Oath before the Cardinals and other Bishops, never thereafter to bear Armes, during his life, against any Christians.

An. Dom. 1199

[a] Hist. Angl. p. 190. Holinshed, Speed, Daniel. [b] Annalium pars posterior, p. 793.

[c] Ymagines Historiarum, col. 706. Mat. Paris, Mat. West. Hoveden, Henry de Knyghton, Holinshed, Daniel, Grafton, Speed, in Johan. Annis 1199, 1200.

[d] Mat. Paris, Hist. Angl. r. 151. Hoveden Annal pars posterior, p. 793. 770, 771, 768. Neubrigenfis Hist. Angl. l. 5. c. 21. Mat. Westm. Anno 1196. p. 71. Antiqu. Eccles. Brit. p. 140. Holinshed p. 150, 151.



In the year 1177. no lesse then 30. Nuns of the *Monastery of Ambresbery*, were accused and convicted at one time for their *Unclean Lives*, to the dissolution and infamy of their Order, whereof they had been publicly defamed: Whereupon Rex (King Henry the 2d. by power of his Regal Prerogative) *expulsi Sanctimonialibus, de Abbacia de Ambresberie, propter Incontinentiam, & per alios domos Religiosas, in arctiore custodia distribuitis*, expelling the Nuns from this Abby for their **Incontinency**, distributed them throughout other Religious houses, in stricter custody, (by way of penance) and gave it to the Abbess and Nuns of *Fount-Everoit*, for a perpetual possession; who sending a Covent of Nuns thither from *Fount-Everoit*, *Richard* Archbishop of *Canterbury* inducted them into the Abby of *Ambresbery*, on the 1. of the Kalends of *June*, (being the Lords day) King Henry the Father, *Bartholomew* Bishop of *Exeter*, *John* Bishop of *Notwich*; and many other of the Clergy and people being then present, as (e) *Roger de Hoveden* relates in precise termes: And by his Charter, Anno 1179. confirmed the Lands of this Abby to them, with many Liberties, and that by advice and consent of the Archbishop of *Canterbury*, and many other Bishops, Great men, and Barons of the Realm. King John in the first year of his Reign, by his Charter, reciting all the premises in the Prologue, confirmed this Charter of his Father, ratified these Nuns Deprivations and Imprisonments in other Monasteries, for their Incontinency, by his Father, with consent of his Bishops, Nobles, and request of Pope *Alexander*, transferring this Abby, and all Lands thereto belonging, from one rank of Nuns to another, takes both these Nuns Persons, Lands into his Royal protection, as if they were his own demesnes, grants them several Tithes, Churches, large Priviledges, and prohibits **BY HIS REGAL AUTHORITY, GRANTED TO HIM FROM GOD**, that none of his Officers or Subjects should disturbe them therein, nor implead them, but in the presence of himself and his Heirs. The Charter it self runs in these words.

[e] Annalium  
pars posterior,  
Fiancofurti  
1601. p. 1601.  
p. 560, 561.  
Monast. Angl.  
pars 1. p. 191.

Carta An. 1.  
Johannis Reg.  
nu. 103. Car-  
ta Antiqua lit.  
Bnu. 8. Monas-  
ticon Anglica-  
num Vol. 1. p.  
191. Vol. 2. p.  
868.

**I**ohannes Dei gratia rex *Anglia*, dominus *Hibernia*, &c. Sciatis Moniales de *Ambresburia*, circiter xxx. propter vitæ suæ turpitudinem, & ordinis sui dissolutionem, & infamiam quæ divulgabatur publicè, mandato domini papæ *Alexandri*, voluntate etiam domini regis *Henrici* patris nostri, consilio quoque & prudentia *Richardi Cantuariensis* archiepiscopi, apostolicæ sedis legati, & *Joselini, Sarum, & Bartholomei, Exoniensis*, & *Rogeri Wigornensis*, & *G. Londonensis*, & aliorum plurimorum Episcoporum, & Magnatum, & Baronum nostrorum, a monasterio suo fuisse amotas, & in aliis monasteriis collocatas, & moniales de ordine *Fontis Ebrardi* ibidem, ad serviendum Deo introductas. Quamobrem concedimus, & presenti cartâ confirmamus, ordini & religioni *Fontis Ebrardi*, pro salute animæ regis *Henrici* patris mei, & religionis honestate, pro salute nostra, & omnium antecessorum nostrorum, donationem quam dominus rex *Henricus*, pater noster, fecit ecclesiæ prefatæ *Fontis Ebrardi*, scilicet, ecclesiâ sanctæ *Maria*, & sancti *Melori* de *Ambresbery*, cum omnibus rebus quæ ad eam pertinent, tam in ecclesiasticis quam in mundanis possessionibus, ut ordo & instituta ecclesiæ *Fontis Ebrardi* ibidem quiete conserventur, & conventus monialium multo major quam fuerat, sub custodia Priorissæ, secundum ordinem præfatæ ecclesiæ Deo famuletur. Hanc ecclesiâ, cum omnibus rebus quæ ad eam pertinent, & omnes possessiones *Fontis Ebrardi*, sciatis nos velle manutenere, & defendere, & liberar & quietas esse ab omni seculari servitio & exactione, & gravamine, & accepisse in manu nostra & defensione, & protectione contra omnes homines sicut propriam nostram & domini regis *Henrici*, patris nostri, & antecessorum nostrorum elemosinam, &c. (with sundry other Lands)

Quare volumus & firmiter præcipimus quod prædictæ moniales, & earum ministri, & servientes, omnes possessiones suas, & elemosinas habeant, & teneant, cum *sacha & socha*, & *Col & Cheam*, & *Infangenethel* & *Uttfingenethel*, & cum omnibus libertatibus, & liberis consuetudinibus, & quietantibus suis in bosco, & plano, in pascuis, & pratis, & pasturis, in aquis & molendinis, in viis & semitis, in stagnis & vivariis, in mariscis & piscariis, in grangiis & vergultis, infra burgum & extra, & in omnibus rebus, solutas, liberar, & quietas de *sis* & *hundredis*, de placitis & querelis, & de pecunia pro *murdris* & *latrocinis*, & de *Hamscka* & de *Forstall* & de *Ulapentake*, & *Hidagis*, *Geldis*, *Denegeldis*, *Hornegeldis*, *Fornageldis*, & assartis factis ante confirmationem domini Regis patris nostri

nostri factam, anno scilicet incarnationis Domini MCLXXIX. & de assise, & donis, & Scuis, & auxiliis, & operationibus castellorum, domorum, wallorum, parcorum, vivariorum, pontium, fossarum, & flegwita, & bengewita, & flemansfrem-ska, & summagio, & warperu, & aberperu, & Cheingpeny, & hunderdespen, & de Bilschening, & blodewite, & tithite. Et sint in perpetuum quiete per totam terram nostram, citra mare, & ultra mare, tam per terram, quam per aquam de theoloneo, & passagio, & pontagio, & tallagio, lestagio, stallagio, & de omni consuetudine & omnibus occasionibus quæ ad nos, vel ad hæredes nostros, vel successores nostros pertinent vel pertinere possunt, excepta sola iustitia mortis & membrorum. Prohibemus etiam regia auctoritate a Deo nobis concessa, ne aliquis hominum, siue minister noster, siue alius, in tota terra nostra prædicta monasterio, vel ullis rebus ad ipsum pertinentibus, molestiam siue injuriam, siue contumeliam inferat, nec res, vel jura sua, nec nativos, vel fugitivos suos, vel cattalla earum, pro consuetudine aliqua, vel servitio aut exactione pro aliqua causa disturber de rebus suis, quas homines earum assidare poterunt suas esse proprias; nec de aliqua possessione sua in placitum ponatur nisi in præsentia nostra, vel hæredum nostrorum, sicut carta domini regis Henrici patris nostri, & regis Richardi fratris nostri testantur. Testibus Willelmo comite Arundellia, R. comite Leicestria, W. de Strago, B. camerario, W. de Clapam, W. de Camilupo, R. de Wlanci, W. de Enla. R. de Spontebegun. Dat-per manus Huberti Cantuariensis archiepiscopi, cancellarii nostri, xxx. die Augusti apud Rupem Andel. Anno regni nostri primo.

This Patent of King John is recited and confirmed by an *Inspecimus*, Pat. 22. H. 6. pars 1. m. 14. wherein I shall desire all *Romish Votaries* to consider, the notorious incontinency of these professed Virgin-Nuns in this age, no lesse then 30. of them in one Abby were notoriously defamed, condemned, thrust out of their Abby, and sent Prisoners to other Houses by Pope Alexander the third his direction, King Henry the second, the Archbishop and Bishops, his Nobles and Barons joynt assents, ratified by, and related in 3. *Charters*, under the Great Seal of England, in three Kings Reigns, (Henry 2. King John, and Henry 6.) as well as related by Roger de Hoveden, therefore no fiction, but an undoubted truth; for which the King, Bishops, and most of his Peers gave their judgement against them: (as King (r) Edward the Confessor formerly did in a like case, against the Abbess and Nuns of Berkley) Neither were or are the Nunneries and Nuns in foreign parts more chaste then these were, as (b) Nicholas de Clemangis (Archdeacon of Baion Anno Dom. 1417.) attests in these words. *Restant nunc sola Moniales: De his autem plura dicere verecundia prohibet, ne non de cætu Virginum, sed magis de Lupanaribus, d: dolis & procacia Meretricum, d: stupris & incestuosis operibus dandum sermonem, prolixè trahamus. Nam quid obsecro aliud sunt hoc tempore puellarum Monasteria, nisi quedam, non dico Dei Sanctuaria, sed veneris excreta prostrubula? Sed lascivorum et impudicorum subivum ad libidines explendas receptacula, ut idem hodie sit puellam velare, quod et publice ad scortandum exponere.* The like is affirmed, attested by (i) Episcopus Chemmenfis, (k) Cornelius Agrippa, (l) Claudius Espencaus, (m) Alvarus Pelagius, with sundry other Romanists, as well as by our learned John Bale, Bishop of Ossery, for England, in his Acts of English Votaries. But of this enough.

The same first year of his Reign, the Abbot of Westminster dying, the Monks by King Johns license elected Ralph Arundel, Prior of Harle, for their Abbot; after which electioni facto, Dominus Rex qui præsens aderat assensum præbuit: Whereupon he was consecrated Abbot; No Bishops, Abbots, Priors, or other Ecclesiastical persons being elected to any Dignities, but by the Kings previous license, and subsequent assent to the person elected, who might approve or reject him at his Royal pleasure.

In the second year of his Reign, the Dean and Chapter of Loxoven, within this Kings Hereditary Dominions in France, presuming to elect a Bishop without his consent, he sent this memorable Prohibition to them, to preserve this antient right of the Crown, descended to him from his Ancestors.

Johannes Rex, &c. W. Decano & Capitulo Loxovi, Satis novit discretio vestra quid juris & dignitatis antecessores nostri & Nos similiter in ordinandis Ecclesiis Cathedralibus vacantibus in potestate nostra constituitis hoc usque optimimus, & quod prædictis Ecclesiis cum eis vacare contigerit, non nisi de voluntate et assensu nostro

g Gualt. Mapes  
& Cambiens  
Britania in  
Gloustershire,  
Berkeley Castle  
h De Corrupto  
Ecclesiæ statu,  
c. 23. De im-  
pudita vita  
& conversatio-  
ne Monialium;  
quæ fuerant ex  
Monasteriis  
Prostrubula, & ex  
puella velata,  
Scortum publi-  
cium, Lugdun.  
1613. p. 22.  
i Onus Eccle-  
siæ, cap. 21,  
22, 23.  
k De Vanitate  
Scientiarum, c.  
63.  
l De Continen-  
tia, l. 4. c. 11.  
m De Planctu  
Ecclesiæ, l. 2.  
Artic. 3. & 28  
n Radulphus de  
Diceto, Yma-  
gines Histor.  
col. 708.  
Anno Dom.  
1200.

Cartæ 2 Jo-  
hannis Regis,  
m. 19. dorso.

nostro potest nec debet in Passibus provideri. Verum cum jam *Lexov.* vacet Ecclesia & illius ordinatio de nostro velut de sui Principis ex antiqua consuetudine & ratione multiplici voluntate pendeat & assensu, volentes jus suum in omnibus conservare illatum, ne quid per aliquorum malitiam in hac parte de iure nostro depereat, aut quicquam in præiudicium iuris nostri et despendium dignitatis nostræ ab aliquo statuatur; ad Dominum *Papam* solemniter appellavimus, & per præsentis litteras, & earum latores Appellationem illam innovamus. Mandantes vobis et firmiter prohibentes, ne aliquatinus in Pastorem Ecclesiæ vestræ aliquem, nisi de voluntate et assensu nostro eligere præsumatis, quod Nos nullo modo posse fieri permittimus. Verum cum Clerici & fideles nostri suis, vobis mandamus quantum sic iuris et dignitatis nostræ indemnitati prospiciatis, sicut volueritis, quod iuri & Dignitati Ecclesiæ vestræ prospiciamus, ad quod Deo teste salvo iure nostro promptam & pronam gerimus voluntatem. Teste *G. Filio Petri*, &c. apud *Nottingham*, decimo octavo die *Novembris*.

This Kings appeal to the *Pope*, mentioned in this Prohibition, was not to make him Judge of his Right, but meerly to preserve it from the *Popes* and others invasions on it, by any clandestine machinations, or extraordinary means that might be used to interrupt or defraud him of it.

The same year this King by his Charter commanded all Clerks then imprisoned for offences throughout *England*, to be delivered to *Hubert* Archbp. of *Canterbury*, upon his demand of them; the original ground and warrant (as I apprehend) of all Bishops demanding Clerks, imprisoned, arraigned for Felony, and criminal offences, to be delivered to them, to make their Purgations; before which Charter they had no power to demand, nor others to deliver them to their Ordinaries, when demanded as their Clerks. A pregnant evidence of the Kings Supremacy over all Ecclesiastical persons, Clerks.

Charta Johannis Regis m. 33. dorso.

**R**EX &c. Omnibus &c. Sciatis nos concessisse venerabili Patri nostro, *H. Cantuariensi* Archiepiscopo, Custodiam omnium Clericorum Captivorum pro quocunque forisfacto fuerint capti vel detenti, unde vobis firmiter precipimus quod eidem Archiepiscopo reddatis omnes Clericos quos in custodia vestra habeatis si quos in custodia habebitis, vel quos vos pro aliquo forisfacto quodcumque sit contigerit habere. Et prohibemus ne quis aliquem Clericum pro quocunque forisfacto detinere præsumat postquam præfatus Archiepiscopus ipsum requisiverit. Teste *Willielmo Marefc.* apud *Argentem*, sexto die *Junii*.

This King as Supream Patron of the Bishoprick of *Norwich*, granted the Bishop this memorable Charter to recover all Lands and Tenements thereto belonging, unjustly alienated by his Predecessors.

Charta Anno 2. Johannis Regis memb. 27. Dorso.

**R**EX *Iusticiariis*, Vicecomitibus & omnibus Ballivis & Ministris suis, salutem: Sciatis Nos concessisse Venerabili Patri nostro in Christo *J. Norwicensi* Episcopo, quod omnes Terras, Tenementa, & Possessiones, tempore prædecessorum suorum ab Ecclesia sua injuste alienatas, juste possit revocare. Et si in illis revocandis consilio Curie nostræ indigerit: Volumus & concedimus quod idem Episcopus, si voluerit Curiam suam in Curia nostra ponat, ut loquelæ suæ quas ibi posuerit, per Judicium Curie nostræ & consuetudinem Regni terminenter. Teste *W. Briwer.* apud *Esseleg.* decimo quarto die *Octobris*.

atHoveden Annual. pars posterior. p. 811, 817. Mat. Paris Hist. Angl. p. 146. 157. 194. Holinsh. p. 143, 147, 163, 170. Godwin in his Life, p. 517, 518.

In the second year of his Reign, *Jeoffrey Plantaginet*, Archbishop of *York*, King *Johns* base Brother, opposed, obstructed the levying of Carvage, (demanded and granted to the King by common consent, paid by all others) on the demesne Lands of his Church or Tenants, beating the Sheriff of *York*s Servants, excommunicating the Sheriff himself by name, with all his Ayders, and interdicted his whole Province of *York* for attempting to levy it. Whereupon the King, much incensed for these intollerable affronts, summoned him to answer these high contempts, his not going over with him into *Normandy* when summoned, and also to pay him 3000. marks, due to his Brother King *Richard*, and by his Writs commanded all the Archbishops Servants, wherever they were found,

to



to be imprisoned, as they were, for beating the Sheriffs Officers, and denying to give the King any of the Archbishops Wine, passing through *York*, summoned *Jossey* into his Court to answer all these contempts, and issued Writs to the Sheriff of *Yorkshire*, to seize all his Goods, Temporalties, and to return them into the Exchequer, which was executed accordingly. The King and Queen repairing to *York* the next Mid-lent, the Archbishop upon soberer thoughts made his peace with him, submitting to pay such a fine for his offences as 4. Bishops, and 4. Barons elected by them, should adjudge, and absolved *William de Sautwell*, the Sheriff, and *James de Poterne*, whom he had excommunicated, and recalled his former Interdict.

The same year there fell out a great (b) difference between this Archbishop, the Dean and Chapter of *York*, and the Archdeacon of *Richmond*. The Praecentors place at *York* falling void, the Dean and Chapter would not suffer him to present *Ralph de Kyme*, his Official, to it, but themselves gave it to *Hugh Murdac*, Archdeacon of *Cleveland*, the day after he had given it to *Kyme*; and when the Archbishop would have put him into the Praecentors stall, the Dean told him, *It belonged not to him to put any man into a stall, neither shall you therein place him, because we have given it by authority of the Council of Lateran*: Whereupon when the Archbishop could not have his will, he excommunicated *Murdac*; he likewise injured *Honorius*, Archdeacon of *Richmond*, by challenging to himself the Institutions of Churches and Synodals, against the ancient Dignities and Customs of the Archdeaconsry, which the Archbishop pretended *Honorius* had resigned and confirmed to him by his Charter, which he denied. The Dean and Chapter, and *Honorius*, severally complained of these injuries to the King, who thereupon issued these Patents and Writs for their relief, against his violence, to the Sheriff, and Dean and Chapter of *York*.

b Hoveden Annual. pars posterior, p. 817, &c

**R**EX, &c. Vicecomiti & Ballivis suis, &c. Mandamus vobis & praecipimus, R quod dilectum Clericum nostrum Magistrum *R.* de Sancto *Eadmund*, Archidiaconum *Richmond*, custodiatis, protegetis & defendatis. Et non sustineatis quod de Archidiaconatu suo *Richmond*, per Clericum vel Laicum aliqua ei fiat violentia vel injuria. Teste meipso apud *Eborum*, secundo die *Marci*.

Charta 1. Johannis Regis m. 12. dorso.

**R**EX, &c. S. Decano & Capitulo *Eborum*, &c. Scitis, quod pro debitis quae *Eborum* Archiepiscopus nobis debet, & pro defactis & aliis causis rationabilibus cepimus in manum nostram Baronum et Regalia quae Archiepiscopus *Eborum*, de nobis tenet, & hoc fecimus per iudicium Curiae nostrae. Nos autem contra eundem Archiepiscopum ad Dominum Papam appellavimus pro nobis & nostris, & pro statu Regni nostri. Teste G. Filio Petri, Comit. *Essex*, apud *Cuneshburgh*, quinto die *Marci*.

This *Honorius* Archdeacon of *Richmond*, complained to the Pope as well as the King, of the injurious encroachments of this Archbishop, who suspended some of his Clerks, interdicted some Churches within his Archdeaconsry, and excommunicated the Archdeacon, all which the Pope in a special Letter requires him to retract, as null and void: He also sent three Epistles more, the first to the Dean and Chapter of *York*, the second to the Bishop of *Ely*, and Archdeacon of *Northampton*, the third to King *John* himself, to defend *Honorius* his rights, against the Archbishops injuries and encroachments, recorded at large by *Hoveden*: That to the King is short but sweet, acknowledging his Supream Ecclesiastical power.

c Hoveden Annual. pars posterior, p. 817, 818, 819, 824, 825, 826.

**I**NNOCENTIUS, Episcopus servus servorum Dei, illustri Regi *Anglorum*, &c. Interest Regis Christianis Ecclesiis, et divos Ecclesiasticos in suo iure tueri, et malignantium impetus ab eorum molestationibus potenter et regulariter extirpare. Cum itaque dilectus filius Magister *Honorius* Archidiaconus *Richmondiae*, usque a Deo vir literatus, & honestus exultat, ut ex scientia & honestate ipsius non solum *Eboracensis* Ecclesiae honor accrescat, sed & tibi etiam utile possit obsequium pervenire. Serenitatem tuam rogamus, roboramus et exhortamur in Domino, eo attentius, quod non minus diligenter quam fideliter negotiis a tua serenitate sibi injectis in curia nostra cognoscimus indulgisse, quatinus eum in sua iustitia maputeneas, & defendas, nec permittas ipsum vel Clericos suos contra libertatem Archidiaconatus *Richmondiae*, per alienius inquietantiam aggravari. Vale.

Hoveden p. 825

That

That to himself is very observable, manifesting by this Popes own Testimony, how little this Archbishop esteemed the Popes power, or Appeals to *Rome*, being then newly introduced and made use of by this Bishop, (though capacitated to be an Archbishop, confirmed, consecrated by the Popes order) against former customs and privileges of this Realm, will appear by this ranting Letter of Pope *Innocent* to him.

<sup>a</sup>Hoveden Annual. pars posterior. p. 817, 818.

**I N N O C E N T I U S.** (a) Episcopus servus servorum Dei, Episcopo *Eboraci*, Salutem & Apostolicum benedictionem. Si Magister tuum recognoscere Apostolicæ sedis, et debitam ei reverentiam et obedientiam exhiberes, non presumeres plenitudinem potestatis ipsius, et privilegio dignitatis in aliquo derogare, cum ab ea in partem sollicitudinis evocatus, ipsam in tuis necessitatibus, in quas temere te ipsum induceras, sceleris sæpius adjutricem. Non enim excusare te potes, ut debes, quod illud privilegium ignoraris per quod omnibus in sacris gradibus facultas patet ad sedem Apostolicam appellandi, cum et tu ipse aliquando ad nostram audientiam appellaris, et a tuis gravaminibus non semel, sed sæpius ad nos fueris appellatus, nec ipsum privilegium te liceret ignorare. Verum ut cessent cætera, ex eo solo ad invocationem nostri nominis a subditorum tuorum molestationibus debueras abstinere, quod in multis & arduis negotiis, & petisti & obtinuisti favorem tibi Apostolicum exhiberi. Sed ut rerum monstrat effectus, nec auctoritatem nostram attendis, nec sacram tibi gratiam recognoscis, nec appellationibus desers, quæ interponuntur ad sedem Apostolicam aggravatos. Ecce enim cum dilectus filius noster Magister *Honorius*, *Richmondi* Archidiaconus, in plena possessione Libertatum Archidiaconatus *Richmondi* existens, cum Clericis suis a te propter manifesta gravamina, & varias injurias ad sedem Apostolicam appellabatur, tu nihilominus in eum, et quosdam Clericos suos suspensionis et aliquas Ecclesias Archidiaconatus ejusdem interdicti sententiam promulgasti. Nec hoc contentus excessu, postquam ipse iter arripuit ad sedem Apostolicam veniendi, suspensis quibusdam Clericis ejus, et Ecclesiis interdictis, et excommunicatis quibusdam, de sacro sanctum quia de jure non potuisti, certam a cæteris extorsisti pecuniam quantitatem, statum ejus et Clericorum suorum turbans in pluribus et confundens. Quia vero tantæ presumptio- nis excessum, inordinatum nec volumus, nec debemus relinquere sine fraternitatis per Apostolica scripta gravamus, atque precipimus, quod taliter, quæ prædicta sunt cor- rigas per te ipsum, quod adversum te nos non cogas durius commoveri, qui tollera- vimus hæctenas temeritatem tuam in multis. Alioquin noveris nos Venerabili fratri *Eliensi* Episcopo dilecto filio *Abbati de Waltham*, per scripta nostra precipiendo man- dasse, et ut prædictus excommunicationis suspensionis, et interdicti sententias taliter a te illatas nullas esse denuncient, et te ad restitutionem eorum quæ vel a Clericis, vel ab Ecclesiis Archidiaconatus ejusdem post appellationem ad nos legitime interpositam extorsisti, et recompensationem damnarum per Censuram Ecclesiasticam, appellatio- ne remota compellerint, et quicquid per te vel tuos in præjudicium ejus, vel suorum intulerint immutatum, in statum pristinum nostra freti auctoritate reducant, et sub præmissa te districtione compescant, ne Archidiaconum vel ejus Clericos in sacris mo- lestes, aut statum vel libertates eorum audeas perturbare. Sciturnus pro certo, quod cum durum sit tibi contra stimulum calcitrare, nisi abstineas ab hujusmodi, et mandatis no- stris reberenter obedias, manus nostras in te ultra forte quam timeas curabimus ag- gravare, ne tui nobis impotentur excessus. Datum *Laterani*, 3. Nonas *Februarii*, Pontificatus nostri anno.

I find not that this Archbishop was any wayes daunted with this high menacing Epistle, but proceeded still against *Honorius*, till restrained by the Kings Writs, Ap- peals to *Rome* being but then in their very Infancy, and that not as to a *Supream* *Ju- dicature*, but only by way of complaint, as a *Voluntary perswading Arbitrator*, and that by the Kings license first obtained, as Learned \* Sir Roger *Twisden* truly observes.

\* An Historical Vindication of the Church of England, in point of Schism p. 28, to 40.

This Pope in his Epistle to the Bishop of *Ely*, (who did nought therein) relates, That *K. Henry* the 1. when he would create a new Bishoprick at *Barleol*, because the Archdeacons of *Richmond* would be prejudiced thereby, obtained from the then Archbishop of *York* some Privileges, in recompence of part of the Archdeacons then subtracted from it, which the Archdeacons enjoyed ever since, which *Jeffrey* then endeavoured to substract, confessing hereby that the King had an inherent power without the Pope, to create new Bishopricks, substract, alter the Diocesse, Privileges both of Archbishops, Bishops, & Archdeacons, so as to bind their successors thereby.

<sup>b</sup>Hoveden Annual. pars posterior. p. 806, 807, 808.

In this second year of *King John*, (b) *Hubert* Archbishop of *Canterbury*, against the Kings Royal Prerogative, intending to celebrate a generall Council at *Westminster*, without the Kings special Writ, thereupon (the King being then in *Normandy*)

*Geoffrey*

Geoffry Fitz Peter, Earl of Essex, being then chief Justice of England, sent a Prohibition to inhibit it; yet the Archbishop, *contra Prohibitionem Cantuarii*, held the Council, wherein he made and promulged severall Decrees, *statuens ea a suis subditis inviolabiliter observari*. Two of them are very memorable:

The first prohibiting Archbishops, Bishops, Archdeacons or Deans, in their Visitations, (c) *Ne subditos suos talliis & exactionibus gravare presumant, sustinemus autem pro multis necessitatibus, quae aliquotiens superveniunt, si manifesta & rationabilis causa extiterit, cum charitate modicum ab eis valeant auxilium postulare. Cum enim dicit Apostolus, Non debent filii Thesaurizare parentibus, sed parentes filiis, multo longe a paterna pietate videtur, si prepositi subditis suis graves existant, quos in cunctis necessitatibus pastoris more debentovere. Archidiaconi, aut sui Decani nullas exactiones vel tallias in Presbyteros seu Clericos exercere presumant.*

e See Ostorboni Constitutiones apud Johan. de Aton, f. 88, 89. De procuracionibus non exigendis.

The second, *Sicut in Lateranensi Concilio (salubriter a sanctis Patribus est provisum, inhibemus, ne a personis Ecclesiasticis deducendis ad sedem, vel Sacerdotibus, vel aliis Clericis instituendis, aut sepelendis mortuis, aut benedicendis nubentibus, seu pro chrismate, seu quibuscumque aliis Sacramentis aliquid exigatur. His adjicimus, ne pro licentia celebrandi divina a Sacerdotibus, vel docendi a Magistris aliquid exigatur, & si solutum fuerit, repetatur. De ejusdem etiam Concilii auctoritate prohibemus, ne novi census ab Episcopis, vel Abbatibus aliisve Prælatibus imponantur Ecclesiis, nec veteres auquantur; Si quis autem contra hoc venire presumpserit, portionem cum Gihezi, se noverit habiturum, cujus factum exactione turpi muneris imitatur.* By what Law such exactions of Procurations, Fees for Orders, Institutions, Inductions, Licences of Ministers and Schismatics, are since taken and claimed as duties, I cannot yet discover. It seems these Decrees were not esteemed obligatory, nor regarded, (Lyndwood, Aton, and most Histories taking no notice of them) because made against the Kings Prohibition, and Bishops and their Officers profit, though much for the peoples ease.

Geoffry Archbishop of York, having the year before (as you\* heard) much incensed the King against him, for opposing the levying of Carvage, for which he compounded and made his peace with the King; the Sheriff and his Officers having exceeded their Commission, not only in spoyling him of all the Goods and Mannors of his Archbishoprick, but likewise violently entering into the Lands, and taking away the Goods of other Clerks and Religious persons: Upon their fore-mentioned agreement, and the Archbishops humiliation and submission, the King issued forth this Writ to preserve the Rights of his See of York,

\* Here p. 230, 231.

**J**ohannes Dei gratia, &c. Venerabili Patri E. eadem gratia Elyensi Episcopo, Abbatii Rufford, & Archidiacono Northampton. Meminimus quod durante discordia inter Nos, & Venerabilem Patrem in Christo, & Fratrem Charissimum, G. Eborum Archiepiscopum, quedam per Ballivos nostros in damnum ipsius Archiepiscopi sunt attemptata, quæ ob rancorem tempore discordiæ conceptum fieri sustinimus; verum pace postmodum apud Porcestriam, inter nos reformatâ, omnia in præjudicium juris ipsius tempore discordiæ attemptata cassavimus, & adhuc cassamus. Nolumus enim quod occasione eorum quæ durante discordia in dispendium juris ipsius Archiepiscopi vel Ecclesiæ suæ facta fuerint, idem Archiepiscopus vel Ecclesia sua dampnum sustineat, vel aliquod detrimentum incurrat, Teste meipso apud Bangy, duodecimo die Januarii.

Pat. 3. Johan. Regis m. 25

This King in the same year, and Patent Roll, issued forth these two memorable Patents in the behalf of Hubert Archbishop of Canterbury, for his Justices to assist him in his Courts, for the recovery of the demesne Lands unjustly alienated from his Archbishoprick, by due course of Law.

**J**ohannes Dei gratia Capitali Justiciario Angliæ, & Justiciariis de Banco, &c. Volumus quod cum Venerabilis Pater noster in Christo, Hubertus Cantuariensis Archiepiscopus, voluerit revocare in Curia sua ea quæ injuste alienata fuerint ab Archiepiscopatu Cantuariensi, unus vel duo de vobis qui fueritis Justiciarii de Banco, in Curiam suam veniatis, cum ex parte sua requisiti fueritis, ad auxilium ei impendendum in hiis quæ ad Curiam suam pertinent, quod ea possit sicut justum fuerit revocare. Et ideo vobis mandamus & firmiter præcipimus quod ita faciatis. Teste meipso apud Taver, decimo quinto die Februarii.

Pat. 3. Johan. Regis m. 5. n. 24.

Hh

REX,



Pat. 3. Johan.  
Regis, m. 4. n.  
20.

**R**EX, &c. Capitali *Justiciario* suo, & aliis *Justiciariis* suis *Anglia*, &c. Volumus quod *Venerabilis Pater noster* in Christo *Hubertus Cantuariensis* Archiepiscopus revocet in Curia sua secundum consuetudinem & libertatem Curie sue omnia dominica sua injuste alienata, per *Sacramentum liberorum & legalium hominum de Visneto*. Volumus etiam quod si requisierit duo de *Justiciariis* nostris, in Curiam suam mitantur ad illud videndum, & auxilium ei impendendum si necesse fuerit, salva dignitate nostra. Et ideo vobis mandamus & firmiter precipimus quod ita faciatis. Teste meipso apud *Vernol*, sexto die *Marcii*.

An. Dom. 1201

In this third year of King John, the Dean and Chapter of *Sagion*, (within his Dominions in *France*) knowing that no Bishop ought to be elected or admitted but by his previous consent, nominated four persons to him, petitioning his Majesty to elect one of them for their Bishop, which he did by this Record.

Pat. 3. Johan.  
Regis m. 3.  
intus.

**R**EX Capitulo *Sagienti*, &c. Accesserunt ad nos quidam Canonici vestri apud *Andel*, pro electione Episcopi vestri, & ex parte Universitatis vestre nominaverunt nobis has personas, scilicet, *Abbatem Sancti Edrussi*, *Abbatem de Tropa*, *Johannem de Oilleya*, *Herbertum filium Radulsi*, *Labbe*, postulantes ut ex hiis nominatis reciperemus ad Episcopatum *Sagientem* quem vellemus et idoneum videremus. Nos autem Communicato Consilio virorum magnorum & prudentium consensum in personam *Herberti filii Radulsi* nominatam, qui inter ceteras personas, Nobis magis idoneus videbatur et potius secundum Deum eligendus. Mandamus igitur vobis ut eundem *Herbertum*, in quem jam consensimus, in electum vestrum gratanter recipiatis, & ejus electionem sollempniter celebretis, intendentes ei sicut electo vestro de cetero. Teste meipso apud *Andel*, vicesimo nono die *Marcii*.

The same year of King John, *Geoffry* (as some records) or *Gilardus* Archdeacon of *Brechinon*, as *Hoveden* styles him, pretending himself to be elected Bishop of *St. Davids* in *Wales*, with the Kings consent, by Provision from Pope *Innocent* the 3d. intruded himself into possession of the Temporalities thereof, and likewise endeavoured to make it an Archbishoprick, as antiently it was, to the prejudice of the Archbishop of *Canterbury*, citing *Hubert* Archbishop to *Rome*, and procuring a precept to him to consecrate him Bishop of *St. Davids*. This being the first Papal Provision of any Bishoprick I meet with; I shall recite the whole proceedings of the Pope & Cardinals therein, & the Archbishops and Kings opposition against it. The story whereof is thus related at large by \* *Roger de Hoveden*, *Gervasius Dorebernenfis*, & our Records.

\* Annal. pars  
posterior, p.  
797, 798, 799.

**E**odem Anno Magister *Gilardus Menevensis* Electus, suscitavit controversiam super jure Metropolitico Ecclesie *Menevensis*, jus ejusdem Ecclesie, & pristinum Metropolitani dignitatem coram Domino *Innocentio* Papa tertio, & Cardinalibus videlicet, *Octaviano Hostiensis*, & *Portuensis*, & *Johanne Albanensi*, Episcopis Cardinalibus, & *Jordano de Fossa Nova*, & *Sephredo*, & *Johanne de S. Paulo*, & *Johanne de Salerno*, & *Gratiano*, & *Hughelmo*, & *Huguncione* Cardinalibus, publice protestando: Est autem \* sciendum quod Postquam Beatus *Dubricius*, urbis *Legionum* Archiepiscopus heremum eligens, Beato *David* sue dignitatis cessit honorem; Beatus *David* extunc sedem Archiepiscopalem usque *Meneviam* transtulit, & ibidem Archiepiscopus factus est, & post illum Viginti quatuor ibidem pallio usi sunt, & plena Metropolitica dignitate, quorum ultimus fuit sanctus *Samson*, qui propter Istericam passionem qua peste catervatim homines in *Wallia* tunc temporis occubuerunt, navigio in *Armonicam* *Britaniam* transiens in Ecclesia *Dolensi*, tunc forte vacante prefectus est, & Pallio *S. David* quod secum asportaverat, ibidem usus est, qua occasione illa *Dolensis* Ecclesia continue *Turonensi* Ecclesie pallium affectando rebellis extiterat usque ad tempore predicti *Innocentii* Papae tertii; cujus anno secundo \* causa est decisa, & illa adventitia Dignitas *Dolensi* Ecclesia est adjudicata *Menevensis* autem Ecclesia eadem occasione, vel propter ignaviam, vel paupertatem pallio semper habemus caruerunt. Omnes tamen Episcopi *Menevensis* Ecclesie, scilicet. Novemdecim Episcopi a discessu *Samsonis* usque ad tempus *Henrici* Regis *Anglia* primi, omni dignitate Archiepiscopali usi sunt, \* excepto pallio, et habuerunt suffraganeos septem, scilicet *Landavensem*, & de *Sancto Paterno* in *Kerdikan*, quae sedes, quia Parochiani pastorem suum interfecerunt, olim obsolevit, & *Menevensis* Diocesi

\* See *Giraldus*  
*Cambrensis*,  
*Itin. Cambrie*  
l. 2. c. 1.

\* Recorded at  
large by *Hoveden*,  
*Annalium*  
pars posterior,  
p. 797. Mar.  
Paris p. 191.  
\* Therefore a  
Pall from the  
Pope was not  
necessary to the  
creating or el-  
easing of an  
Archbishop.

Diocesi est adunata, & Bangorensis, & de S. Asaf, in Wallia, vero ab Anglis dudum occupata, trans Sabrinum Cestrensem, & Herefordensem, & Wigornensem. Prædictus vero Rex Henricus Walliam suo Regno subiugavit, & (d) ideo prædictam Menevensensem Ecclesiam, et alias illarum Ecclesias suffraganeas Menevensis Ecclesiæ, Ecclesiæ regni sui icilicet Cantuariæ subicere cupiens, Bernardum Clericum de Camera sua, quem in Menevensi Ecclesia Wilfrido Episcopo subrogari procuravit, & apud Cantuariam, per regiam (\*) violentiam consecrari fecit: Et hic fuit primus Menevensis Ecclesiæ Episcopus a Cantuariensi Archiepiscopo consecratus; & post eum David, & Petrus, a Regibus Angliæ compulsi, similiter a Cantuariensi Archiepiscopo sunt consecrati, præstatis Sacramentis contra Canones extortis de non suscitanda lite super iure Metropolitico contra Cantuariensem Ecclesiam in perpetuum. Bernardus tamen de iuncto Henrico Rege primo, movit questionem super iure Ecclesiæ suæ Metropolitico contra Theobaldum, Cantuariensem Archiepiscopum: Unde Papa Eugenius in hac forma scripsit Theobaldo Cantuariensi Archiepiscopo.

d Therefore it was then the Kings (not Popes) Prerogative to put down, create Archbishops, Bishoppicks, enlarge, divide or unite their Provinces and Diocesses, & Prærogative had been truer, fitter.

Epistola Eugenii de Dignitate Metropolitana Ecclesiæ sancti David.

**EUGENIUS** Episcopus servus servorum Dei, Venerabili Fratri Theobaldo Cantuariensi Archiepiscopo, salutem & Apostolicam benedictionem. Venerabilis Frater noster Bernardus, Episcopus S. David, ad nostram præsentiam veniens, Ecclesiam S. David, olim Metropolim fuisse asseruit, viva voce, & eandem dignitatem sibi a nobis restitui postulavit. Cum autem circa petitionem istam invigilans diu in Curia nostra commoratus esset, tu Frater Archiepiscopo, tandem eo præsentem ex adverso confurgens, in præsentia nostra adversus eum querelam deposuisti, quod a bitanti tanquam primo Metropolitano obedientiam subtraxisset, tibi quæ inobediens, & rebellis existeret, cum a Predecessore tuo tanquam a Metropolitano primo consecratus esset & viva voce, & scripto Cantuariensi Ecclesiæ professionem fecisset & in multis postea, tanquam alii suffraganei, tibi obedisset, & assisset. Ille vero consecrationem negare non potuit, sed professionem se fecisse, & obedientiam exhibuisse omnino negavit: Quod tu audiens, duos testes in medium produxisti testimonium perhibere; quod ipse illis videntibus, & audientibus post consecrationem suam, & viva voce, & scripto Cantuariensi Ecclesiæ (f) professionem fecisset. Nos igitur auditis utriusque partis rationibus; & diligentius inquisitis, & testibus tuis studiose examinatis communicato fratrum nostrorum Consilio, iuramenta eorum recipimus, et ut ipse Episcopus tibi tanquam primo Metropolitano obedientiam & reverentiam exhibeat, iustitia dictante præcipimus. (Here the Pope and his Cardinals approve what the King had done without their privy, concerning this Welch Archbishoprick.) Unde quoniam singulis Ecclesiis & Ecclesiasticis personis suam dignitatem & iustitiam volumus conservare, Beati Lucæ Festivitate proximi sequentis Anni tibi & ipsi diem præfiximus, ut tunc præsentibus partibus de dignitate Ecclesiæ S. David, & libertate sua, rei veritatem cognoscamus, & quod iustum fuerit auctore Domino exinde statuamus. Datum **Medani**, 3. Kal. Julii.

f O the little truth and faith of this ambitious Prelates Allegation.

Epistolam autem istam prædictus Magister Gilardus, invenit in Registro Eugenii Papæ. Cujus rei occasione, & ad prædicti Gilardi instantiam, ius Ecclesiæ suæ publice in Curia Romana protestantis. (being the first president of this kind.) Innocentius Papa, Hubertum Cantuariensem Archiepiscopum super statu Menevensis Ecclesiæ, & dignitate Metropolitica literis suis Citavit: (The first citation of this nature, who refused or neglected to appear thereon:) quas etiam literas prædictus Gilardus, ad præpetuum rei gestæ memoriam, in eadem Papæ Registro scribi procuravit. Præcepit etiam idem Papa prædicto Archiepiscopo, quatinus supradicto Gilardo Menevensi electo ita consecrationem impenderet, quod sacramentum illicitum, quale extorqueri solebat: prædecessoris sui ab Episcopis S. David, scilicet de non prosequendo iure Metropolitico contra Cantuariensem Ecclesiam, non exigere, sed tantum Canonicam obedientiam juxta communem formam facere. Præcepit etiam idem Papa, Lincolnensi, Dunelmensi, & Eliensi Episcopis, quod si Archiepiscopus Cantuariæ sæpe dictum Gilardum, consecrare differret, ipsi Apostolica auctoritate freti illum consecrare non differrent.

g Aſſa Pontifi-  
cum Cantuar.  
col. 1682.

But neither the Archbishop nor other Bishops obeyed these his Papal Injunctions to them, but oppugned them in the highest degree, for instead of consecrating him Bishop, the Archbishop cancelled his election, upon this account, *because it was made at Rome*: Thus related at large by (g) *Gervasius Dorobernensis*, in his life.

**C**ontroversiam quam in odium & contemptum Archiepiscopi suscitaverat *Gilardus Menevensis* Archidiaconus, ipse Archiepiscopus prudentissime redegit ad nichilum, ut ipse G. qui paulo ante *Menevensis* Ecclesie Archiepiscopus esse volebat, & Ecclesie *Cantuariensis* subjectionem debitam septem Episcoporum subtrahere moliebatur, ad pedes Archiepiscopi promus accederet, satisfaciens humiliter de tam iniqua presumptione, et eidem Archiepiscopo suum resignavit Archiepiscopatum. Archiepiscopus autem post temporis intervallum eidem G. dedit Ecclesiam, 25. Marcarum, & Clericus Archiepiscopi iuratus sacrus est qui ante fuerat hostis iniquus. Et quia idem G. Menevensis Ecclesie in Curia Romana se dicebat electum, hoc ipsum cassabit Archiepiscopus, & alium sacravit Canonice electum. Dicant alii quod voluerint de operibus *Huberti*, ego istud maximum censeo quod Episcopos 7. in subjectione retinuit *Cantuariensis Ecclesia*, et Rebellem *Gilardi* contrivit astutiam.

How highly King *John* himself (though then in *Normandy* with his Queen) was incensed against *Gilardus*, for procuring Pope *Innocent's* Procuration and Provision to elect him Bishop of *St. Davids*, taking possession of the Temporalities thereof by colour of it, without his privity, election, or Royal assent, and endeavouring to new make it an Archbishoprick, to the grand prejudice and derogation of the ancient Rights and Prerogative of his Crown, descended to him from his Ancestors, both to assent or dissent to all Bishops elections within his Dominions, and enjoy their Temporalities during their vacancy, till restored to the Successor by his special order, will appear by these four successive Writs & Proclamations of his, directed to all the Clergy and Laity both of *England* and *Wales* in general, and the Chapter of *St. Davids* in special, strictly enjoining them all upon their duty and allegiance to him, in defence of the Rights and Prerogatives of his Crown, against this Archdeacons and Popes Usurpations, as they tendred his honour, and the publick peace and safety of the Church and Realm, to oppose and resist *Gilardus* his rash, turbulent, disloyal attempts and Innovations against him, to their power, according to their Allegiance, and no wayes to ayd or countenance him therein, by advice or otherwise, it being unjust to do it. Three of them are thus recorded one after another in the Patent Roll of 3. *Johannis*, and the other in the 5th. year following.

Pat. 3. Johan.  
Regis m. 7. n.  
18.

**R**ex, &c. Omnibus, &c. Audivimus quod G. Archidiaconus de *Brethunon* in *grabe*, et manifestum dispendium dignitatis nostre, & Ecclesie *Cantuariensis*, in *Episcopatu Menevensi* Archiepiscopum constituere, & super hoc faciendo dicit, se nostrum impetrasse assensum; unde scite vos volumus quod nunquam in hoc assensum prebimus, nec unquam ei consentimus, sed ei in hoc penitus deficiamus. Mandantes vobis et in fide qua nobis tenemini precipientes quatenus nullatenus ei in hoc temeratio proposito suo assistatis, vel ei in hoc consilium vel auxilium prestetis, sed vris omnibus quibus poteritis processum suum impediatis sicut dignitatem nostram diligitis. Teste meipso apud *Vernol*. Octavo die Marci.

Pat. 3. Johan.  
Regis m. 2.

**R**ex, &c. Omnibus, &c. sciatis quod G. Archidiaconus de *Breth*. manifeste operatur contra Coronam et dignitatem nostram, qui se gerit *Electum Benebensem*; cum Nos in eum eligendum nunquam prebimus assensum. Et inde trahit in causam. *W. Abbatem Sancti Dogmaelis* in cujus electionem consensimus Temporalia etiam *Episcopatus Benebensis* quae vacante sede debent in nostra manu esse, ex diuturna et Approbata Regni nostri consuetudine, contra Coronam et Dignitatem nostram sibi committi \* procurabit; hæc et alia contra nos impudenter perquirendo qualia nullus alius post coronationem nostram contra nos attemptabit. Et quoniam hæc nulla ratione sustinebimus, mandamus vobis

\* To wit, by  
Pope Innocent's  
procuration.



vobis, quod sicut honorem nostrum et dignitatem diligitis, quam sicut fideles nostri sobere et manutenere tenemini, predicto S. Archidiacono in nullo ad hoc consilium, vel auxilium, vel assensum prestetis, set predictum Abbatem sancti Dogmaelis quantum poteritis adiuvando, predicto S. Archidiacono in quantum poteritis resistatis; Quicumque autem aliter fecerit manifestum erit ipsum nobis et dignitati nostrae adversari. Teste meipso apud *Rupem Aurmall*, Decimo die Aprilis.

**J**ohannes Dei Gratia, &c. **Omni Clero, et Populo Angliæ, &c.** Universitatem vestram scimus non latere, quod **Custodit Episcopatum, et Abbatium** vacantium in Regno nostro in temporalibus, omnibus Antecessoribus nostris et nobis hactenus ex diuturna et approbata consuetudine Regni nostri consueverunt competere. Verum quia *Galfridus* Archidiaconus de *Brichmon*, qui se gerit Electum *Menevensen*, et cuius Electioni non consentimus, nec unquam consensimus, Custodiam temporalium Episcopatus *Benevensis* in damnum et dispendium dignitatis nostrae Coronae presumit usurpare, quod nos nulla ratione salva dignitate nostra sustinere possumus, vel debemus; Vobis mandamus, et firmiter precipimus, ne quis vestrum predicto S. in temporalibus, quæ ad jam dictam Ecclesiam spectant respondere, vel ipsum ad ea optinenda promovere, aut manutenere presumat, sicut nostram diligit fidelitatem, et Coronae nostrae dignitatem. Sciatis enim quod si quisquam vestrum in contrarium pro eodem S. aliquid attemptaret, pro manifesto habebimus ipsum dignitati nostrae et Coronae inimicari. Teste meipso apud *Rothomag.* Decimo Septimo die Decembris. Sub eadem forma scribitur **Capitula Benevensi.**

Par. 3. Johannis Regis in 7. intus n. 18.

This turbulent Arch-deacon notwithstanding all his pretended submission to the Arch-Bishop proceeding afresh in the Court of *Rome* (most likely by the Popes encouragement) to obtain his ends; thereupon the King issued out this severe Proclamation against him as a public enemy and disturber of the peace of his Kingdom.

**R**ex, &c. Omnibus Baronibus, & fidelibus per Episcopatum *M. nevensen* constitutis, &c. Quot et quantis Machinationibus nos et opprimere, et dignitatem Coronae nostrae expugnare et regni nostri consuetudines ab antiquis temporibus in Electionibus Episcoporum optentas; S. Archidiaconus de *Brechuno* pro posse laboraverit extinguere, tam in Curia Romana quam alibi, satis norunt universi; per eum enim non stetit quod pravis suggestionibus ejus et dilationibus maliciosis et venenosis, non solum pars parcium vestrarum, immo totius Regni nostri tranquillitas turbaretur, maxime cum inimicis nostris nequiter communicando talia conficeret quæ nobis et regno nostro manifestum importarent dispendium, si iniquitas ejus prevaleret, et pro voto præcessisset in actum, unde non immerito ipsum inter inimicos nostros durissimus numerandum, vobis & omnibus nos diligentibus mandantes, et districte prohibentes, ne ejus promotioni aliquo modo consentiatis, immo ejus promotionem pro posse impediatis. Non enim justum est quod ille fidelibus nostris diligatur vel promoveatur qui in damnum, et dispendium dignitatis Regis et juris regni perturbationem anelat. Teste meipso apud *Tasum.* Undecimo die Septembris.

Par. 5. Johannis Regis in 7. intus.

\* Addicamenta Mat. Paris Ms. f. 11c. Sir Roger Twissens historical vindication of the Church of England, p. 58, 59.

This was the memorable, vigilant, prudent, gallant opposition made by King *John* against the first provision of Pope *Innocent*, who \* to eclipse the Kings prerogative, first endeavoured to introduce them aswell in *France* as in *Wales, Ireland* and *England*.

Pope

\* See Mr. William Tyndal's Practice of Popish Prelates

\* Annal. pars posterior, p. 799, 800.

Pope *Innocent* the 3d. a man of a haughty Antichristian Spirit (like *Hildebrand* his predecessor) the better to invade the Rights of Christian Kings and their Subjects, especially of *England* and *France*, under a specious pious pretext (set on foot by some of his preceding Pontiffs) of sending them and their Nobles out of their Realms, to rescue the Holy Land out of the Saracens and Infidels hands, and raising monies as well from the Laity as Clergy to maintain this holy Warr, that \* so he and his Legates in their absence might usurp their Regal Authority and Supream Government both in Church, State, and impoverish them and their Subjects to enrich themselves with a great part of the moneys raised for this end; in the 3d. year of *King John* sent forth this general Letter *De Subventionem faciendam terræ Jerusalemitanæ*, recorded at large by \* *Hoveden*.

**I**NNOCENTIUS Episcopus, Servus Servorum Dei, Universis Sanctæ Matris Ecclesiæ Prælati, ad quos præsentis literæ pervenerint, salutem, & Apostolicam Benedictionem. Graves Orientalis terræ miseria & necessitates urgentes jam potius, peccatis exigentibus desistere cogimur quam referre, &c. Verum quia id quasi modicum, immo vero modicum ad tot necessitates ipsius Provinciæ sufficere nullatenus reputamus. Universitati vestræ per Apostolica scripta Mandamus, & ex parte Dei omnipotentis in virtute Spiritus Sancti sub interminatione divini Judicii districte præcipimus, quatenus singuli vestrum *Quadragesimam partem omnium Ecclesiasticorum reddituum & proventuum suorum, primum tamen deductis usuris, quantum solutio vitari non possit, in Subsidium Terræ sanctæ convertant.* Omnibus Clericis tam Subsidii quam Prælati qui *Quadragesimam ipsam sponte ac fideliter solverint de Dei omnipotentis Misericordia & beatorum Apostolorum Petri & Pauli Autoritate confisi Quartam partem* in junctæ sibi pœnitentiæ relaxamus, dummodo nulla fraus interveniat, & pia devotio suffragetur. Scita autem se culpabiliter, duriter et dure inculpabilem, qui tantillum subsidium in tanta necessitate Creatori et Redemptori suo negaverit exhibere, a quo Corpus & animam & universa bona quæ habet, accepit, & nos qui (licet indigni) *vices ejus exerceamus in terris*, hujus culpæ duritiem nullatenus dissimulare possemus. **Nec aliquo modo credatis, quod per hoc in dispendium vestrum legem vobis imponere intendamus, ut a vobis in posterum quadragesima, quasi debita et consuetudinaria requiratur; immo nullum ex hoc vobis prejudicium volumus generari, qui tantæ necessitatis Articulum nobis, et vobis supervenisse dolemus, et quod simile de cetero non contingat optamus.** Volumus etiam & nihilominus vobis precipiendo Mandamus, quatinus vos fratres Archiepiscopi & in Episcopis, in Metropolitana Ecclesia, vel si hoc ibi fieri propter hostilitatem vel aliud evidens impedimentum non poterit, in duobus vel tribus locis provinciæ vestræ sine dilatione convenire, & curetis inter vos juxta formam mandati Apostolici de ipsius terræ subventionem tractare, et post rebellionem suam quilibet vestrum in sua diocesi, Concilium convocet sine mora, auctoritate nostra precipiens Abbatibus, & Prioribus, tam exemplis quam aliis Archidiaconibus, & Decanis Universis omnino Clericis in ejus Diocesi constitutis, *juxta estimationem proventus et redditus suos tarent et infra tres menses post factam eis denuntiationem Quadragesimam partem valoris eorum sub ipsius Episcopi testimonio, et aliquot Religiosorum virorum, adhibitis nihilominus ad cautelam aliquibus fidelibus Laicis et discretis, in locum idoneum, ejusdem Diocesis non differetur consignare.* Quod & nos vobis fratres Archiepiscopis, & Episcopis sub eadem districte Mandamus. Ab hac autem generalitate monachos Cistercienses, &c. exceptimus.

Here this Pope takes upon him upon pretext of necessity for relief of the holy Land only to advise and recommend to all the Prelates of the holy Church the levying of the fortieth part of their Estates and Benefices, and in what manner to levy it, not absolutely to impose it to their prejudice. Whence \* *Matthew Paris*, & *Matthew Westminster* thus expresse it; *Ad instantiam Innocentiæ Papæ, Data est quadragesima pars reddituum omnium Ecclesiarum ad subsidium terræ promissionis*

Anno 1201.  
p. 199. Mar.  
Westm: p. 77.

**promissions :** Therefore a free Gift, not an imposed Tax. Neither would the King of England or France suffer it to be levied in their Realms by the Popes Authority, but only by their Royal Order, grant and assent thereto, as *Hoveden* thus expressly relates.

Annal, pars posterior, p. 828.  
829.

**P**apa Innocentius, misit unum Cardinalem ad Regem Francie, & ad Regem Anglie, postulans subsidium fieri de terris earum ad subventionem terræ Jerusolomitane. Ad cujus mandatum, ipsi Reges concesserunt se duros ad subventionem prefatæ terræ Quadragesimam partem omnium reddituum suarum de uno Anno; (and no more they stinting the sums and duration of it.) Et Rex Anglie hoc ipsum mandavit fieri de redditibus et Excaetis, et Wardis suis Anglie, et præcepit, ut omnes laici terrarum suarum similimodo quadragesimam partem reddituum suorum darent in Eleemosynam ad subventionem terræ Jerusolomitane. Unde *Gulfridus filius Petri*, tunc temporis summus Justitiarius Anglie in hac forma scripsit Vicecomitibus, Ballivis Anglie, evidencing this Almes to be imposed, granted not by the Popes or Kings meer absolute power, but the free grant and advise of his Nobles and Peers, as a meer Almes, Gift and Benevolence.

An Intreacy only, not peremptory command.

**G**ulfridus filius Petri Comes Essex, Universis Vicecomitibus Ballivæ suæ, salutem; Sciat quod Dominus Rex Anglie ad instantiam, & prædicationem cujusdam Cardinalis a summo Pontifice missi in Franciam, de consilio Magnatum suorum de partibus transmarinis concessit, ad sanctæ Jerusalem subsidium, quadragesimam partem valoris omnium reddituum, et terrarum suarum unius Anni, tam de Wardis, quam de Excaetis in manu sua existentibus. Quod etiam ipsi Magnates sui ultra mare voluntarie concesserunt; Ad eorum etiam instantiam scripsit Dominus Rex omnibus Angliæ Magnatibus per literas patentes, rogans et inducens eos, quatenus puro Corde et Charitatis intuitu, idem illud de valore omnium reddituum et terrarum suarum unius Anni concederent, \* quod quidem nec de debito, nec de consuetudine, nec de coactione, nec de aliqua alia Authoritate Apostolica conceditur vel postulatur. Unde præcepit quod omnes Comites et Barones de qualibet Ballia in primis admoneantur, inducantur diligenter, quatenus pro se hanc collectam faciant in terris suis hoc modo, scilicet ut quilibet quadragesimam partem valoris cujuslibet Villæ suæ, sicut posset poni ad firmam per annum. Et si in eadem Villa fuerint per servitium militare tenentes, dent quadragesimam portionem modo prædicto; si autem fuerint libere tenentes, similiter dent eandem portionem modo prædicto, computato redditu quem Dominis suis solverint per annum. Hanc autem collectam, colligi faciant per tam discretos, & legales qui ad hoc possint & sciant sufficere, qui eam recipiant tam de Comitibus, quam de Baronibus prædictis. Et postquam per manus eorum, fuerit collecta, receptores predictæ collectæ faciant in scriptum redigi distincte & aperte, quantum de quolibet receperint tam de Comitibus quam de Baronibus & Mililibus, & libere tenentibus, & nomina singulorum, & Villarum, quantumcunque de singulis Villis & quorum quælibet sit, imbrevari faciant. Summam autem de Dominicis, & de Wardis, & excaetis, & redditibus Domini Regis faciant separatim imbrevari. Si quis vero Clericus Laicum Feodum habuerit in Ballia aliqua, vel homines tenentes Laicum Feodum in eorum terris, fiat hæc collecta per prædictos collectores modo prædicto. De terris autem Cruce, signatorum prædicta Collecta fiat modo prædicto; Ita tamen quod eorum pecunia separatim reponetur ab alia, & summa pecuniæ, & nomina singulorum, quorum ipsa pecunia fuerit subseribantur, ut illi, qui iter arripuerint pecuniam suam prompte recipiant. Provideatur autem quod pecunia illa sit collecta; ita quod unusquisque Vicecomes simul cum Collectoribus habeat eam apud Novum Templum Londoniæ a die S. Hillarii in quindecim Dies, & imbreviamentum modo prædicto ordinatam, Viz de summa pecuniæ & nominibus eorum qui eam deberint;

\* Note this memorable clause



& nominibus Villarum, de quibus data fuerit pecunia prædicta, & quantum de qualibet datum fuerit. **Si qui autem contradixerint huic collectæ assensum præbere, nomina eorum imbeuentur, et coram nobis represententur,** apud *Lundonium*, ad terminum prædictum, & hoc breve, & nomina collectorum ibidem habeantur. Valete.

This therefore was but a voluntary precarious Almes and Collection, left arbitrary by the Pope to the King, who by advise of his Nobles and Barons beyond Seas, reduced it to a certainty, and recommended it to the Nobles and Barons of *England* by way of intreaty, with directions how to levy it in the proportion he had fixed on, as a thing **not granted, nor required** by the King **out of debt, duty or custome,** or **by any Apostolical authority**, but meerly as a voluntary Almes and Benevolence, which other Nobles beyond Sea **had voluntarily granted**, and the King at their request did by his Letters Patents **intreat the English Nobles and Barons out of meer charity to imitate.** So as this is a most pregnant evidence against the Popes pretended Jurisdiction to impose any such Tax upon King, Clergy, or Subjects, (as some Popes and Pontificians would thence infer) from this Usurping Popes Letters, whose Agent embezzled much of this coyn for the *Popes* own private Coffers, as our Historians observe. Indeed this Pope by his special \* Letter to all the Archbishops and Bishops of *England*, commanded them to admonish all those who had formerly *taken the Crosse upon them, and afterwards laid it down, to resume it, and repair forthwith to the Earl of Flanders, notwithstanding any Papal Dispensation fraudulently obtained to the contrary from his Predecessors, or else after admonition given them, publicly to excommunicate them by name (if known) on every Lords day and Holy day, with Bell, Book, and Candle, and likewise to interdict them, without admitting any appeal, and to seclude them from all Divine Offices wheresoever they came.* But that any Archbishop or Bishop put this Antichristian severe command of his in execution, I find not in our Historians, who barely recite it, and the premises prove it was never put in execution.

\* Hoveden Annual, pars posterior, p. 819, 820.

An. Dom. 1202

In the fourth year of King *John*, some Irish Bishops and Archdeacons, Suffragans to the Archbishop of *Dublin*, endeavoured without this Kings precedent license and assent, to elect an Archbishop, and get him confirmed at *Rome* by the Pope, against the Kings right and dignity: Whereupon he entred this Appeal against them before himself, to preserve his right and dignity therein.

Pat. 4. Johan. Regis, m. 10.

**V**enerabili Patri in Christo *J. Dei gratia titulo Sancti Stephani, in Calio monte, Presbytero Cardinali, & Apostolicæ sedis legato J. eadem gratia, &c.* Et debitam reverentiam. Cum accepissemus *Clocharen. & Cloanen. & Cenanen. Ardacen. Episcopos & Archidiaconum Ardmac. & quosdam Alios velle manifeste operari contra ius et dignitatem nostram super Ecclesia Ardmacana, Appellabimus.* Et ne ab illis vel ab aliis super præiata Ecclesia **contra ius, et dignitatem nostram aliquid statuatur,** Appellati onem illam coram nobis per has literas nostras Patentes, & per nuncios nostros innovamus. Teste meipso apud *Cenom.* decimo quinto die *Augusti.*

These Suffragans proceeding to elect an Archbishop without the King, contrary to his Inhibition and Appeal, he going to *Rome* to get approbation, consecration, and possession of it by the Popes authority, the King thereupon the next year issued out Writs to all his Suffragans and Subjects within the Archbishoprick, commanding them to make the like Appeal against him as he had done, as one that acted against the rights and dignity of his Crown, and was his Enemy, and by no means to receive him for their Archbishop upon his return into *Ireland*.

Pat. 5. Johan. Regis, m. 10. n. 21.

**R**EX, &c. Suffraganeis sedis *Armacanæ, &c.* Propositum est nobis quod *Eng. Rdatus electus Armacanæ Ecclesiæ contra assensum nostrum et post appellationem nostram ad Dominum Papam, a nobis interpositam Romam profectus est, ut in Archiepiscopum Armacanum contra dignitatem nostram promoveatur. Et quia manifestum est, ipsum E. sicut inimicum nostrum contra dignitatem nostram operari.* Vobis mandamus

mandamus quatinus cum appellaverimus & appellationem nostram per has literas nostras Patentes & per latorem præsentium adhuc innovemus una Nobiscum pro statu Ecclesiæ vestræ, et dignitate nostra appelletis, sicut nos et honorem nostrum diligitis. Et si dictus electus in terram nostram *Hyberniæ* redierit, nullatenus eum in Archiepiscopum recipiatis. Teste meipso apud *Rothomagum*, Vicefimo secundo die *Maii*.

Sub eadem forma scribitur omnibus fidelibus in Archiepiscopatu *Armacan*, constitutis.

Pope *Innocent* being so vigilantly and strenuously opposed by King *Johns* Patents and Prohibitions, in this business of conferring the Archbishopricks of *St. Davids* and *Ardmagh*, on persons elected without his consent, by his own Papal Consecrations of them, and Provisions to them, contrived how to usher in *Provisions* by degrees, without any observation, to which purpose he imployed the Archbishop of *Ragusa*, whom he discharged from that Church for fear of death, to move King *John* to bestow a Bishoprick and other Benefices on him in *England*, to relieve his necessities and support his dignity; whereupon the King out of his Royal bounty bestowed the Bishoprick of *Karliol*, and the Archbishop of *York* the Church of *Melburn* upon him. The Pope being informed thereof, sent a Letter to King *John*, wherein he took upon him by his Apostolical Sees benignity, to grant this Bishoprick and Benefice to him, to supply his wants; admonishing and exhorting the King at his Pontifical request, to confirm this Bishoprick on him, which the King accordingly did at his Petition by this Patent, reciting the Popes Letter.

**R**EX, &c. Venerabili Patri in Christo, & Fratri Charissimo *J. Dei gratia Eborum* Pat. 5. Johan. Archiepiscopo, *J. eadem gratia Rex Anglia, Dominus Hybernia, Dux Norm.* Regis, m. 4. n. *Aquitan.* Comes *Andeg.* salutem. Literas Domini Papæ suscepimus in hæc verba, 11.

**I**NNOCENTIUS Episcopus Servus Servorum Dei, Dilecto filio *Johanni*, Illustri Regi *Anglia*, salutem & Apostolicam Benedictionem. Ad supplicationem instantem Venerabilis Fratris nostri *Ragusi* Archiepiscopi, cum a Cura, & sollicitudine qua tenebatur Ecclesiæ *Ragusi* duximus absolvendum, eo videlicet quod ibi non poterat secure morari, & si accessum haberet ad illam mortis sibi periculum imminere. Ne vero idem Archiepiscopus in vituperium Ministerii nostri defectum in temporalibus paciatur, Episcopatum *Karliolensem*, et Ecclesiam de *Meleburne*, cum omnibus pertinentiis eorum de munificentia ac liberalitate tua, ac concessione Venerabilis fratris nostri *Eborum* Archiepiscopi ei benigne collatis, de sedis Apostolicæ benignitate concedimus ad ipsius indigentiam sublebandam: Serenitatem Regiam monentes attentius et hortantes, quatenus eundem Archiepiscopum nostrarum præcum optentu, sic officiali pontificalis intuitu recommendatum velis habere, ejus necessitati compatiens & ipsius subveniens paupertati, & dona præsentia per illustrem munificentiam sic reddens ampliora, ut per hoc Regi Regum, qui Sacerdos in æternum videaris obsequium exhibere, cum illud quod Ministris ejus impenditur sibi protestatur impendi. Datum *Feremin.* Idus *Maii*. Pontificatus nostri Anno sexto. Nos autem juxta petitionem Domini Papæ præscriptam ipsi Archiepiscopo *Ragusi* prædictum Episcopatum *Karleolensem* de munificentia et libertate Regia (not by the Popes Authority or Provision) ei concessimus, mandantes vobis quatenus ei tanquam Pastori et Episcopo nostro in omnibus intendatis. Teste Domino *Canuariensi* Archiepiscopo, apud *Merleb.* Decimo die *Januarii*.

Sub eadem forma scribitur *Abbatibus, Prioribus, Archidiaconis, & omnibus Clericis Episcopatus Karliolensis.*

The same year there being many contests between the Dean and Canons, and *Geoffry* Archbishop of *York*, who by his Archiepiscopal Authority and violence, did much oppress them; the King upon their complaint, by his Royal Authority, and Letters Patents granted them this protection against him and his Instruments, for the Churches peace.

Pat. 5. Johan.  
Regis, m. 2.  
intus.

**R**EX, &c. Omnibus, &c. Sciatis nos suscepisse in pacem, custodiam, & protectionem nostram Decanum & Canonicos Sancti Petri Ebor. & omnes homines, res, redditus & possessiones eorum. Et ideo vobis mandamus & firmiter precipimus quod prædictos Decanum & Canonicos, & omnes homines, terras, res, redditus & possessiones eorum manu teneatis, custodiat, & protegat, & defendatis sicut nostra dominica: & ~~prohibemus~~ ne prædicti Decanus & Canonici ponantur in placitum de aliquo quod in pace tenuerint tempore Regis H. Patris nostri, vel Regis Richardi fratris nostri, vel tempore nostro, ~~quandiu controversia duraverit inter Archiepiscopum Eborac. et ipsos: Et si Archiepiscopus Eborac. vel aliquis Clericus, vel Laicus, prædictis Decano et Canonicis, vel Clericis, vel hominibus suis, in aliquo sortiam aliquam intulerit, vel eos in aliquo molestaverit: Precipimus quod sortiam illam statim facias amoveri, et id quod eis sortisfactum fuerit, sine dilatione emendari: Et corpora armatorum qui inventi fuerint, in rebus vel redditibus eorum qui sortiam aliquam eis fecerunt sine dilatione capiatis, nec dimittatis sine mandato nostro, vel Capitalis Justiciarii nostri.~~ Teste G. filio Petri, &c. Willielmo Briggner, Hugone de Nevill, apud Eboracum, Anno Regni nostri quinto.

\* Mat. Paris  
Hist. Angl.  
1204. p. 204.  
Mat. Westm.  
p. 81. Godwin  
in his Life, p.  
173.

Anno Domini  
1205.

This year \* Godfrid Bishop of Winchester deceasing, Petrus de Rupibus, a Knight and great Souldier, *vir equestris ordinis & in rebus bellicis eruditus*, Procurante Rege Johanne, ad Episcopatum electus, succeeded him, who going to Rome, *Ubi magnis Zenis liberaliter collatis, ad Ecclesiam Wintoniensem, maturavit Episcopus consecrari*, write Matthew Paris, and Matthew Westminster.

In the 6. year of King John, the Bishop, Dean and Chapter of Durham, the Dean and Chapter of York, with sundry other Deans and Chapters, Abbots and Priors, within the Province of York, to prevent the unjust arbitrary Excommunications, Suspensions, and Interdicts of Geoffry Archbishop of York, against their own Persons, Tenants, Lands, and Possessions, by reason of some differences between them concerning their Jurisdictions and Ecclesiastical Privileges, which they complained the Archbishop invaded, appearing before the King at York, did there in the Kings own presence appeal him before the Apostolick See, prefixing a certain day, to which the King by these Letters Patents gave his Royal testimony and assent, they not daring to appeal without his license.

Pat. 6. Johan.  
Regis m. 3.

**R**EX, &c. Omnibus, &c. Noverit universitas vestra, quod cum Dominus Phil. Dunelmensis Episcopus, Decanus & Capitulum Sancta Maria Eborac. de Selby, de Wichey, de Fontibus, de Riveal, de Rupe, de Ruchford, Abbates de Bridlington, de Wirksope, de Blithe, de Novo Burgo, de Kirkham, de Marton, de Beolton, de Sancto Oswaldo, Priores, coram nobis apud Eboracum, essent constituti, in præsentia nostra proposuerunt, quod in omnibus erant parati Domino Archiepiscopo Eborac. Canonicam obedientiam exhibere, salva reverentia quam debent \* Romana Ecclesia, & salvis privilegiis suis & libertatibus Ecclesiarum suarum. Ne autem prædictus Archiepiscopus motu propriæ voluntatis in terram nostram sive homines nostros, sive in ipsos vel homines suos, vel possessiones eorum aliquam sententiam excommunicationis, suspensionis, vel interdicti poneret, coram nobis ad sedem Apostolicam appellarunt, terminum in Octabis Sancti Andrea, appellationi prosequendæ præfigentes. Et quia appellatio illa coram nobis interposita, eidem per literas nostras testimonium perhibemus. Acta sunt ista apud Eborum, sexto die Martii. Anno, &c. Sexto.

\* The Bishop of Durham being formerly Exempted by Pope Clement Bull from obedience to him, to whom Pope Celestine with a Non obstante, by another Bull commanded him to submit. Chron. Johannis Brumpton, Col. 1224.

\* Mat. Westm.  
An. 1207.  
Mat. Paris An.  
1207. p. 212.  
Thomas Stubbs

Actus Pontif. Ebor. col. 1714. Holinshed, p. 163, 170. Godwins Catalogue of Bishops, p. 587, 588.

To conclude the story of this turbulent Archbishop of York, about two years after (Anno Dom. 1207.) \* King John and his Nobles meeting at Winchester, placing his hope and strength in his Treasures, required and received through all England, the 13. part of all movables and other things, as well of the Laity as of all other Ecclesiastical

persons



persons and Prelates; all of them murmuring at it, imprecating and \* wishing an ill event to such rapine, but not daring to contradict it. Only Geoffry Archbishop of York, not consenting, but openly contradicting it, privily departed from England, and in his recesses, **Anathematis sententia innotavit**, actually excommunicated all men specially within his Archbishoprick, making this rapine and levying this Tax, and in general all **In-baders of the Church or Ecclesiastical things**, for non-payment of this Tax. Wherewith the King was so highly offended, that he seized his temporalities, and banished him the Realm till his death, about 7. years after; *postquam per septennium pro libertate Ecclesia & executione justitia exilium passus est*, write \* Matthew Paris, and Matthew Westminster. Such was this Archbishops opposition to the Kings Prerogative and legal aydes esteemed by the disloyal Monks and Clergy of that age.

I am now arrived in my Chronological Method at the original occasion of the highest, longest-lasting, and most tragical contests between King John, and his traiterous perjured Monks, Bishops, Clergy, and the Pope confederating with them, and their most notorious Usurpations upon the undoubted Prerogatives of the Crown; King, Kingdoms of England and Ireland, ever acted on our English Theater in any age: the summe whereof is this.

Upon the death of Hubert Archbishop of Canterbury, Anno Dom: 1205. (the 6. of King Johns reign) there fell out an unhappy difference about the Election of a new Archbishop without the Kings license, against his Prerogative Royal, and afterwards upon a double election, which Pope Innocent the 3d. taking advantage of, vacated both, & forced the Monks at Rome against their wills, oaths, to elect Stephen Langton a Cardinal (his creature) whom he recommended to them, and consecrated Archbishop against the Kings consent; who refusing to admit him Archbishop, thereupon the Pope interdicted the whole Kingdom several years, next excommunicated, after that deposed the King from his Crown, which he gave to the King of France, absolved all his Subjects from their allegiance, and at last by force, menaces, and subtil persuasions, induced the King to resign his Crown, kingdoms to the Pope, and resume them from him as his feudatory. The Monks, Bishops, Popes Antimonarchical gradual Proceedings herein, with this Kings strenuous Oppositions against them for 8. whole years space, are briefly recorded by (a) many of our Historians, but most fully by Matthew Paris, and Matthew Westminster, from whom they extract their Narratives, whose relations thereof I shall present you with at large in their own stile, enlarged with additional Records not extant in them or other Historians, because the ground of all subsequent over-bold Papal and Prelatical Usurpations on the Crown, Kings, Kingdom, Church of England and Ireland.

(b) Defuncto itaq; Archiepiscopo Huberto tertio Idus Maii, antequam corpus ejus sepulturae traderetur, adolescentes quidam de conventu Cantuariensis Ecclesie, (timentes ne Rex mox suo electionem suam imperiret, adds Matthew Westminster) Rege non inquisito, so one; or as another of them expresseth it, **Regis consensu non requisito**, Reginaldum Subpriorem suum in Archiepiscopum eligerunt, & media de nocte post factam electionem, Hymno, *Te Deum Laudamus* cantato, prius super majus altare, ac deinde in Archiepiscopali Cathedra posuerunt; Verabantur enim, quod si electio sine Regis consensu ad ipsius aures pervenisset, ipse processum negotii impedire laboraret: (as he had cause) Unde nocte eadem idem Subprior, praestita cautione juratoria, quod sine licentia & literis specialibus Conventus se electum non gereret, vel literas Conventus de rato quas habebat, alicui promulgaret, assumptis secum de Conventu quibusdam Monachis, Curiam Romanam adivit. Hoc autem totum factum est, ut electio illa Regem lateret, donec probarent si rem inchoatam in Curia Romana possent perducere ad effectum. Sed electus praefatus, statim ut in Flandriam applicuisset, spreto quod fecerat juramento, se Cantuariensem esse electum, clara voce confitetur, & ad hoc Romanam se adire Curiam, ut factam electionem confirmaret. Literas insuper Conventus, quas de rato habebat, quibuscumque ostendit, credens in hoc causa suae meritum non mediocriter promoveri. Tandem vero Romanam perveniens, Electionem suam Domino Papa, & ejus Cardinalibus illico publicavit, literasque suas de rato palam omnibus ostendens, constanter a Domino Papa exegit, ut electionem factam, benignitate Apostolica confirmaret. Papa vero cum

\* They had forgotten Rom. 13. 6, 7, 8.

\* Hist. Angl. An. 1213. p. 124. Mat. Westm. p. 92.

Anno Domini 1205.

a Henry de Knyghton, de eventibus Angliae, l. 2. col. 2414, to 2424 Antiqu. Eccles. Brit. and Godwin in the Life of Stephen Langton, Mr. Fox Acts and Monuments, Edit. 1640. vol. 1. p. 320, to 333. the fullest of all others, Fabian, Holinshed, Caxton, Cris-ton, Daniel, Speed, Stow, Baker, and others in the life of King John. b Mat. Paris, Anno 1205. p. 204, 205. Mat. Westm. p. 82. \* Not is omitted in the printed Copies of Mat. Paris.

festinatione respondens; dixit se velle delibere donec maiorem haberet certitudinem de premissis, being glad of such an opportunity to wrest the disposition of this fat Archbishoprick out of the Monks and Kings hands too, to subject both the Church and Crown of England to his usurping power, which King John so strenuously opposed. To carry on this business, with as much art and disguise as was possible, Per idem tempus ad Monachos Ecclesie Cantuariensis contuendos, Papa Innocentius ejusdem Ecclesie suffraganeis scripsit sub hac forma.

Mac. Paris,  
Hist. p. 204.

**I**NNOCENTIUS Episcopus servus servorum Dei. Venerabilibus fratribus Universis suffraganeis Cantuariensis Ecclesie salutem, & Apostolicam benedictionem. Cum tempore Legis Mosaiacæ, quæ legitur ad perfectum neminem adduxisse, carnales parentes apud Carnalem populum in ea reverentia fuerunt & honore, ut qui eis malediceret, morte mori de mandato Domini juberetur, multo magis sub lege Gratiæ constitutos, quæ preciosissimo Christi sanguine rubriata portas aperit Paradysi, ne legis transgrediendo mandata, mortis damnationem incurrant; tanto convenit diligentius præcavere, quanto noscitur amplius formidandum animæ quam Corporis incurrere detrimentum. Si ergo Carnales Parentes tanta sint reverentia prosequendi; quid est de spiritualibus præsumendum? nisi ut sicut corpus spiritus superat dignitate, sic reverentia & honore spirituales parentes carnalibus præferantur. Hæc autem nos fratres præmississe noveritis, quia cum vestram debeamus desiderare salutem, veremur ne presens tribulatio, quæ vobis (ut dicitur) procurantibus suscitata est, Matrem Cantuariensem Ecclesiam, quam utique velut matrem tenemini revereri, vobis periculum generet animarum, & eidem Ecclesie tantum pariat detrimentum, ut quod dissensiosa contentio generabit, vix possit prolixiori temporum spatio restaurari. Quocirca universitatem vestram monemus attentius & hortamur in Domino, & per Apostolica scripta mandamus, quatenus diligentius attendentes, quid super his honori vestro expediat & saluti, non molestetis indebite Cantuariensem Ecclesiam matrem vestram: cujus honores & jura fidelitatis debito tenemini defendere, ne de vobis merito conqueratur & dicat; Filios nutritivi & exaltavi, ipsi vero me non solummodo non cognoscunt, sed & severissime persequuntur. Non autem perea quæ premissimus, vos a vestra prosequenda justitia dehortamur, sed Pia nos facit affectio trepidare, ne terminis statutis a patribus non contenti, alii faciatis injuriam ea occasione reperta quod velitis prosequi jura vestra. De cætero fratres, omnipotens Dominus illuminet mentes vestras, ut remota omni contentionis materia, debitum matri vestræ non negetis obedientiam, vel honorem, nec contra divinum, nec naturale mandatum aliis faciatis, quod vobis fieri non volitis. Datum Romæ, apud Sanctum Petrum sexto Idus Decembris, Pontificatus nostri Anno Octavo.

\* This Pope much forgot these Laws himself in this affair.

\* The King had then good cause to make choice of such a one.

Monachi interea Cantuarienses, cum de Supprie suo cognovissent, quod violato Juramento quod fecerat, statim ut in Flandriam applicuisset se Electum gesserat eorum detegendo secretum, commoti sunt vehementer contra eum, & continuo quosdam de Conventu Monachos miserunt ad Regem, requirentes ab eo licentiam Passorem sibi idoneum eligendi. Quibus Rex protinus, absq; omni conditione, benigne annuit quod petebant, et secretius eis alloquens ostendit eis Episcopum Norwicensem, \* magna sibi familiaritate conjunctum fore, ipsumq; solum ex omnibus Angliæ Prelatis secretorum suorum esse conscium. Unde sibi et regno suo magnum assererat provenire commodum, si eum ad Archiepiscopatum Cantuariensem transferre potuissent. Rogavit igitur Monachos, ut una cum Clericis suis, quos missurus erat ad conventum, hanc petitionem suam exponerent illis, multos Conventui promittens honores si ipsum exaudire decrevissent. Monachi vero ad propria reversi, Conventui, per opusculum retulerunt ea quæ sibi a Rege fuerant impetrata. Conventus autem ut Regem quem offenderant sibi reconciliarent, convenientes in Capitulo Johannem Norwicensem Episcopum unanimiter elegerunt; & illico quosdam de Conventu Monachos ad Electum dirigentes (qui tunc pro agendis rebus Regis apud Eboracum erat) mandantes ei, ut Cantuariam cum festinatione veniret. Nuntii quoq; præpositumiter expedientes Episcopum jam dictum apud Nottingham invenerunt, qui Regis expletis negotiis ad partes Australes properabat, veniensque

que ad Regem, Cantuariam simul profecti sunt: atque die sequenti maxima multitudo in Ecclesia Metropolitana concurrente, Prior Cantuariensis, Rege presente Electionem factam de Johannis de Gray Episcopo Norwicensi, palam cunctis pronuntiavit, & assumentes eum Monachi, cum Hymno *Tu Deum Laudamus*, portaverunt ad majus Altare, tandem in Cathedra Archiepiscopali illum collocantes: & hoc fuit seminarium totius sequentis discordiæ quæ per secula detrimentum, Angliæ generavit, & damnum irreparabile. Quo facto, Rex videntibus cunctis misit electum illum in possessionem rerum omnium ad Archiepiscopatum pertinentium, & sic singuli ad propria sunt reversi. Sicque in hac electione factus est novissimus error pejor priore, sicut rerum exitus evidenter ostendit.

The next year, 1206. Rex misit ad Curiam Romanam quosdam Cantuariensis Ecclesiæ Monachos, inter quos precipuus, erat *Magister Helias de Brantefeld*; quibus de fisco copiosas (e) Rex ministravit expensas, ut electionem de Episcopo Norwicensi fallam, impetrarent a Domino Papa confirmari. Miserunt autem eodem tempore, Episcopi Cantuariensis Ecclesiæ suffraganei procuratores Romam, gravem coram Domino Papa querelam proponentes, Quod videlicet Monachi Cantuarienses sine illis electionem temere Archiepiscopi præsumpissent celebrare. Cum ipsi una cum illis de jure communi & consuetudine antiqua electioni interesse debuissent Allegarunt etiam procuratores memorati super premissis Decreta & exempla, quosdam testes producentes, & literas testimoniales exhibentes, quibus ostendere nitebantur, quod ipsi suffraganei una cum Monachis tres Metropolitanos eligerunt. Monachi vero e contrario asseriebant, quod privilegio speciali Romanorum Pontificum, & de consuetudine approbata, & antiqua, sine Episcopis Electiones facere consueverant, quod etiam per testes idoneos docete promiserunt. Auditis hinc inde allegationibus, testibusq; admissis & diligenter examinatis, prefixus est dies a Domino Papa paribus, duodecimo scilicet Calend. Januarii ad pronuntiandum, ut tunc venient, quod jus dictaverit recepturi.

Eodem Anno (f) *Johannes Erentius* Apostolicæ sedis Legatus Veniens in Angliam, eamq; perlustrans, magnam pecuniam summam congeffit, & tandem apud Raddingum in Crastino Sancti Luca Evangelista Concilium celebravit. Quo facto, sarcinulis cum magna cautela dispositis & prudenter commendatis, festinus viator ad mare perveniens Angliam a tergo salutavit: his business being only to exact money. (g) Circa dies istos, Papa Innocentius suffraganeis Cantuariensis Ecclesiæ Episcopis sententiam diffinitivam sub hac forma direxit. Majores Ecclesiæ causas ad sedem Apostolicam referendas, & Canonica tradit auctoritas, & approbata consuetudo declarat: cum igitur inter vos, & dilectos filios nostros Priorem, & Monachos Cantuariensis Ecclesiæ, super jure illius Archiepiscopi eligendi controversia verteretur, proponentibus vobis quod tum ex jure communi, tum ex antiqua consuetudine, una cum illis debetis ipsius Archiepiscopi electionem celebrare. Illis autem e contrario respondentibus, quod de jure communi & privilegio speciali; & de consuetudine approbata & antiqua Cantuariensem Archiepiscopum eligere deberent sine vobis, lite coram nobis per procuratores idoneos super hoc legitime contestata, diligenter audivimus, quæ partes in presentia nostra proponere curaverunt. Pars siquidem vestra & decreta pariter & exempla studuit allegare, quosdam testes producens, & testimoniales literas exhibens quibus ostendere nitebatur, quod vos tres Metropolitanos elegeratis una cum illis: cum per literas & attestations sit probatum vos & alio loco & alio tempore non sine illis, electiones hujusmodi celebrasse. Testes autem producti ex parte Monachorum, legitime probaverunt, quod Prior & Convencus Cantuariensis Ecclesiæ a longis retro temporibus electiones Episcoporum in Capitulo suo, sine vobis usq; ad hæc tempora celebrarunt, & easdem obtinuerunt a sede Apostolica confirmari. A nobis etiam & predecessores nostros, per privilegii paginam est statutum, ut decedente Archiepiscopo Cantuariensi, nullus ibi qualibet surreptionis astutia seu violentia proponatur, nisi quem communi consilio, major pars Monachorum sanioris consilii, secundum Dominum & sacrorum Canonum sanctiones providerit eligendum. Nos igitur his & aliis, quæ coram nobis allegata sunt, auditis & perspicaciter intellectis, quia constat evidenter, quod vos sine illis secundum assertionem vestram eligere non debetis, Monachis exclusis vestra non valet electio; & electio Monachorum sine vobis celebrata, quia a sede Apostolica meruit confirmari valebat. Cumque necessarium fuerit alterutrum confirmare, de communi fratrum nostrorum consilio vobis & successoribus vestris super jure

Anno D. 1206.  
(e) Mat. Paris  
p. 205. Mat.  
Westminster,  
p. 82. 83.

(f) Mat. Paris,  
p. 206.

(g) Mat. Paris  
p. 206. 207.

\* That custom  
was then very  
new: see Bern-  
ard de consi-  
deratione et  
Eugenium Pa-  
pam, l. 3.

Can.



*Cantuariensem Archiepiscopum eligendi, silentium perpetuum imponimus, & Monachos Cantuarienses ab impetitione ac molestatione vestra, & successorum vestrorum per sententiam diffinitivam absolvimus, Auctoritate Apostolica decernentes, ut Monachi Cantuariensis Ecclesia & successores eorum de cetero Archiepiscopum eligant sine vobis. Datum Roma apud Sanctum Petrum Duodecimo Kalendas Januarii, Pontificatus nostri Anno Nono.*

The King in the mean time writes Letters of thanks to all the Notaries, Chaplains, and other Officers of the Pope at *Rome*, for their assistance, and advice to his Agents in this business, and likewise imparts his mind to the suffragans of *Canterbury* concerning it by his chief Justice, not mentioned by our Historians.

Pat. 8. Johan.  
m. 2. incus.

**R**EX dilectis Amicis suis Venerabilibus viris suis omnibus Domini Papa Notarius & Capellanus, &c. Grates vobis referimus multiplices, eo quod ad negotia nostra in Curia promovenda nunciis nostris auxilium & consilium benigne prestatis, qui se multum laudant de vobis. Remittimus autem ad Curiam fideles nostros Abbatem de *Bello loco*, *Thomam de Ardinton*, & *Anfridum de Dena*, dilectionem vestram rogantes attentius, quatinus eis subveniatis in negotio Cantuariensis Ecclesia promovendo, iuxta dignitatem nostram et consuetudinem regni nostri vobis saepius expositam, ita quod de Devotis vobis efficiamur devotiores. Teste Domino *Petro Wintoniensi* Episcopo apud *Rochingham* Viceesimo die Februarii.

Pat. Johan. Re-  
gi; m. 4.

**V**enerabilibus Patribus in Christo, *Universis Episcopis Cantuariensis Ecclesia* suffraganeis, J. Dei gratia, &c. Rogamus vos attentius quatinus sicut honorem & utilitatem Regni nostri & Ecclesia Anglicana diligitis & desideratis, ea qua Justitarius noster vobis ex parte nostra proponet super provisione Ecclesia Cantuariensis diligenter & celeriter exequi studeatis, quia negotium illud magnam instantiam desiderat. Teste me ipso apud *Porec*. Viceesimo Sexto die Maii. What this business was is not expressed in particular, but in general, it was to preserve the rights and Dignity of the Crown, in relation to the See of *Canterbury*, to own him only for Archbishop, who was elected by his Royal assent.

Not long after, the Pope summoned the Monks of *Canterbury* the second time before him concerning the election of the Arch-bishop, to vacate both Elections, and enforce them to a new; thus related by \* *Matthew Paris*.

Historia Angliæ p. 212.  
213. Mar.  
West. 84. 85.

**C**irca dies istos, steterunt *Roma* coram Domino Papa, Monachi Cantuariensis Ecclesia, turpem admodum causam ad invicem agitantes. Nam quadam pars eorum per literas Conventus de rato presentaverunt *Reginaldum Suppriorem Cantuariensem*, sicut multoties fecerant Electum ad Archiepiscopopatum, instantius postulantes, ut ejus electio confirmaretur. Altera vero pars eorundem Monachorum per literas similiter de Rato, presentaverunt *Johannem Episcopum Norwicensem* multis rationibus ostendentes, electionem de Supprie nulla esse, tum quia facta erat de nocte, et sine solemnitate et assensu Regis, tum quia a majori & saniori parte Conventus non fuerat celebrata, sicque his rationibus propositis, petierunt ut illa electio confirmaretur, qua clara luce diei. Rege presente et consentiente, cum testibus idoneis extitit celebrata. His auditis & perspicaciter intellectis, procurator Supprioris allegavit, secundam electionem irritam esse & inanem, quia qualiscunq; esset prima electio, sive justa, sive injusta, debuerat prima Cassari, antequam secunda celebraretur electio. Unde constanter postulabat, ut prima electio rata haberetur. Denique post longas hinc & inde disceptationes, cum Dominus Papa intellexisset partes in unicam personam non posse convenire, atque utramque electionem vitiosa & non secundum sacrorum Canonum sanctiones celebratam fuisse, de consilio Cardinalium suorum ambas cassavit, partibus diffinitione Apostolica interdicens, & per sententiam diffinitivam statuens, ne de cetero ad Archiepiscopatus honores alteruter Electorum aspires. Summatim hac fuit causa & seminarium Erroris. Rex posuerat verbum suum in ore duodecim Monachorum Cantuariensium, ut quemcunq; eligerent, ipse acceptaret. Convenerat autem inter Regem & eos, prestito juramento, & fidei interpositione, quod nullo modo alium, quam *Johannem Episcopum Norwicensem* eligerent. Habebant & similiter Literas Regis.

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This crafty Pope vacated both these Elections on purpose to force the Monks to elect whom ever he should commend unto them, against the right of the Kings Crown, to grant Licences to elect, and approve the Arch-bishop when elected, that so having wrested out of his hands, the disposition of the See of the Primat and Metropolitan of all *England* to confer it on his own creatures, he might rule both the Church and Kingdom at his pleasure; in pursuance of which design the perfidious Monks complied with him against the King: as the Historian thus relates. \* Sed ipsi Monachi, postquam intellexerunt electionem dicti *Johannis Papa nimis displicere & cassari*, suggerentibus Cardinalibus & Domino Papa; & affirmantibus licere eis eligere, quemcunq; vellent, ut secrete electionem celebrarent, si strenuum & precipue Anglicum eligerent, elegerunt per consilium *Papa Magistrum Stephanum de Langton Cardinalem*, quo non erat major in *Curia*, imo nec ei parem moribus & scientia. Ex tunc igitur non potuit ei *Papa in multiformi tribulatione deesse*.

\* Mat. Paris, p. 113.

**C**Assatis itaque Electionibus memoratis *Dominus Papa nolens diutius sustinere, ut gregi domino cura deesset Pastoralis* (the ground of all subsequent provisions to Bishopricks) persuasit Monachis Cantuariensis, qui procuratores coram eo constituti fuerant pro negotio Ecclesie *Cantuariensis*, ut eligerent Magistrum *Stephanum de Langton, Presbyterum Cardinalem*, virum in literali scientia tum discretum, & moribus ornatum, asserens ipsius promotionem, tam ipsi Regi, quam universae Ecclesiae Anglicanae plurimum profuturam. Monachi vero adhuc respondentes asserabant, non licere prater Consensum Regium et sui Conventus Canonicam electionem celebrare. At Papa, quasi rapiens verbum ex Ore ipsorum dixit: *sciatis vos plenariam habere in Ecclesia Cantuariensi potestatem, nec et super electionibus apud sedem Apostolicam celebratis*, \* solet assensus Principum expectari. Unde vobis qui tot & tales estis, quod pleno suffragio ad electionem, in virtute obedientiae, et sub pena anathematis precipimus, ut illum in Archiepiscopum eligatis, quem Nos damus vobis in Patrem et Pastorem animarum vestrarum. Monachi quoq; excommunicationis sententiam incurere metuentes, licet inditi et cum murmuratione assensum tamen praeberunt. Solus ex omnibus Monachis Magister *Helias de Brantefeld*, qui pro parte Regis & Episcopi *Norwicensis* advenerat, noluit consentire. Ceteri autem omnes cum Hymno *Te Deum Laudamus*, electum memoratum ad Altare detulerunt. Deinde Decimo Quinto Kalendas Julii in Civitate *Victrii*, a Papa prefato munus consecrationis suscepit. The Pope to salve this grand encroachment on King *John* and the Crown of *England*, endeavoured by gifts and complements to pacifie and court him out of it: To which purpose,

Mat. Par's Hist. Angl. p. 213. 214. Mar. Westm. p. 85. 86. Mat. Parker on the life of Stephen Langton.

\* This Pope could produce no President to prove this pretended custom.

Sub eisdem diebus, *Innocentius Papa cupiens in proposito suo Regem Johannem habere favorabilem*, quia cognoverat eundem *Johannem* cupidum esse, & diligentem inquisitorem & acquisiteorem Gemmarum pretiosarum, misit ei hanc Epistolam cum tali Xenio quod in eadem potest perpendi. *Innocentius Papa tertius, Johanni Regi Anglorum &c.* Inter opes terrenas, quas mortalis oculus concupiscit, & quasi clariora desiderat, aurum, obrizum & lapides pretiosos principatum credimus obtinere. Licet autem his & aliis divitiis vestra regalis abundet excellentia, in signum tamen dilectionis & gratiae, quatuor Annulos Aureos cum diversis lapidibus pretiosis, tuae magnitudini, destinamus. In quibus te volumus specialiter intelligere, formam, numerum, materiam, & colorem, ut mysterium potius quam donum attendas. *Rotunditas* enim Eternitatem significat, quae initio caret & fine. Habet ergo Regalis discretio quod in forma requirat, ut de terrenis transeat ad caelestia, de temporalibus ad aeterna procedat. *Quaternarius* autem qui numerus est quadratus, constantiam mentis significavit, quae nec deprimi debet in adversis, nec in prosperis elevari, quod tunc laudabiliter adimplebit, cum quatuor virtutibus principalibus fuerit ordinata, viz. Justitia, Fortitudine, Prudentia, Temperantia. Intelligas ergo in primo, Justitiam quam exerceas in judiciis. In secundo; Fortitudinem quam exhibeas in adversis. In tertio, Prudentiam quam observes in dubiis. In quarto, Temperantiam quam in prosperis non demittas. Per aurum vero sapientia designatur, Quia sicut Aurum praeminet metallis universis, sic sapientia donis omnibus

Mat. Paris, p. 214. 215.

\* Munera quidem magna misit, sed misit in hunc.

omnibus antecellit. Propheta testante : Requiescet super eum spiritus sapientiæ, &c. Nihil est autem quod Regem magis oportet habere. Unde Rex ille pacificus *Solomon*, solo a Domino sapientiam postulavit, ut populum sibi commissum perinde sciret gubernare. Porro *Smaragdi* Viriditas fidem, *Saphiri* serenitas spem, *Granati* rubicunditas Charitatem. *Topatii* Claritas operationem bonam significat, de qua Dominus; Luceat Lux vestra. Habes igitur in *Smaragdo* quod credas, in *Saphiro* quod speras, in *Granato* quod diligas, in *Topatio* quod exerceas, ut de virtute in virtutem ascendas donec Dominum Deorum videas in Sion. Hæc autem cum ad Regis presentiam pervenissent, primo grātanter ei complacuerunt, sed post non multos dies subsequentes aurum, obrizum, in scoriam, & derisum, gemmæ in gemitus amor in rancorem, sicut sequens sermo declarabit, sunt flebiliter commutata, ut ex sequentibus constiterit.

\* Mat. Paris,  
p. 214.

\* Mat. Paris, p.  
215, 216.  
Mat. Westm.  
p. 86.

Noxi.

\* Mat. Paris  
Hist. Angl. p.  
215, 216.  
\* See Fox AAs  
& Monuments  
vol. 1. p. 325.

\* His ita gestis Papa *Innocentius* Regi *Anglorum* literas direxit, exhortans humiliter & devote, ut Magistrum *Stephanum* de *Langetune*, Sancti *Chrysogoni Presbyterum Cardinalem*, ad Archiepiscopatum *Cantuariensem* Canonice electum, benigne susceperet, & qui de Regno suo originem ducens, non solum in sæcularium scientia literarum Magistri nomen promeruit, sed & Doctor esse in Theologicis disciplinis. Et cum præcipue vita ipsius & mores scientiæ magnitudinem excedant, ejus persona tam animæ suæ quam corpori erit non mediocriter profutura. Denique cum multis in hunc modum verbis tam blandis quam persuasoriis Regem ad consensum inducere perstitisset, Priori & Monacho *Cantuariensibus*, per literas in virtute Sanctæ obedientiæ præcepit, ut Archiepiscopum jam dictum in pastorem susceperent, eique in temporalibus simul & spiritualibus humiliter obedirent. \* Cumque tandem Literæ Domini *Papæ* ad Regis *Anglorum* notitiam pervenissent, Iratus est Rex vehementer de promotione Magistri *Stephani*, pariter & *Normicensis* cassatione, **crimenque proditi-  
onis in Monachos Cantuarienses refundere satagebat.** Dixit enim quod in præjudicium iuræ libertatis, sine ipsius licentia Supporem suam elegerant, & postmodum, ut quod male gesserant, quasi sibi satisfaciendo palliarent, eligerunt Episcopum *Normicensem*, & pecuniam de fisco accipientes ad itineris expensas, ut electionem de Episcopo memorato factam apud sedem Apostolicam impetrarent confirmari, in cumulum iniquitatis suæ elegerunt ibi Stephanum de Langetune, inimicum suum publicum, eumque fecerunt in Archiepiscopum consecrari : Ob hanc quoque causam idem Rex in furorem versus, et indignationem, misit Fulconem de Cantelou, & Henricum de Cornhelle, Milites Crudelissimos et humanitatis ignaros cum ministris armatis, ut Monachos *Cantuarienses*, sicut crimine læsæ majestatis reos, a Regno Angliæ expellerent, vel sententia Capitali condemnarent. Illi autem mandatum Domini sui non segniter exequentes, *Cantuariam* sunt profecti, et nudatis Ensisbus Monasterium ingressi, voce furiosa Priori et Monachis ex parte Regis præceperunt, ut velut Proditores Regiæ Majestatis, incontinenti de Regno Angliæ exirent. Et si hoc facere noluissent, affirmaverunt cum Juramento, quod ipsi injecto igne, tam in ipso Monasterio, quam in aliis officinis omnes illos cum sp-  
sibus ædificiis concremarent. Monachi vero nimis inconsulte agentes, sine violentia et omni manuum injectione, recesserunt omnes præter Tredecim valetudinarios; qui in domo infirmorum jacentes, incedere non valebant. Et protinus trajecti in *Flandriam*, in Abbacia Sancti *Bertini* honorifice recepti sunt, & in aliis Monasteriis transmarinis. Deinde jubente Rege substituti sunt in Ecclesia *Cantuariensi* Monachi quidam de Sancto *Augustino*, ad Ministrandum ibidem, Fulcone præfato procurante, imo omnia bona eorumdem Monachorum distrahente, et confiscante, ter-  
ris tam Archiepiscopi quam Monachorum remanentibus incultis. Exierunt autem Monachi sæpe dicti, de Monasterio suo in exilium.

(a) Exclusis hoc ordine Monachis *Cantuariensibus*, (b) Rex *Anglorum* *Johannes* ad Papam nuncios cum literis direxit, in quibus expresse et quasi comminando ipsum arguebat, quod electione *Normicensis* Episcopi turpiter repulsa, Stephanum quendam de *Langetuna* sibi penitus ignotum, et in Regno *Francorum* inter hostes



hostes suos publicos diutissime conuersatum, fecerat in Cantuariensem Episcopum consecrari. Et quod magis in prejudicium, et subversionem Libertatum ad Coronam suam spectantium redundat, ipsius Consensu a Monachis qui illum postulasse debuerant, nec rite requisito, eundem Stephanum temere promovere præsumpsit. Unde assererat se sufficienter admirari non posse, quod tam ipse Papa quam uniuersa Curia Romana ad memoriam non reducant, in quantum ejus dilectis Romanæ sedis fuerit hactenus necessaria, in hoc rationis oculum non figentes, quod uberiores sibi fructus perueniant de Regno suo Angliæ quam de omnibus Regionibus citra Alpes constitutis. Addit insuper, quod pro Libertatibus Coronæ suæ stabit si necesse fuerit, usque ad mortem; immutabiliter asserens se non posse ab electione simul et promotione Norwicensis Episcopi quam sibi utilem intelligit, reuocari. Tandem negotii summam in hoc conclusit, quod si de præmissis non fuerit exauditus, omnibus Romanæ petentibus maris semitas angustabit: ne terra sua diutius evacuata ipsi minus ad hostes ab ea depellendos sufficiat. Et cum Archiepiscopi, Episcopi, et alii Ecclesiarum Prelati, tam de Regno Angliæ, quam aliarum terrarum suarum, in omnium scientiarum plenitudine sufficienter abundant, si necessitas coegerit, extra terras suas Iustitiam vel Iudicium ab alienigenis non Eminentabit: A most royal, heroick, just and equal resolution.

Nota.

Nota.

Cumque hæc omnia ad Domini Papæ audientiam, per Regis nuntios pervenissent Regi Anglorum scripsit in hæc verba, which are very High, arrogant, menacing, and Antimonarchical, displaying his Antichristian pride and spirit.

Mar. Paris p.  
215, 216.  
Fox Acts and  
Monuments,  
vol. 1. p. 325,  
326.

**I**NNOCENTIUS Episcopus Servus Servorum Dei, Charissimo in Christo Filio, Johanni illustri Anglorum Regi salutem, & Apostolicam Benedictionem. Cum super negotio Cantuariensis Ecclesiæ nos tibi scripserimus, humiliter, diligenter, benigne exhortando ac rogando, tu nobis (ut salva pace tua loquar) rescripsisti quasi comminando, et exprobando contumaciter et proterve. Et cum nos tibi supra jus deferre curemus, tu nobis secundum jus deferre non curas, minus quam deberet attendens, quod si tua nobis devotio plurimum est necessaria, nostra tamen tibi non parum est opportuna. Cumque nos in tali Casu tantum honorem nulli Principum detulimus quantum tibi, tu nostro tantum derogare attendis honori, quantum in simili casu nullus Princeps derogare præsumpsit, quasdam frivolas occasiones pretendens, quibus asseris, quod Electioni de dilecto filio nostro Magistro Stephano, titulo Sancti Chrysogoni Presbytero Cardinali a Monachis Cantuariensibus celebratæ, non potes portare consensum, quia videlicet inter tuos est conuersatus inimicos, et persona ejus est tibi propterea ignota. Porro juxta proverbium Solomonis, frustra jacitur rete ante oculos pennatorum, cum intelligamus illud, ei non esse imputandum ad culpam, sed ad gloriam potius adscribendum, quod Parisius diu vacans liberalibus studiis, in tantum profecit, ut meruerit esse Doctor, non solum in liberalibus facultatibus, verum & in Theologicis disciplinis. Ac si per hoc cum vita concordet Doctrinæ, dignus est habitus præbendam obtinere Parisiensem. Unde mirabile gerimus, si vir tanti nominis de tuo regno ducens originem, tibi potuit esse saltem quoad famam ignotus, præsertim cum ter scripsisses illi postquam nobis extitit in Cardinalem promotus: quod licet disposueris eum ad tuæ familiaritatis obsequium evocare, gaudebas tamen quod ad majus erat officium sublimatus. Sed illud potius te attendere decuisset, quod in terra tua natus est, de parentibus tibi fidelibus ac devotis, quodque in Eboracensi Ecclesia fuerat Prebendatus, quæ longe major & dignior quam Pariacensis existit. Unde non solum ratione carnis & sanguinis, verum & obtentu ecclesiastici beneficii & officii, te ac regnum tuum affectu sincero diligere comprobatur. Nuncii vero tui causam nobis aliam expresse-  
runt, quare non præstitisti ejus electioni consensum, quia videlicet

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nunquam fuerat requisitus ab illis, qui eum a te debuerunt postulare, asserentes quod literæ illæ quibus mandavimus, ut super hoc negotio procuratores ad nos idoneos destinare, ad te minime pervenerunt. Et Monachi Cantuarienses, quamvis pro aliis negotiis ad tuam presentiam accessissent, pro postulando tamen consensu nec literas, nec nuncios direxerunt; Unde iidem nuncii cum multa instantia nobis supplicarunt, quatinus **ex quo nobis complacuit hanc tibi honorificentiam reservare, ut Monachi & Cantuarienses regium postularunt assensum, quoniam hoc factum non erat, dilationem congruam concedere dignaremur, infra quam posset id fieri, ne iuri tuo contingeret derogari.** Contra personam Electi quiddam ad ultimum proponentes, quod cum manifeste factum sit, Ostium oris claudere debuissent, presertim cum si verum esset, promotionem ejus jam impedire non posset. **Licet autem super Electionibus apud sedem Apostolicam celebratis, non consueverit assensus Principum expectari,** Duo tamen Monachi fuerunt specialiter deputati; ut ad te pro requirendo assensu venirent, qui apud Ydivoriam fuerunt retenti, ut injunctum tibi mandatum exequi non valerent, & præfatæ literæ de procuratoribus ad nostram præsentiam destinandis, tuis fuerunt Nuntiis assignatæ, ut eas tibi fideliter præsentarent. Nos quoque qui super eandem Ecclesiam Cantuariensem plenitudinem potestatis habemus, regium super hoc dignati sumus implorare favorem. Et Cursor noster qui Apostolicas tibi Literas præsentavit, literas quoque Prioris ac Monachorum, qui ex mandato totius Capituli Cantuariensis Celebraverunt electionem memoratam, **super assensu præstendo, Regiæ sublimitati porrexerit. Ideoque non vidimus oportere denuo post hæc omnia regium postulare consensum.** Sed illud Agere disposuimus, non declinantes ad dextram vel ad sinistram, quod Sanctorum Patrum Canonice functiones, statuunt faciendum, ut videlicet nihil moræ vel difficultatis relictis dispositionibus auferatur ne gregi Dominico diu desit cura Pastoralis. Quocirca vel discretionis tuæ vel Regali prudentiæ suggeratur a quoquam, quod aliquatinus valeat a consummatione hujus officii revocari, *quoniam absque vi & dolo canonice sit Electio de persona idonea concorditer celebrata, sine damno fama & periculo conscientie differre non possemus.* Tu ergo Fili Charissime, cujus honori supra jus deferri curavimus secundum jus, nostro studeatis honori deferre, ut gratiam divinam & nostram uberius merearis, ne forte si secus egeris, in eam te difficultatem inducas, de qua non facile valeas expediri, cum tandem oporteat eum vincere,\* cui spectatur omne genu Cælestium, terrestrium & infernorum, **Atque nos vices in terris, licet immeriti exercemus. Ne igitur eorum consiliis adquiescas, qui tuam semper turbationem desiderant, ut melius possint in aqua turbida piscari, sed nostro beneplacato te committas, quod utique tibi cedet ad laudem, gloriam et honorem. Quia non esset tibi tutum in hac causa Deo et Ecclesiæ repugnare, pro qua beatus Martyr et Pontifex Gloriosus Thomas sanguinem suum recenter effudit, presertim ex quo Pater et Frater tuus claræ memoriæ tunc Reges Anglorum in manibus Legatorum Apostolicæ sedis illam præavam consuetudinem abjurarunt. Nos autem si nobis humiliter acquieveris, sufficienter tibi & tuis providere curabimus, ne super hoc valeat vobis aliquod prejudicium generari. Datum Laterani, Pontificatus nostri Anno Decimo.**

Nota.

\* The contrary appeared in both.

\* Phil. 2. 9, 10.

An.Dom. 1208 King John being no ways courted out of, nor terrified from his Royal Rights (and Dignities by the courtship or menaces of Pope Innocent, thereupon Anno Dom. 1208. he thus most injuriously proceeded against him.

Mat. Paris, Hist. Angl. p. 216, 217.

**I**NNOCENTIUS Papa, cum Regis Johannis Anglorum cor adeo induratum didicerat (*when as his own heart rather was thus hardened*) quod nec blandis ejus admonitionibus nec asperis comminationibus adquiesceret, ut Stephanum Cantuariensem Archiepiscopum recipere vellet, tactus dolore cordis intrinsecus *Willielmo Londinensi*

dinens, Eustachio Elyensi, & Malgero Wigornienſi Episcopis, de consilio Cardinalium suorum dedit in mandatis, ut accedentes ad Regem memoratum, ipsum pia sollicitudine pro negotio Cantuariensis Ecclesiæ convenirent, salubriter exhortantes in Domino, quatenus eo pacto se vinci à Deo permetteret, ut victus Domini vinceret, ipsumque cui servire, regnare est, in sui favorem provocaret. Quod si forte ipsam contumacem, sicut hactenus extitit, invenirent et Rebellem, Regnum Angliæ totum sub Interdicto concluderent, Auctoritate ei Apostolica denunci-antes: Quod si per hoc pertinaciam suam non duceret corrigendam, ipse manum adhibere curaret Graviozem, cum necesse sit eum vincere, qui pro salute Ecclesiæ Sanctæ Diabolum, et ejus Angelos debellans, claustra Tartarea spoliabit. Suffraganeus quoque Cantuariensis Ecclesiæ Episcopis, aliisque illius Diocesis Prelatis in virtute obedientia per sedis Apostolica literas expressit, ut Archiepiscopum præfatum in Patrem susciperent & Pastorem, tique charitate debita obsequere curarent. Hereupon Londoniensis, Elyensis, atque Wigornienſis Episcopi, ex adjuncto sibi delegationis Officio, ( being more obsequious to the Popes illegal, then their Kings lawfull mandates ) Regem Johannem adeuntes, mandatumque sibi Apostolicum per ordinem exponentes, humiliter lacrymisque profusis supplicabant, quatenus Dominum habens præ oculis, Archiepiscopum Cantuariensem & Monachos ad Ecclesiam suam revocaret, honoraret, & eos charitate perfecta diligeret, scandalum interdicti evitare curaret; ut per hoc retributor meritorum & potentiam sibi multiplicare dignaretur temporalem, & gloriam post Mortem largiretur sine fine mensuram. Cumque idem Episcopi pro ejus salute vellent protrahere sermonem, Rex quasi in furiam versus, contra Dominum Papam et ejus Cardinales in verba blasphemiarum prorupit, jurans per dentes Dei, quod si ipsi vel alii quicunque ausu temerario terras suas supponerent Interdictæ, ipse incontinenti universos Angliæ Prelatos, Clericos pariter et ordinatos, ad Papam mitteret, et bona eorum omnia confiscaret. Addit etiam, quod Romanos quoscunque sive in quibuscunque terris suis reperiri potuissent, erutis oculis naribusque præcisis, Romanam destinaret: At his intersignis a cæteris possent nationibus ibidem discerni. Ipsiſ insuper Episcopis expresse præcepit, quatenus cum summa festinatione a suo conspectu recederent, si suorum corporum vellent scandali discrimine evitare. A most Heroick, Royal resolution, worthy a King of England, thus affronted by a Tyrannizing Usurping Pope, and perfidious Bishops.

Nota.

The King before this final harsh Answer given to them, had condescended as far as possible to gratifie the Pope in receiving Stephen Langhron to be Archbishop of Canterbury, upon these Bishops first acquainting him with the Popes mandate to them, promising to do any thing therein which his Council should think fit and reasonable, saving in all things to him and his Heirs the right and dignity of the Crown belonging to them, as appears by his Letters Patents to these Bishops, attested by 7. Earls, and 3. Barons, ( which our Monkish Historians conceale ) near 3. months before the Interdict.

**R**EX, &c. Londoniensis, Elyensis, & Wigornienſis Episcopis salutem. Sciatis quod parati sumus obedire Domino Papæ sicut debemus, & mandatum ejus super negotio Cantuariensis Ecclesiæ ad vos directum, quod nobis ostendisti implere, cum concilio fidelium nostrorum sicut decet secundam rationem: Salvis nobis in omnibus et herædibus nostris, jure nostro, et dignitate nostra, et libertatibus nostris. Testibus G. filio Petri, Comite Essex, R. Comite Cestrie, W. Comite Arundell, W. Comite Sarisburienſis. fratre nostro, R. Comite de Clara, S. Comite Winton, A. Comite Oxon, R. filio Rogeri, R. Constab. Cestrie, W. Bricwer. apud Lameli. Vicesimo primo die Januarii.

Pat. 9. Johan.  
Regis, m. 3: n.  
22.

But the Bishops would admit of no such terms or conditions, but the King must absolutely part with his Right, that so the Pope from thenceforth might dis-



pose of the Archbishoprick of *Canterbury* and all other Bishopricks in *England*, *Wales* and *Ireland* ( by this President ) if submitted to, at his pleasure. Whereupon the King commanded them to deliver these his Letters Patents to his chief Justice, *saving his right and dignity*, before the Interdict pronounced by them, as this Record informs us.

R Pat. 9 Joh n.  
7 egis, m. 2. n.

**R**EX, &c. *W. London*. Episcopo, &c. Mandamus vobis quod literas nostras Patentes quas fecimus vobis & sociis vestris executoribus mandati Apostolici super negotio *Cantuariensis* Ecclesie adimplendo, *salvo jure et dignitate nostra*, tradatis Justiciario nostro *G. filio Petri*. Et in hujus rei Testimonium vobis has literas nostras Patentes inde mittimus. Teste meipso apud *Subant*, Vicesimo tertio die *Marcii*.

During the Kings Treaty with the Bishops, *Simon Langton* the pretended Archbishop's Brother, repaired to the King at *Winchester*, intreating him in the presence of the Bishops to admit his Brother to the Archbishoprick, which he proffering to do, *saving only his right and dignity*: So soon as ever the King began to mention it, he presently replied in an insolent manner, *That he would do nought for the King therein, unlesse he would wholly referre himself into his hands, without any such saving*. Which he and the Bishops concealing from the people, and raising false scandalous rumors touching the Kings proceedings herein, to alienate his Subjects affections from him, the King thereupon was enforced by his Letters Patents and Proclamations, to publish the truth thereof to all his Subjects in *Kent*, ( most concerned therein, being under the Archbishop's Jurisdiction, and most of them Tenants to the Archbishoprick ) to undeceive them.

Pat. 9. Johan.  
Regis, m. 2. n.  
15.

**R**EX, &c. Omnibus hominibus totius *Kancia*, &c. Sciatis quod Magister *Simon de Langton*, venit ad nos apud *Wintoniam*, die Mercurii proximo ante mediam quadragesimam, & coram Episcopis nostris rogavit nos, quod Magistrum *S. de Langton*, Fratrem suum reciperemus in Archiepiscopum *Cantuariensem*: Et cum loqueremur ei de salvanda nobis in hoc dignitate nostra, dixit nobis, quod nichil nobis inde faceret nisi ex toto poneremus nos in manum suam. Hoc autem vobis mandamus, ut sciatis malum et injuriam nobis in hac parte factam. Et mandamus vobis quod credatis hiis quæ Regin. *Cornehull*, vobis dixerit ex parte nostra, de facto præfato ibidem inter nos et prædictos Episcopos et ipsum *Simonem* facto, et de facienda super hoc præceptum nostrum. Teste meipso apud *Winton*, Decimo quarto die *Marcii*.

The King during this Treaty with the Bishops, to preserve the Rights of his Crown, committed the custody of the Temporalities of the Priory of *Christ-Church*, and Archbishoprick of *Canterbury*, to certain Commissioners during his Royal pleasure, by these Patents.

Pat. 9. Johan.  
Regis, m. 3. n.  
21.

**R**EX, &c. *Fulconi de Kantilupo*, & *Reginaldo de Cornubia*, &c. Sciatis quod commissimus Magistro *Radulpho de Sancto Martino*, & *Roberto de London*. custodiam Ecclesie Christi *Cantuariensis*, cum omnibus quæ ad interiora ejusdem Ecclesie spectant, & commissimus eidem *Roberto*, & *Henrico de Sandwico*, custodiam omnium Maneriorum Prioratus ejusdem Ecclesie cum omnibus pertinentiis suis. Et commissimus prædictis Magistro *Radulpho*, & *Roberto*, & *Radulpho de Arden*. custodiam omnium Maneriorum Archiepiscopatus *Cantuariensis*, cum omnibus pertinentiis suis quamdiu nobis placuerit. Et ideo vobis mandamus quod ea illis tanquam custodibus nostris statim visis literis istis ita liberari faciatis, & bene imbrevari omnia quæ eis liberaveritis. Teste *G. filio Petri*, apud *Westmonasterium*, Vicesimo tertio die *Januarii*, Anno Regni nostri Nono.

Ibidem.

**R**EX, &c. Omnibus tenentibus de Archiepiscopatu *Cantuariense*, & Prioratus, &c. tam Militibus quam aliis, &c. Sciatis quod commissimus *R. de Cornehull*, custodiam prædicti Archiepiscopatus & prædicti Prioratus cum omnibus quæ ad eod-

dem Archiepiscopatum & Prioratum pertinent, & vobis mandamus quod ei tanquam custodi nostro suis in omnibus intendentes & respondentes quamdiu nobis placuerit. Teste meipso apud *Winton*. Decimo quarto die *Marcii*.

The Bishops after the Kings final peremptory Answer to them, formerly recited, resolved to enforce the King to quit his Royal right and dignity, by an Antichristian Interdict of his Kingdom, which they could not perswade him to part with by their Treary; thus related by \* *Matthew Paris*.

\* Hist. Angliz  
p. 217, 218.

**R**ecedentes autem Episcopi memorati, cum fructum penitentia in Rege non invenerunt, in Quadragesima sequenti, executionem sibi a summo Pontifice demandatam, exequi non verentes, prima die *Luna* in passione Domini, qua tunc contigit decimo Kalendas Aprilis, sub generali Interdicto totam Angliam incluserunt: quod sicut in Autentico Domini Papæ, expressum habetur, non obstantibus privilegiis, ab omnibus est inviolabiliter observatum. Cessaverunt itaque in Anglia omnia Ecclesiastica Sacramenta, præter solummodo confessionem et viaticum in ultima necessitate, et Baptisma parvulorum; (Quod ex calida indulgentia Papæ concessum est ut ab alienatis a Rege sibi conciliatis Regni subditis tam Regnum quam Regem sibi subiceret, addit \* *Matthew Parker*.) corpora quoque defunctorum de Civitatibus et villis efferebantur, et mox canum in bibulis et fossatis sine orationibus et Sacerdotum ministerio sepeliebantur. † *Trevisa, Fabian, Caxton, Fox, Speed*, with others adde, That all the doors of Churches and other places where Divine Service before was used, first in *London*, and after in all places throughout the Land, were shut up with Keys, Walls, and other fastenings, no publick Prayers, Masses, or Divine Service must be once celebrated within them for sundry years ensuing; by which unchristian Interdict this flourishing Church of *England* was publicly deprived for many years together of the very Face of Christianity, even by Pope *Innocent*, Christs pretended Vicar, who acted here like *Julian* his professed Enemy, immuring up the doors of all Christian Temples, in despite of their God, and for the Kings bare crossing of his unjust Papal Usurpations, in defence of his Prerogative Royal, censured even God and Christ himself, to lose their publick Worship, and all the People, Bishops, Clergy to hazard their souls, living like Infidels, without Gods Service and blessed Sacraments, yea and dying, like Dogs to be tumbled into every ditch without Christian buriall: So well did he pursue our Saviours trebled precept to *Peter*, whereon he founded his Papal Sovereignty, *John 22. 16, 17. Feed my Sheep, Feed my Lambs.* *Matthew Paris* subjoyns, Quid plura? Recesserunt latenter ab Anglia, *Willielmus Londinensis, Eustachius Elyensis, Malgerus Wygorniensis, Jozelinus Bathoniensis, & Egidius Herefordensis* Episcopi, (chief Actors in this unchristian Tragedy) satius Arbitrantes sevitiam commoti Regis ad tempus declinare, quam in terra Interdicta sine fructu residere. † But before their departure they excommunicated all the Kings Officers, who seized their Temporalities and Goods for this their Treasonable and Antichristian proceedings, not only against himself, but his whole Realm, though not guilty of any contempt against the Pope.

\* Antiqua. Eccles. Brit. p. 148.  
† In their Chronicles and Histories.

† *William Caxton* Chronicle part 7.

The King hereupon out of just indignation and retaliation, thus rigorously proceeded against these Trayterous Prelates, and all the Clergy confederating with the Pope and them, against his Rights and Sovereignty, banishing the chief Actors, and seizing the Possessions and Goods of the rest. Thus registred by \* *Matthew Paris*.

\* Hist. Angliz  
p. 217, 218.

**R**EX igitur Anglorum ob causa Interdicti mente nimis confusus, misit Vicecomites suos & alios iniquitatis ministros in omnes fines Anglia, præcipiens tam Prelatis singulis quam eorum subjectis cum comminatione terrificâ, ut incontinententer a Regno exirent, et super hac injuria peterent sibi a Papa justitiam exhiberi. Episcopatus insuper, Abbatis, Pri-oratus, sub Laicorum custodia deputans, universos redditus Ecclesiasticos confiscari præcepit. Sed in hoc sibi caute prospiciebant Prelati generaliter omnes totius Regni, quod de monasteriis suis exire noluerant, nisi per violentiam expellerentur;

\* The King might more justly punish the parents of the Archbishop and Bishop who Interdicted England, then they his Subjects, and whole Realm for his pretended disobedience to the Pope.

Nota.

\* See Speeds Chronicle. Book 9. Chap. 8. Sect. 40. p. 97. *Godwins Catalogue of Bishops, in the Life of Peter de la Roche Bishop of Winchester. p. 173. in the Life of Philip of Poitiers Bishop of Durham. p. 511. Claus. 9. Johan. Regis mem. 5.*

expellerentur, Quod cum a Regis Ministris fuisset compertum, Noluerunt alicui ingerere violentiam, sicut nec a Rege præceptum habuerunt: sed bona eorum omnia in usus Regis convertentes, victum eis & vestitum parce ex rebus propriis ministrabant. Porro Clericorum Rege iubente, oblerata sunt ubiq; & ad commodum filci distracta, Presbyterorum & Clericorum focaria per totam Angliam a Ministris Regis captæ sunt, & graviter ad se redimendum compulsæ: viri religiosi sive quicunq; ordinati qui itinerantes reperti sunt in via ab equis suis projiciebantur, spoliabantur, & a satellitibus Regis turpiter tractabantur, nec fuit qui eis iustitiam exhiberet. Venerunt ea tempestate in confinio Walliæ ad regem, ministri cujusdam vicecomitis, ducentes prædonem unum, manibus a tergo victis qui sacerdotem quendam in via spoliaverat & interfecerat, querentes a Rege quid super tali eventu sibi fieri placeret. Quibus incontinenter respondit dicens: Inimicum meum interemit, solvite illum & finite abire, *Patentes quoq; Archiepiscopi & Episcoporum qui Angliam sub interdicto posuerunt, jubente Rege capiebantur, atque bonis omnibus spoliati in carcerem trudebantur. Inter hæc omnia mala perendebant Pontifices prefati in partibus Transmarinis, omnimodis viventes in deliciis, & sese matrum pro domo Domini non opponentes, secundum Redemptoris sententiam, cum Lupum viderunt venientem dimiserunt oves, & fugerunt.* Such was the Piety and Sobriety, as well as Loyalty of these Ghostly Fathers, who made all to fast from Gods publicke Worship.

After this general seizure of the Bishops and Clergies Temporalities and goods, such of them as submitted to the King, and refused to comply with the Interdict, celebrating Divine Service, and administering the Sacraments to the people according to their duties both to God, the King and people, the King by special writs restored their Temporalities, chattles, goods to them, retaining in his hands the Lands and goods of all Abbots, Priors, Religious houses and Clerks, who submitted to the Interdict, as is evident by these two Patents for restoring the Possessions, lands and goods of the Bishops of *Winchester*, and *Norwich*, who complied with the King, as did *Philip Bishop of Duresme*, heartning him to contemne the Popes causelesse curse, though at last, when the King surrendered his Crown, they were all enforced to cry *peccavi* for it, as *Godwin* observes,

**R**Ex, &c. *Roberto Lupi, & G. de Serland*, Sciatis quod reddidimus domino *Wintoniensi* Episcopo, Episcopatum *Winton.* & omnes terras, res, redditus & possessiones suas, & Wardas suas, & omnia sua capta in manum Domini Regis occasione *Interdicti*, Custodienda per manum suam. Et ideo vobis mandamus, quod ei Episcopatum suum, & omnia sua in Balliva tua habere faciatis, & in pace terræ faciatis, Retentis in manu nostra, terris, redditibus & rebus omnium Abbatum, Priorum, & domorum Religiosorum, & etiam Clericorum de Episcopatu suo. Teste *W. Brimer.* apud *Waverle*, Quinto die *Aprilis*. Per eundem.

Sub eadem forma scribitur, aliis in quorum Ballivis habet terras, res vel tenementa.

Ibidem.

**M**andatum est *Roberto de Burgata*, quod faciat habere Episcopo *Normicensi*, totum Regale, quod ad Episcopatum suum pertinet, & omnia Maneria sua, & omnes terras & Wardas suas, & omnia sua capta in manu Domini Regis occasione interdicti, retentis in manu Domini Regis omnibus terris, redditibus, & rebus omnium Abbatum, Priorum, & virorum Religiosorum, & etiam Clericorum de Episcopatu suo. Mandatum est etiam eidem quod faciat habere. — Rogero omnes redditus, & res Clericorum habentium redditus de feudo suo, & donatione sua, & omnes terras, redditus, & res Abbatum de feudo suo, si alicujus crociæ habent de dono suo, & Priorum seu cujusunque domus religiosæ si sit de dono suo, quia ipse domino Regi inde respondebit.

The King was so just in these his proceedings, as not to seise the lands or goods of any Religious Persons or Clerks, but those who refused to celebrate Divine Service, from and after a certain day prefixed to them, as is evident by this Record, touching the Religious Persons and Clerks within the Bishopricks of *Lincoln* and *Ely*.  
Rex



**R**Ex omnibus de *Episcopatu Linc.* Clericis & Laicis salutem. Sciatis quod a die Lunæ proxima ante Florid Pasch. commissimus *W. de Cornhill* Archid. Huntingdon & *Gerard. de Camvill*, omnes terras & res *Abbatum & Priorum*, & omnium Religiosorum, & etiam Clericorum de *Episcopatu Lincolnia*, qui *divina extunc celebrare noluerint*, & mandamus vobis quod eis extunc sicut Ballivis nostris sitis intendentes. Sub eadem forma scribitur omnibus de *Episcopatu Eliensi* quod sint intendentes ab illa die com. *Surr.*

Pat. 9  
Regis  
11.

Yea, this King was so indulgent, as to permit all Archbishops, Bishops, Abbots, Priors, Religious persons and Clerks throughout *England*, to sell their corne by fums, till the feast of *St. Katherine*, after their barnes were shut up, as appears by this Writ issued to all Sheriffs of *England*.

**M**anlatum est omnibus Vicecomitibus Angliæ, quod permittant Archiepiscopos, Episcopos, Abbates, Priores, & omnes viros religiosos, & omnes clericos *Uendece blada sua per summas, usque ad festum Sanctæ Katherine.*

Claus. 9. Johan  
Regis, m. 10.  
dors.

*Matthew Paris* informs us, that *John* Abbot of *St. Albons*, being specially commanded by the King to celebrate divine service during the Interdict, called all his Moncks into the Chapter-house, perswading them to obey God (meaning the Pope) rather than man (the King) and patiently to endure the Kings anger, which God in due time would bring to an end. For which high contempt, the King seised all the Temporalities of the Abby, prosecuted this Abbot, put out the Officers of the Abby, and placed his own in their steads, till this Abbot at last complied, and payd six hundred markes to the King, to purchase his peace and take off the sequestration.

Additamenta  
Vita. 23. Abbatum  
Sancti. Al-  
bani. p. 109. 117.  
Speeds. Hist. p.  
p. 570. 571.

**H**ic in interdicto multas pressuras, & tribulationes perpeffus est, quarum unam huic libello duximus inferendam; significavit ei Rex *Johannes*, ut ipse pro Papali mandato in Interdicto divina celebraret. Et super hoc, habito consilio in Capitulo, ait, *Fratres oportet obedire magis Deo*, (the celebrating of Divine Service as he commanded, had been to obey God, not to intermit it on the Popes Inhibition, when both God and the King commanded it) *quam hominibus; sustineamus iram principis, dabit Deus his quoque finem.* Et sic Domino Papæ obediens, quamvis Magister *Alexander* filius Cementarii (tunc Minister Regis) consulisset in contrarium, noluit Regi in hoc casu obedire, *Iratus igitur Rex vehementer de contemptu sui mandati (accipiens sic sponte malignandi occasionem) occupavit in manu sua totam Abbatiam.*

Et ejectis nostris suos per omnia apposuit custodes seculares videlicet, Magistrum *Robertum Londoniensem*, Clericum suum superiorem, virum versutum & per omnia Regi *Johanni* Domino suo conformem, qui etiam inter ipsum Regem & admirabilem *Murmelinum*, Crebra internuncia & secreta (de Apostasia ut dicitur) intermeans detulerat Ipse igitur *Robertus*, ejecto & deposito nostro Cellerario instituit suum, quendam scilicet secularem, virum versutum, & avarum nimis, suæ quæ dum potuit avaritiæ consulentem. Similiter ignominiose nostro janitore ejecto, subrogavit alium, *Robertum* nomine, qui sustigatis ingredientibus & egredientibus, & perscrutatis, erat conventui quali spina in oculo. Ægre igitur nimis hæc ferens *Abbas Johannis*, ut videlicet tam libera, tam nobilis domus in suo tempore, tali Laicorum jugo præmeretur, Regem (imo Tyrannum) justus injustum, agnus adiit Leopardum (thus doth the venomous Monck bespatter King *John*) deditque sexcentas Marcas, ut Custodes nos opprimentes amoveret, & liberam in pace cum suis pertinentibus totam sineret Abbatiam.

The same year the white Monks complied with God and the King, in saying divine service, for which presumption this Antichristian Pope suspended them the second time. *Albi Monachi in principio Interdicti cessantes, postea ad mandatum sui principalis Divina celebrare presumpserunt, sed hac presumptio cum ad summum Pontificis noticiam pervenisset, ad sui maiorem confusionem denuo sunt suspensi.*

An. Dom. 1201.  
Mat. Paris, p.  
218. Mat.  
West. p. 86. 87.  
Speeds History.  
Book. 9. ch. 8.  
And Sect. 40. p. 571

And when as the next year (1209.) *procurante Stephano Cantuariensi Archiepiscopo, indultum est Ecclesiis conventualibus in Anglia* (but not to parish Churches, on purpose to please the Monks, and engage them on the Popes and Archbishops side, against the King who sequestred their lands, for not celebrating Divine Service, according to the Charters of their foundation and rules of their respective orders) *semel in hebdomada celebrare Divina, \* Albi autem Monachi hoc privabantur indulgentia, eo quod in principio interdicti cessantes postea ad iustitiam sui Abbatibus principalis, Papa inconsulto, celebrare præsumpserint*: Most partial Papal Justice.

\* Mat. Paris, p. 218.

The King perceiving that the Pope, and Bishops, intended not only to seduce but to absolve his Subjects from their allegiance to him, like a wise Prince, required pledges from all the great men he suspected, to be delivered to him for their future fidelity, which most of them submitted to, others refused, thus related and aggravated by our Monks to render him odious.

Mat. Paris  
Hist. Angl. p.  
218. Mat.  
Westm. p. 86,  
87.

**I**NTER hæc & consimilia opera Impietatis, Rex Johannes in se reversus metuebat, ne Dominus Papa post Interdictum, manum in eum extenderet graviore, illum nominatim excommunicando, vel Magnates Anglia ab ejus fidelitate absolvendo. Unde ne Regni iura amittere videretur, misit manum militarem ad omnes Regni potentes, & quos præcipue suspectos habebat, exigens obfides ab eis, quibus posset eos, si forte processu temporis ab ejus fidelitate absolverentur, ad debitum revocare obsequium; *Adquieverunt multi Regis iussionibus, & alii filios, alii vero nepotes & carnaliter propinquos nunciis tradebant.* Venientes tandem ad Willielmum de Brause virum nobilem, & obfides ab eo, sicut ab aliis fecerat exigentes, repagulum conditionis invenerunt. *Matildis enim uxor ejusdem Willielmi procacitate muliebri verbum rapiens ex ore viri, nunciis respondit. Pueros meos Domino vestro Regi Johanni non tradam, quia Arthurum Nepotem suum quem honorifice custodisse debuerat, turpiter interfecit.* Quod verbum, cum vir ejus audisset, increpavit eam & dixit: *Quasi una ex stultis mulieribus contra Dominum nostrum Regem, locuta es. Nam si ipsum in aliquo offendi; paratus sum & ero Domino meo, & sine obfidibus satisfacere, secundum iudicium Curia sua & Baronum parium meorum, certo mihi assignato die & loco.* Nuncii autem ad Regem reversi, cum ei quæ audierant, retulissent, Rex graviter perturbatus, misit Milites suos & servientes latenter, qui ipsum Willielmum cum tota sua familia comprehenderent, & sibi sub omni festinatione præsentarent. Sed idem Willielmus ab amicis suis præmonitus, cum uxore sua, & filiis & propinquis ad Hyberniam aufugit. \* *Matthew Westminster* (exceeding all bounds of truth and modesty) superadds, Rex vero interim nunc hunc, nunc illum, de magnatibus Regni, vel pecunia injuste multavit, vel libertatibus, aut possessionibus spoliavit, nonnullos uxoribus suis Zelotipavit, filias destitavit, ita quod manifeste tam Deo, quam hominibus exosus videretur & detestabilis. Insuper ut appareret ejus insatiabilis avaritia, gulæ inextinguibilis sicut & corporis libido, captivam avium prohibuit, & nobilium arctavit venationes, unde non tantum amorem omnium amisit, imo odium incurrit inexorabile, etiam exosum cum habuit uxor propria, quam de adulterio adulter defamavit, & suspectos eidem familiares, ignominiose necavit, & in arcta custodia ipsam iussit custodiri: & inter cætera ipsius flagitia, *apud Nottingham, quamplures obfides pueros innocentes, alter Herodes patibulo fecit suspendi.* Unde tam Anglici, quam alieni desubjugo intollerabili talis tyranni cupientes jam excurrere, caperunt districte cogitare ad cuius principis finem aliquod refugium possent invenire. But this doubtlesse is a meer Monkish forgery, contrary to all rules of Policy, as well as Justice, and his Subjects adhering to him in such a time of danger.

\* Anno 1208.

In the midst of these contests and Interdicts, the Subprior and Monks of *Monteacute* acknowledged his Sovereign Jurisdiction over them, which he exercised at their request, in removing their Prior for his misgovernment and dilapidations, and commanding another to be placed in his room, by this memorable Record.

Pat. 9. Johan.  
Regis m. 4. in-  
tus, n. 23.

**R**EX, &c. Omnibus, &c. Monstraverunt nobis Supprior & Monachi de *Monte Acute*, quod *Durandus* qui Prior fuit ejusdem loci, male & inhumane gessit se in regimine Prioratus illius, & illum adeo intus & extra destruxit, quod inde meruit amoveri. Nos vero tam istas quam alias multas, & graves quarrelas audientes de eo, & injurias,

injurias, cum domus illa de speciali elemosina nostra sit et honori et dignitati nostre congruat ut utiliter tractetur; Mandavimus venerabili Patri nostro *J. Bathoniensi* Episcopo, ut accitis secum quos viderit expedire diligentem, super his faciat inquisitionem: **Volentes** quod si idem Episcopus, ita esse invenerit & per literas suas patentes id testificatus fuerit, **procurator** illo in nullo de cetero se intromittat, quia volumus quod domui illi de alia persona honesta, et utili provideat. Ita quod dignitas nostra quam in illo Prioratu, et aliis habemus in nullo minuat. Teste meipso apud *Oduham*, Vicefimo primo die *Decembris*, Anno Regni nostri Nono.

Yea several Bishopricks and Abbies becoming void during the Interdict, thereupon the King granted Licences to elect new Bishops, Abbots, Priors, such as he recommended and approved, who were accordingly admitted to them, and discharged their spiritual functions in them, notwithstanding the Popes Inhibition, when <sup>\* some of</sup> the Bishops, and others of the Rebellious Clergy who fled beyond Seas, dyed of severall diseases, by the just Judgement of God, during the Interdict they pronounced.

The King being exasperated against the Rebellious Clergy, took all just and legal occasions to exercise his severity against some of them, to reduce others to obedience; which *Matthew Paris* thus relates, in odium Regis, (if we may credit him) in one signal example at *Oxford*.

\* Fox Acts and Monuments, vol. 1. p. 328.

Anno Domini 1209.

**P**ER id tempus, Clericus quidam apud *Oxoniam*, liberalibus vacans disciplinis, mulierem quandam casu interfecit, quam cum mortuam deprehendisset, per fugam sibi consuluit. Praefectus autem urbis & multi alii accurrentes cum mulierem exanimem invenerunt, ceperunt querere homicidam illam in hospitio suo, quod cum tribus sociis suis Clericis locaverat, & facti reum non inveniētes, ceperunt tres socios ejus Clericos memoratos, & de homicidio penitus nescios, & eos in carcerem retruferunt. Deinde post dies paucos, Rege Anglorum iubente, in contemptum Ecclesiasticæ libertatis, extra villam educi suspendio perierunt. Quod cum factum fuisset, recesserunt ab *Oxonia* ad tria Millia Clericorum tam Magistri quam Discipuli, ita quod nec unus ex omni Universitate remansit; quorum quidam apud *Cantebriam*, quidam vero apud *Radingum*, liberalibus studiis vacantes, Villam *Oxonia* vacuam reliquerunt. Yet, Eodem anno *Hugo* Archidiaconus *Wellensis*, & Regis Cancellarius, ad Episcopatum *Lincolniensem*, eodem Rege procurante, electus est, qui continuo post factam Electionem, totius Episcopatus a Rege liberam dispositionem accepit: And was consecrated by the Archbishop of *Rohan*, so as the King during the Interdict disposed of his Bishopricks as before, to such who were loyall and obedient to him.

Mat. Paris Hist. Angl. p. 218, 219. Mar. Westm. p. 88.

Whereupon the Pope considering how much his Interdicts were generally slighted throughout *England*, proceeded one degree further, to excommunicare the King by name in all Conventual Churches, every Lords day and Holy day, though no Divine Service must be used in Parish Churches; such was his daring Impiety, thus related by his Creatures.

**S**UB his denique diebus, cum Rex *Anglorum Johannes*, jam fere per biennium, ut dictum est, generaliter per totam *Angliam* persecutionem gravissimam ratione. Interdictam contra viros Ecclesiasticos, quam Laicos nonnullos infatigabiliter continuasset, & de correctione simul & satisfactione omnibus stem omnimodam ademisset: Papa *Innocentius* ipse Rebellionem diutius inultam dissimulare non potuit: (though he could not only dispence with, but countenance his Bishops and Monks Rebellions against the King.) Unde de consilio fratrum suorum Cardinalium, ad extirpandum radicibus Ecclesiæ scandalum, *Londoniensi*, *Helyensi*, & *Wigornienfi* Episcopis, dedit in mandatis, Ut Regem memoratum nominatim excommunicatum pronuntiarent, et sententiam singulis diebus dominicis et festivis in omnibus Ecclesiis Conventualibus per totam *Angliam* solemniter publicantes, ipsum facerent ab omnibus arctius exitari.

\* Mat. Paris; p. 218, 219, 220. Mar. Westm. p. 88.



evitati. Sed cum Episcopi jam d.ñi confratribus suis, qui in Anglia remanserant Episcopis, alii que Ecclesiarum Pralatu publicationem sententia auctoritate Apostolica commississent: (they being willing to sleep in a whole skin, and translate this dangerous business to others. But they like prudent and loyal subjects slighting the Popes commands:) effecti sunt universi metu Regio vel favore, canes muti, non audentes latrare. Unde injunctum sibi officium exequi dissimulantes, in mandatis Apostolicis secundum juris ordinem minime processerunt. Ueruntamen sententia in hrevi facta omnibus notissima in viciis, plateis, necnon in aliis hominum conventiculis, confabulatione licet secretissima, omnium ora replevit. Inter quos cum die quadam federet apud Westmonasterium ad Scaccarium Gaufridus Archidiaconus Norwicensis, Regiis intendens negotiis, cepit secretius sermocinari cum sociis suis assidentibus de sententia in Regem lata, dicens, non esse tutum viciis beneficiatis in obsequio Regis excommunicati ulterius inimozari. Et his dictis, ad propria, non licentiatu recessit. Sed cum post paululum, ea quæ facta fuerunt, ad Regis notitiam pervenissent, non mediocriter perturbatus, misit Willielmum Talbot Militem cum Armata manu, qui ipsum Archidiaconum comprehensum, et vinculis asperimis constrictum sub Carcerali Custodia recluserunt, ubi post dies paucos Rege præfato jubente, \* Capa indutus plumbea, tam victualium penuria, quam ipsius Capæ ponderositate compressus, migrabit ad Dominum. A just reward for such a signal and singular Traytor.

\* A Coole, or Cap of Lead, Speeds Chronicle, p. 571.

During this Interdict and Excommunication, Alexander Abbot of the Benedictines, vir corpore elegantissimus, facie venerabilis, literarum plenitudine imbutus, ita ut Parisiis celebris haberetur, Magister, et Lector in Theologia, (as (a) Matthew Westminster, (b) Thomas Sprou, (c) Baleus, and (d) others inform us) openly pleaded and fomented the Kings cause against the Pope, out of Ambition, write the Monks, but in truth out of true grounds of Conscience and Religion, as Matthew Paris his relation (though partial) discovers.

a Anno 1209.  
p. 88.  
b Ms.  
c Centuria 3. Scriptorum Brit. c. 57.  
d Speeds History, p. 571.  
e Mat. Paris Hist. Angl. p. 219, 220.

(e) Ingessit se hac Interdicti tempestate consiliis Regis Pseudotheologus, quidam Magister Alexander, dictus Cementarius, qui suis iniquis prædicationibus Regem non mediocriter ad crudelitatem commovit. Dixit enim illud generale flagellum Angliæ, non ex culpa Regis, sed ex subditorum flagitiis provenisse: Affirmabit etiam ipsum Regem virgam esse furoris Domini, et ad hoc principem constitutum, ut regat populos aliosque subditos in virga ferrea, & tanquam vas figuli confringat universos, ad alligandos potentes in compedibus, & nobiles suos manicis ferreis. Ad Papam quoque non pertinere de Regum, sive de quorumlibet potentum laica possessione, vel subditorum regimine, (\*judicare) verisimilibus quibusdam probavit Argumentis: Cum præcipue principi Apostolorum Petro, nihil a Domino nisi Ecclesiæ tantam, ac rerum Ecclesiasticarum sit collata potestas. His igitur & his similibus fallaciis, Regis adeo favorem promeruit, ut plurima a viris Religiosis Beneficia per Regis violentiam, obtineret. Sed cum tandem ipsius perversitas ad summi Pontificis aures pervolasset, ipso Papa procurante, bonis ac Beneficiis omnibus spoliatus, ad tantam demum miseriam perductus est, ut in habitu pauperimo & cultu, necessitate compulsus sit panem suum cum dolore ostiatim mendicare. Quem videntes multi subfannando dicebant; Ecce homo, qui non posuit Dominum adiutorem suum dum speravit in multitudine divitiarum suarum, & prevaluit in vanitate sua. Fiat ergo nunc contra Dominum semper, & dispareat de terra memoria ejus, pro eo quod non est recordatus ut faceret misericordiam. Propterea Deus destruet eum in finem, & oratio ejus erit in peccatum, ut eradatur habitatio ejus de terra viventium. Which might have been more properly applyed to the exiled Trayterous Bishops and Monks, then to this (f) Theologia Doctor eximius tam Seculari quam Ecclesiastica sapientia

f Ms. & Speeds History, p. 571. Mat. Paris An. 1207. p. 212.

\* Omitted in Printed Copies.

*Sapientia imbutus & Regis conuictissimus*, as *Thomas Sprot* describes him. (g) *Balans* 8 Centur. 3. in his life informes us, that he was Abbot of the Benedictines in *Canterbury*; and for *Scriptorum* his eminent Learning, sent by King *John* Anno 1206. with his solemn Messengers *Brit. sect. 57.* to *Rome*, *Us cum magnis illis proceribus, super sceperi sui iure & auctoritate Regia in Anglorum Regno disceptaret: Quoniam Romani Pontifices, Tyrannide plu quam Pharaonica in Regnis Christianorum omnia confundebant, Regnum (ut fallurum esse Antichristum Paulus admonuit) super omne quod dicitur Deus usurpantes, Probabat igitur rationibus & scripturis coram Rabbis illis, Non esse in Regnis a Deo constitutis, potestate Regia Dominationem maiorem: Episcoporum vero nullum esse temporale Regimen dicebat, cum Christi Regnum de hoc mundo non sit. Allega vitque Gregorij magni dicta ad Augustinum monachum, de Anglorum Ecclesia ab omni seruitutis iugo immunitate, atque contra omnes in ea condictione prebalebat.* He writ 3. Books against the Popes Usurpations and Power, viz. *De Cessione Papali, De Ecclesia Potestate, De Potestate Vicaria*, in defence of his Sovereign King *John*; for which his Loyalty he was afterwards by the Popes power deprived of all his Benefices, by *Pandulphus* the Popes Legat, (after King *Johns* surrender of his Crown) and thus enforced to beg his bread, when the Arch-traytors to the King were restored to their Bishopricks, with all the profits of them and damages sustained, during their banishment for their Treasons. Thus

*Dat. veniam corvis, vexat censura columbas.*

This severity of the Pope against the Kings loyal Clerks and Champions, might justly excuse his severity against his disloyal perjured Bishops, Monks, and Traytors, especially against *Hugh* Bishop of *Lincoln*, to which Bishoprick he caused him to be elected, advanced, yet proved Treacherous to him.

**E**odem tempore *Hugo Lincolnensis* electus, impetrata a Rege licentia ad partes transfretandi Gallicanas, ut ab Archiepiscopo *Rothomagensi* consecrationem acciperet, continuo ut Normanniam applicuit, contulit se ad *Stephanum* Archiepiscopum *Canuariensem*, & facta ei Canonica obedientia, Decimo tertio Kalendas *Januarii*, munus ab eo consecrationis accepit. Sed cum id a Rege compertum fuisset, suscepit in manu sua Episcopatum iam dictum: Atque omnia illius emolumenta in usus suos convertit. *Waltero* quoque de *Gray* sigillum suum tradens, Rex fecit eum Cancellarium suum, qui in omnibus regni Agendis, Regis studuit facere voluntatem.

What little regard or dread the Nobility of *England* then had of the Popes Interdict, or personal excommunication of King *John*, though they had general notice thereof, will appear by all their attendance on and communication with him at *Windsor*, during Christs Nativity: Of which *Matthew Paris*, and *Matthew Westminster* take special notice, and thus relate.

**A**nno Dominicæ Nativitatis Millesimo ducentesimo Decimo, Rex *Johannes* fuit ad Natale apud *Windlethores*, presentibus omnibus Angliæ Magnatibus, & communicantibus ei, non obstante sententiâ qua fuerat innodatus, quæ licet non publicata, omnium tamen partium Angliæ climata pervolavit, & aures subintravit. This they did for the most part out of loyalty, but others out of fear. Omnibus enim sese subtrahentibus Rex nocive infidebatur.

How injurious Pope *Innocents* Interdict and excommunications were against King *John*, may be evidenced by his excommunicating his Nephew *Orho* the Emperor, his confederate, just about the same time, with some others upon the like account, (Only for executing his coronation Oath, which this Pope himself had given him, in rescuing the Castles and Lands of the Empire out of his usurping Powers) thus impartially recorded by *Mat: Paris*, not impertinent to our *English* affairs.

**C**irca dies istos *Orho* Romanorum Imperator memor Sacramenti quod fecerat, cum a Papa ad Imperium fuerat sublimatus, quod videlicet dignitates Imperii conservaret, & iura dispersa pro possibilitate sua revocaret, fecit per Sacramentum legalium hominum imperii

Anno 1209.  
Mat. Paris. Hist.  
Angl. p. 129.  
Edit. Lond.  
1640.

Anno. 1210?

Mat. Paris. Edit.  
Londin. 1640.  
p. 229. Mat.  
Westm p. 88.

Historiæ Ang-  
liæ. Edit. Londi.  
1640. p. 229.  
230.

imperii Dominica Castella sua, & alia jura ad dignitatem imperialem spectantia perquiri, & quæcunq; per recognitionem ad jus imperii spectare dedicerat, in usus suos convertere laborabat. **Hæc autem de causa** *Q*uia est dissensio gravissima inter dominum Papam & Imperatorem memoratum, eo quod tempore quo vacabat Imperium, Idem \* Papa Castella plurima cum rebus aliis occupaverat quæ ad dignitatem imperii pertinebant. Unde Imperator quia quod suum erat revocare studuit, ipsum Papam sine merito ad odium provocavit. *Fredericum quoq; Regem Sicilia*, idem Imperator graviter persequutus est, qui similiter dum vacaret imperium quasdam munitiones occupatas detinuit. Unde Papa memoratus ipsum Imperatorem per Nuncios, & literas frequenter admonere studuit; ut eum \* a persecutione Romana Ecclesia, quam a Regis Sicilia ac tutela commissa sedi Apostolica exheredatione, cessaret. Imperator autem Nunciis domini Papæ tale perhibetur dedisse responsum; *Si inquit summus Pontifex Imperii jura injuste possidere desiderat, a Sacramento quod tempore Consecrationis meæ ad dignitatem Imperialem me jurare compulsi, absolbat; quod videlicet dispersa Imperii jura revocarem.* Denique cum Papa ipsum Imperatorem a præstito juramento, quod omnes Imperatores in sua consecratione, inspectis sacrosanctis Evangelis jurare tenentur, absolvere noluit, & Imperatore contra Imperii Jura, quæ jam parte maxima, in manu potenti revocaverat, reddere contempsit: idem Papa in ipsum Imperatorem, \*sententiam excommunicationis tulit, atque Universos, tam Alemanniæ quam Imperii Romani Magnates, ab ejus fidelitate absolvit. Et hoc odium Regis Johannis, & iram efficaciter obduravit. This being just King Johns case, in relation to the Archbishoprick of *Canterbury*. And was he here in either the Vicar of Christ or St. Peters successor? or could the Devil himself, had he sat in his chair, have given a more unjust diabolical sentence in such a case as this, pronounced by a misnamed *Innocent*?

\* Behold the Popes Justice.

\* It is a persecution in this Popes Judgment for the Emperor to demand restitution of his unjust Rapines, according to his Oath.

\* Excellent Papal Justice.

It is very observable what Glorious Victories, and admirable successes, without effusion of blood, both in *Ireland*, *Scotland*, and *Wales*, God gave to King *John* whiles under the Popes Interdict, curse, and excommunication, (as not offended with him) which the Monks his greatest enemies thus relate.

An. Dom. 1210. Mat. Paris, Hist. Angliæ p. 220, 221. Mat. West. Holinshed, Speed, Gratton, Stow, Anno. 1210.

**E**odem Anno, Rex Anglorum *Johannes*, apud *Pembroc* in *Wallia* copioso Exercitu congregato, profectus est in *Hiberniam*, & ibi applicuit Octavo Idus Junii. Cumq; venisset ad *Dublinensem* Civitatem, occurrerunt ei ibidem plus quam viginti Reguli illius regionis, qui omnes timore maximo perterriti, homagium ei & fidelitatem fecerunt. Pauci tamen ex regulis superfederunt, qui ad Regem venire contempserunt, eo quod in locis inexpugnabilibus habitabant. Fecit quoq; Rex ibidem construere leges & consuetudines Anglicanas, ponens Vicecomites aliosq; Ministros, qui populum regni illius juxta leges Anglicanas judicarent.

Hoc ita gestis Rex in manu forti progrediens, cepit plurimum hostium suorum munitiones, fugientibus a facie ejus *Waltero de Lasci viro nobili, cum aliis multis, qui in manu ejus incidere metuebant.* Tandem veniens in Provinciam Regionis illius, quæ *Mide* nuncupatur, *Matildam* Uxorem *Willielmi de Brause*, & *Willielmum* filium ejus cum uxore sua, in quadam munitione obsedit & cepit, a quo clam evadentes, & postea rursus capti in *Insula de Maij*, Regi sunt presentati, vinculis constrictos asperrimis, misit in *Angliam*, & in *Castello de Windleshores*, sub arcta custodia deputavit: qui omnes Rege jubente fame perierunt. Rex deniq; *Johannes* cum in parte maxima de tota *Hybernia* pro libitu suo disposuisset, *Naves* cum triumpho ingressus, in *Angliam* applicuit tertio Kalendas Septembris. Deinde *Londonias* cum festinatione properans, fecit omnes Angliæ Prelatos in sua presentia convenire. Venerunt autem ad hanc generalem vocationem Abbates, Priores, Abbatissæ, Templarii, Hospitalarii, Custodes



**Custodes Villarum ordinis Cluniacensis, et aliarum Regionum Transmarinarum, cujuscunque dignitatis et ordinis,** ( notwithstanding the Popes Interdict, and his own personal Excommunication ) **qui omnes ad tam gravem compulsi sunt redemptionem, ac rerum Ecclesiasticarum disapidationem, quod summa extorta pecunie excrevisse fertur ad Centum Millia Librarum sterlingorum. Alibi quoque Monachi de Regno Angliæ aliis exceptis, Quadraginta Millia Argenti in hoc tallagio (vellent nollent) cassatis privilegiis, Regi perfolverunt.** Cujus rei seriem si quis plenius prosequeretur, lachrymas excuteret tyrannorum, & animos audientium perturbaret: Writes this disloyal partial Monk; when as the Popes Taxes and proceedings against the King should rather do it.

He likewise \* entred into a league with *Otho* the Emperor, and forced *John King of Scots*, who received his Fugitives and run-away Subjects, and harboured them in his Kingdom, out of meer fear of his Army, valour and successes, to intercede and send to him for peace, to pay him 11000. marks to purchase his peace with him, and to put in Hostages for his fidelity, without any fight between them; Yea the *Welshmen* themselves, formerly Rebellious, soon after his return from *Scotland*, voluntarily repaired to him at *Woodstock*, ( *Quod temporibus antea fuerat inauditum*, as our Monks affirm ) and there did Homage to him. After which, *Anno 1211.* he entring into *Wales* with a puissant Army as far as *Snowdune*, **Reges omnes et Nobiles sine contradictione subjugavit.** *De subjectione in posterum obsides viginti octo suscepit, et inde cum prosperitate ad Albani Monasterium remeavit, Llewellyn Prince of Northwales* being entorced to render himself to his mercy, without any battel or fight at all.

\* Mat. Paris Hist. Angl. p. 227, 228, 229, 230, 231. Mat. Westm. p. 87.

These admirable successes, with his Lords, Nobles, Subjects constant attendance on, and adherence to him, notwithstanding the Popes Interdict, Curse, Thunderbolts; thereupon the Pope attempts to decoy him out of his Royalties and Resolutions by a Treaty, to which end he dispatched two *Nuncios* to the King, who in his victorious return from *Wales*, \* *veniens apud Northampton*, *Nuncios Domini Papæ ibidem cum mandatis Apostolicis obvios habuit. Pandulphum videlicet Subdiaconum & Domini Papæ familiarissimum, ac de militia Templi fratrem Durandum: Qui ad hoc venerunt, ut pacem inter Regnum, & Sacerdotium reformarent.* Rex autem ad exhortationem *Nunciorum* grater concessit, ut *Archiepiscopus Cantuariensis, & Monachi atque omnes Episcopi ab Anglia proscripti, cum pace sua redirent ad propria.* Sed quia de damnis datis, & de bonis eorum confiscatis, Rex, *Archiepiscopo & Episcopis satisfacere noluit,* ( having no reason to do it, these Bishops putting him to so vast expences both at *Rome*, and in his Wars against those they stirred up against him ) *Nuncii infecto negotio ad Gallias remeaverunt.*

\* Mat. Paris. Ibidem.

The Chronicle compiled by the School-master of *St. Albans*, in the last year of *K. Henry* the 4th. and then printed by him, reprinted by *Winkyn de Worde* 1502. by *William Caxtons* appointment, whose Title it bears, adds much to this relation, of a conference first between the King and exiled Bishops, and soon after between these *Nuncios* and the King, relating their insolent speeches and behaviour towards him, omitted by other Historians, ( transcribed in part by *Mr. Fox* ) which I shall here insert.

\* These foure Byshops ( *who Interdicted the Kingdom, and cursed all them that put or should meddle with holy Chirche goods, against the will of them that ought theym* ) went over the Sea, and came to the Byshop of *Canterbury*, and told him all the thing. And the Archbyshop to them said, that they should goe againe to *Canterbury*, and hee should come thither to them, or else hee would send unto them certaine persons in his stead that should doe as much as if hee himselfe were there. And when the Byshops heard this, they turned againe into *England*, and came unto *Canterbury*: The tydings came to the King that the Byshops were come againe to *Canterbury*, and himselfe might not come thither that tyme, hee sent thither Byshops, Earles, and Abbots, for to treat with them, that the King should receive the Archbyshop *Stephen*, and the Priour, and all the Monkes of *Canterbury*, that hee should never after that tyme nothing take of holy Chirche against the will of them that oweth the goodes. And that

\* Caxtons Chronicles, pars 7. King John, and Fox Acts and Monuments, vol. 1. p. 326, 327, 328.

*the King should make full amends to them of whom hee had any good: taken. And the holy Church should have all Fraunchise as far forth as they had in Saint Edwards tyme the holy Confessor.*

So when the fourme of accordment thus was ordeined, it was in a paire of Indentures, and they put their Seales to that one part, and they that came in the Kings name put their Seales to that other part of the Indentures. And foure Bishops a-boyesaid took the one part of the Indentures to them, and that other part of the Indentures they bare with them to shew to the King. **When the King saw the fourme and understood, he held him full well appaid of all manner of things as they had ordeined, saving as touching restitution of the goods for to make agen. To that thing hee would not accord, and so hee sent word agen to the foure Bishops, that they should do out and put away that one poynt of restitution. \* But they answered, That they would not doe one word out.** Tho sent the King to the Archbyshop by the foure Bishops, that hee should come to *Canterbury* for to speake with him there, and sent unto him safe conduct under Pledges. That is to say, his Justices, *Gilbert Peyreum, William de la Breuer, and John Fitz Hugh*, that in their conduct safely hee should come and goe agen at his owne will: And thus in this manner the Archbyshop *Stephen* came to *Canterbury*. When the Archbyshop was come, the King came to *Chilhez*, for hee would no nighe *Canterbury* at that tyme. But hee sent by his *Tresorer* Bishop of *Winchester*, that hee should doe out of the Indentures the clause of restitution for to make of the goodes. And the Archbyshop made his \* Oathe, that hee would not never doe out w word thereof, ne yet it change, of that the Bishops had spoken and ordeined. And tho the Archbyshop yede agen to *Rome*, without any more doing. King John was then \* wrother then ever hee was before, and let make a common cry throughout all England, that all those that had holy Church Rents, and went over the Sea, that they should come againe into England at a certain day, or else they should lose their Rents for evermore. And that he commanded to every Sheriffe throughout all England, that they should enquire if any Bishop, Abbot or Priour, or any other Prelate of holy Church, fro that day afterwarde receive any Commandement that cometh from the Pope, that they should take the body and bring it before him, and that they should take into the Kings hands all their Lands of holy Church, that were gave to any man by the Archbyshop or by the Priour of *Canterbury*, from the tyme of the Election of the Archbyshop. And commanded that all the *Wodes* that were the Archbishops should be cast down unto the ground, and all fould. And in the same yeare the \* *Irishmen* began to Warre upon King John, and the King ordeined him for to goe into *Ireland*, and lete arear an huge Tax throughout all England, that is for to say, Thirty Thousand Marks; And thus hee sent throughout all England unto the Monks of the Order of *Cisteaux*, that they should help him of Six Thousand Marke of Silver. And they answered and said, *That they durst nothing doe without their chiefe Abbot of Cisteaux.* Wherefore King John when hee came agen from *Ireland*, did them soe much sorrow and care, that they wist not whyder to abide, for hee took soe much raunsome of every house, and the summe amounted to Nine Thousand and Three Hundred Marke, soe that they were cleane lost and destroyed, and voyded their houses and their lords throughout all England. And the Abbot of *Waverlay* drade soe much his menace, that hee forooke all the Abby and went thence, and privily ordeined him over the See to the house of *Cisteaux*. When the tydings came to the Pope, that the King had done soe much malice, then hee was towards the King full wroth, and sent two Legates unto the King, that one was called *Pandulfe*, and that other *Durham*, that they should warne the King in the Popes name, that hee should cease of his Persecution that hee did unto holy Church, and amend the wrong and the trespasse that hee had done to the Archbyshop of *Canterbury*, and

\* An undutifull  
obstinate Answer.

\* A strangedis-  
loyal Oath, &  
insolent Answer

\* Had he not  
just cause?

\* By the Popes  
and Bishops in-  
stigation, See  
Speeds Chron-  
icle, p. 571,  
572.

and to the Priour, and to the Monkes of Canterbury, and to all the Clergy of England. And that hee should restore all the goodes agen that hee had taken of them agens their will, and else they should curse him by name. And to do this thing and to confirm the Pope toke them his Letters in Bulles Patents.

These two Legates came into England, and came to the King to Northampton, there that hee held his Parliamenr, and full courteously they him salwed, and said, Syr we come from the Pope of Rome, the peace of the holy Chirche, and the Lond to amend. And wee admonish you first in the Popes hall, that yee make full restitution of the goodes that yee have ravished and taken of holy Chirche, and of the Lond, and that yee receive Stephen Archbysshop of Canterbury into his Dignitie, and the Priour of Canterbury and his Monkes, and that yee yeld agen unto the Archbysshop all his Londs and Rents without any withhoulding. And Syr yet mozeover, That yee shall make restitution unto all holy Chirche, whereof they shall hould them well apaid.

Tho answered the King, as touching the Priour and his Monkes of Canterbury, all that yee have said I will doe gladly, and all things that yee will ordeine; But as touching the Archbysshop, I shall tell you in my hert as it lyes, That the Archbysshop leave his Archbysshoprick, and that the Pope then for him would pray, and then upon a venture mee should lyke some other Bysshoprick to give him in England: And upon this condition I will him accept and receive. And neverthelesse, as Archbysshop in England if hee abyde, hee shall never have soe good safe conduyte, but that hee shall be take.

Tho said Pandulph unto the King, Sir, holy Chirche was wont never to discharge an Archbysshop without cause reasonable: But it ever hath bene wont to chastize Princes, that to God and holy Chirche were disobedient. What how now said the King, menace yee mee? Nay said Pandulph, But yee now have openly tould, as it standeth in your heart.

And to you wee will tell what is the Popes will; And thus it standeth, that hee hath you wholly enterdyted and accursed for the wrongs that yee have done to holy Chirche, and to the Clergy. And forasmuch as yee dwell, and heth in will to abyde in malice and in wretchednesse, and will not come out thereof ne to amend, yee shall understand, that this time afterward the sentence is upon you geven, and houldeth stede and strength, and upon all tho that with you hath communed before this time, whether they bene Earles, Barons or Knights, or any other whatsoever that they be, wee them assoylle safely unto this day. And from this tyme afterward, of what condition soever they bene, wee them accurse, that with you comyne ony word, and doe wee sentence upon them openly and specially. And wee assoylle cleane Earles, Barons, Knights, and all other men of their homages, services and feauties, that they should unto you doe. And this tydyng to conferme, wee geve plaine power to the Bysshop of Winchester, and to the Bysshop of Norwich; And the same power wee geve into Scotland, to the Bysshops of Rochester and of Salisbury: And in Wales wee geve the same power to the Bysshop of Saint Davids, and of Landaff, and of Saint Asse; And mozeover wee sente thughout all Chyftendome, that all the Bysshops beyond the Sea, that they doe accurse all those that helpe you, or any Counsell giveth you in any manner nede that yee have to doe in any part of the World. And wee assoylle them alsoe all by authoryte of the Pope, and commaund them alsoe with

† A Royal and Gracious Answer.

\* A most insolent Reply.

\* A strange unparallel'd Antichristian Antimonarchical Message and Sentence, delivered to the face of a King in his Kingdom, & in the presence of his own Parliament.



\* He tells us  
not where it is  
written.

with you for to fight, as with him that is Enemy to all holy Chirche. Tho answered the King, What may yee doe more to mee? Tho answered Pandulph, Wee say to you in the \* word of God, that yee, ne no heyre that yee have never after this day may be Crowned. Tho said the King, By him that is Almighty God, and I had wist this ere that yee came into my Londe, that yee had brought mee such eydings, I should have made you ride all one year. Tho answered Pandulph, Full well wende wee at our first cominge, that yee would have beene obeyent to God, and holy Chirche, and have fulfilled the Popes Commandement; And now wee have shewed unto you, and pronounced the Popes will, as wee were charged therewith. And as now yee have said, that if yee had wist the cause of our coming, that yee would have dauid to ryde all an hoole yeare. And as well yee might have said, that yee would have taken an hoole yeare of respyte by the Popes leave. But for to suffer what dethe yee could ordeyne, wee shall not spare for to tell you hooly all the Popes Message, and his will that wee were charged with.

\* A strange un-  
parallel'd info-  
lency & contu-  
macy.

And anone tho commaunded the King, the Shyriffs, and Baylyffs of Northampton, that were in the Kings presence, that they should bring forth all the Prysoners, that they might bee done to death before Pandulph, for bycause the King wened that they would have gaynsaid their deeds for cause of the Dethe, all thing that they had spoken afore. When the Prysoners were come before the King, the King commaunded some to bee hanged, and some to bee drawne, and some to drawe out their Eyne out of their head. And among all other there was a Clerke that had falsfyde the Kings monye, and the King commaunded that hee should be hanged and drawed. And when Pandulph heard this Commandement of the King, hee sterke him upright quickly, and anone \* axed a Booke and a Candle, and would have cursyd the King, and all them that would set upon the Clerke any hand; And Pandulph himselve went for to take a Crosse. And the King followed him and delivered him the Clerke by the hond, that hee should doe with him what hee would; and thus was the Clerke delivered, and went thens. And Pandulph and Duraunt his fellow, wente from the King, and came agone to the Pope of Rome, and tould him, that King Johan would not amended bee, but ever abode soe accursyd. And neverthelesse the Pope graunted that yeare throughout all England, that Priests might sing Masse in covenable Churches, and consecrate our Lords body, and give it to syck men which were likely to passe out of this World; and alsoe that men might Chrysten Children over all the Londe. And when the Pope wist and saw that the King would not be under the rule of holy Chirche for no manner thing, the Pope then sente to the King of Fraunce in remission of his synnes, that hee should take with him all the power that he might, and goe into England for to destroy the King John. Thus far this Chronicle.

\* Answer to  
Cook, part 2.c.  
9. Speed p. 571.

Can any Christian or Loyal Subject, though the most passionate Votary to the Church of Rome, read these proceedings without the highest detestation and abomination of them, as diametrically repugnant to the practise and precepts of Christ, of St. Peter, all the Apostles, and to the principles of Christian Religion? or at least not acknowledge with \* Parsons the Jesuit, (no friend to our Kings or Monarchy) That many godly wise men at that time did wish, that Pope Innocent had not stood so hard with King John in such a point as this was, for contenting him with a person gratefull to him in that See: The dismal effects whereof both to the King and Kingdom, Lords and Commons, Bishops and Clergy themselves, being most gastly, rufull, execrable to all godly sober minded Christians, and moral Heathens.

But to return to Matthew Paris his relation of some of these proceedings.

An. Dom. 1211  
Mat. Paris Hist.  
Angl. p. 211,  
221. Mar.  
Westm. p. 89,  
90.

Eodem Anno (1211.) Innocentius Papa cum Rex Anglorum Johannes, Nunciis ejus sibi monita prædicantibus salubria, acquiescere contempsisset, multimodam ipsius contumaciam supra modum admirans, (instead of ordering and reforming his own) Reges et alios omnes tam pauperes, quam potentes ad Coronam Angliæ

Angliæ Spectantes, a Regis fidelitate et subiectione absolvit, discriete et sub pœna excommunicationis prohibens universis et singulis quatinus ipsum, in mensa, consilio, et colloquio arctius evitarent, (which few or none submitted to.) Habuit autem Rex hac Interdicti tempestate consiliarios \* iniquissimos, (or fautores & consiliarios præcipuos in hoc errore & pertinacia, so *Matthew Westminster*) quorum nomina pro parte hic ponere non omitam. *Willielmus* quoque frater Regis, & Comes *Sariseniensis*, *Albericus de Veer*, Comes *Oxonienfis*, *Gaufridus* filius *Petri*, *Anglia* Justitiarius, **Tres Episcopi Curiales**, *Philippus Dunelmensis*, *Petrus Wintoniensis*, et *Johannes Norwicensis*, *Richardus de Marisco*, Regis Cancellarius, *Hugo de Nevilla*, Proto-torretarius, *Willielmus de Wotham*, Custos Portuum Maris, *Roberius de Veteri Ponte*, & *Two* frater ejus, *Brianus de Insula*, & *Gaufridus de Luci*, *Hugo de Bailul*, & *Bernardus* frater ejus, *Willielmus de Cantelu*, & *Willielmus* filius ejus, *Fulco de Cantelu*, & *Riginaldus* de *Cornhelle*, Vicecomes *Kancia*, *Roberius de Braibroc*, & *Henricus* filius ejus, *Philippus de Uletores*, & *Johannes de Bassingburne*, *Philippus Marci*, Castellanus de *Nottingham*, *Petrus de Maulei*, & *Roberius de Gangi*, *Gerardus de Aric*, & *Ingelardus* nepos ejus, *Falco* & *Willielmus Brivere*, *Petrus* filius *Hereberti*, & *Thomas Bassit*, & alii multi quos longum esset enumerare, qui Regi in omnibus placere cupientes, consilium non pro ratione, sed pro voluntate (or impetu voluntatis perniciosum, as *Matthew Westminster*) dederunt. Thus the defaming pencils of every Monk did brand those faithfull Counsellors and Subjects then adhering to the King, against the Usurping Pope, Trayterous Bishops, and their Brother Monks of *Cancerbury*.

\* Equissimos  
had been betr  
ter, truer.

When this Antichristian absolution of the Nobles and all other Subjects from the Kings allegiance would not shake his most magnanimous resolution, nor his peoples Loyalty, the Popes Legates, and Popish Prelates forged new deviles to effect their designs by fraud and terror, to which purpose they procured sundry Letters from severall quarters to be brought to him, whiles he sat at dinner at *Nottingham*, intending to invade and extirpate the *Welshmen* with a formidable Army, (whom they had stirred up to Rebell against him, and invade *England*) to divert him from his design, all to this effect, That there was a secret Plot laid to betray and destroy him: which he causing to be read to him after dinner, he adhuc spretis his comminationibus, marched to *Chester*, where he met with new Letters to the like effect, which caused him to dismisse his Army and design against the *Welshmen*.

Iterum venerunt ad eum nuncii & literæ, quod videlicet Rex, si bellum aggrediretur inceptum, aut a suis magnatibus perimeretur, aut hostibus ad perdendum traderetur. Rex autem cum talia audisset, perturbatus est valde, & animo consternatus, atque cum intellexisset *Magnates Angliæ*, a suo esse fidelitate absolutos, majorem literis sibi destinatis fidem adhibuit. Unde propositum utiliter commutans, jussit omnem exercitum ad propria remeare, veniensque ad Urbem *Londoniarum*, misit nuncios ad magnates universos, sibi de fidelitate suspectos, exigens obsides ab eis, ut probaret qui vellent & qui nollent, ejus obtemperare præceptis. Illi vero Regis jussoribus resistere non audentes, remiservnt Filios, Nepotes, & Cognatos suos, ad libitum Regis Et sic indignatio ejus aliquantulum conquievit. Veruntamen *Eustachius de Vescei*, & *Robertus* filius *Walteri*, de prodicione memorata accusati & Regi nimis suspecti, recesserunt ab *Angliæ*, *Eustachius* videlicet in *Scotiam*, & *Robertus* ad *Gallias* divertentes.

Mat. Paris Hist.  
Angl. p. 222.

Besides, the Prelates and Priests suborned and set up one *Peter an Hermit*, a Anno 1212. counterfeit Prophet, to terrifie the King, and alienate the peoples hearts from him by his false Prophecies, thus reported by *Matthew Paris* and others.

SUB hiis quoque diebus, erat in provincia *Eboracensi*, Heremita quidam *Petrus* nomine, qui eo quod multis futura multa prædixerat, sapiens dicebatur. Hic inter alia quæ spiritu cunctis astantibus, & audire volentibus, illud prædicando publice asseribat, quod non foret Rex in die Dominicæ *Ascensionis* proximo sequentis nec deinceps, sed die illa coronam *Angliæ*, ad alium transferri prædixit. Cujus assertio cum ad Regis notitiam devenisset,

Hist. Angl. p.  
222. 223. Mat.  
Westm. p. 91.

& ipso jubente, ad ejus presentiam adductus fuisset: Quæsit ab eo Rex, si die illo esset moriturus, vel quo ordine a regni solio privaretur? Qui respondit: *Noveritis certissime, quod die prædicta Rex non eris. Et si de mendacio convictus fueris, de me quod placueris facias.* Cui Rex, fiat, inquit, secundum verbum tuum. Tunc Rex tradidit illum *Willielmo de Harecurt* custodiendum, quem idem *Willielmus*, Custodibus & Arctioribus vinculis constrictum, apud Corruum incarcerationis, donec probaret quem exitum res haberet. Quod verbum in brevi per remotas provincias ita disseminatum est, quod fere omnes, qui hoc audierunt, dictis ejus adeo fidem adhibuerunt, ac si assertio illius de *Caeso* fuisset.

\* Acts and  
Monuments,  
vol. 1. p. 318.

\* Note the  
fruits of this  
Popes Interdict.

\* Mr. Fox, and some other Historians observe, that this false counterfeit Prophet, set up by the Prelates and Priests, called *Peter Wakefeild* of Poiz, was an idle gadder about, and a prattling Merchant: This *Peter* they made to Prophecy lyes, rumouring his Prophecies abroad, to bring the King out of all credit with his people. They noised it daily amongst the Commons of the Realm, that *Christ* had twice appeared to this Prophet of theirs in shape of a Child between the Priests hands, once at York, another time at *Pomfret*, and that he had breathed on him thrice, saying, *Peace, Peace, Peace*, and teaching many things which hee anon after declared to the Bishops, and bid the people amend their naughty living. Being rapt also in spirit, they said, hee beheld the Joyes of Heaven, and sorrowes of Hell. \* For scant were there three (saith the Chronicle) among a thousand that lived Christianly. This counterfeit soothfayer prophesied of King *John*, that he should raigne no longer then the Ascension day, within the yeare of our Lord 1213. which was the 14<sup>th</sup>. from his Coronation, and this (hee said) hee had by Revelation. Then was it of him demanded, whether hee should, be slaine or expelled, or should of himself give over the Crown? He answered, hee could not tell, but of this he was sure (he said) that neither hee, nor any of his Stock or Linage should raigne, that day once finished. The King hearing of this laughed much at it, and made but a scoffe thereof: Tush (saith hee) it is but an Ideot Knave, and such a one as lacketh his right wits; "But when this foolish Prophet had so escaped the danger of the Kings displeasure, and that he made no more of it, he got him abroad and prated thereof at large" (as hee was a very idle vagabond) and used to tattle, and talk more then enough: so that they which loved the King caused him anon after to be apprehended as a Malefactor, and to be thrown into prison, the King not knowing thereof. Anon after, the fame of this phantastical Prophet went all the Realme over, and his name was known every where (as foolishnesse is much regarded of people where Wisdome is not in place) specially because hee was then imprisoned for the matter, the rumor was the larger; their wanderings were the wantoner, their practising the foolishher, their busie talks and other idle occupys the greater, continually from thence (as the rude manner of people is) old Gossips tales went abroad, new tales were invented, Fables were added to Fables, and lies grew upon lies: so that every day new slanders were raised on the King, and not one of them true; Rumors arose, blasphemies were spread, the enemies rejoiced, **And treasons by the Priests were maintained**, and what likewise was surmised, or other subtilty practised, all then was Fathered upon this foolish Prophet: As Thus saith *Peter Wakefeild*, thus hath he Prophecied, and this shall come to passe, yea many times when hee thought nothing lesse. When the Ascension day was come which was Prophecied of before, King *John* Commanded his Regall Tent to be spread abroad in the open field, passing that day with his Noble Council, and men of Honour, in the greatest solemnity that ever hee did afore, solacing himself with Muscicall instruments and songs, most in sight amongst his trusty friends. When that day was past in all prosperity and mirth, his enemies being confounded, turned all to an Allegorical understanding, to make the Prophecy good, and said He is no longer King, for the Pope raigneth, and not hee, yet hee raigned still and his son after him to proove that Prophet a lyer. Then was the King by his Council perswaded that this false Prophet had troubled all the Realm, perverted the hearts of the people, and raised the Commons against him. For his words went over the Sea by the help of his Prelates, and came to the French Kings ear, and gave unto him a great encouragement to invade the Land, he had not



not else done it so suddenly. But hee was most foully deceived; as all they are and shall bee, that put their trust in such Dark drowsie dreams of Hypocrites. The King therefore commanded that he should be drawn, and hanged like a Traitor.

When these false Prophecies would not work the King to comply with their ends; the Pope, at the Bishops petition, having proceeded to the utmost extremity, judicially to depose him, and to give his Crown to his enemy the King of France, commanded him with force of armes to seise upon his Kingdom, exciting all Souldiers and Warriors in divers Nations to take up armes against him, under the self same Indulgences as those that visited the Holy land, and fought against the Saracens in which Treasonable proceedings his English Bishops were employed as principal actors, thus related by Matthew Paris.

Circa hos denique dies, *Maugerius* Bishop of Worcester one of the Rebellious Bishops dying in exile at Pontinnac (ob libertatem Ecclesie Anglicane, & executionem *Iustitia* write our malicious partial Monks,) *Stephanus Archiepiscopus Cantuariensis*, *Willielmus Londinensis*, & *Elias Eliensis* Episcopi Romani profecti, innuerunt Domino Papa multimodas rebelliones, & enormitates quas fecerat Rex Anglorum *Iohannes* (they should rather have remembered and repeated of their own manifold Treasons, and Rebellions against their King) a tempore interdicti usque in presentem diem: maris sibi et crudelitatis contra Dominum sanctum, Ecclesiam insatigabiliter aggravando. Unde humiliter Dominum Papam supplicabant ut Anglicanæ Ecclesie iam quasi in extremis laboranti dignaretur pie miserationis intuitu subvenire. Tunc Papa gravi maxore propter desolationem regni Anglie confectus, de consilio Cardinalium, Episcoporum, et aliarum virorum prudentium, sententialiter definivit, ut Rex Anglorum *Iohannes* a solio regni deponeretur, et alius Papa procurante, succederet, qui dignior haberetur. Ad huius quoque sententie executionem scripsit Dominus Papa potentissimo Regi Francorum *Phelippo*, quatenus in remissionem omnium suorum peccaminum, hunc laborem assumeret, ut Rege Anglorum a solio Regni expulso, ipse et successores sui regnum Anglie jure perpetuo possiderent. Scripsit insuper omnibus Magnatibus, militibus, aliisque bellatoribus per diversas nationes constitutis, ut ad Regis Anglorum defectionem sese cruce signarent, Regemque Francorum in hac expeditione ducem sequentes, vindicare injuriam Universalis Ecclesie laborarent. Statuit preterea ut quicumque ad expugnandum Regem illum contumacem opus impenderint vel auxilium, sicut illi qui sepulchrum Domini visitant, tam in rebus, quam in personis, et animarum suffragiis in pace Ecclesie securi permaneant. His ita gestis, misit Dominus Papa a latere suo *Pandulphum* subdiaconum ad partes Gallicanas, cum Archiepiscopo & Episcopis supradictis, ut in ipsius presentia, ea quæ superius digesta sunt, exequatur. Sed *Pandulphus* a Papa recedens, remotis omnibus secretissima allocutione sciscitatus est, (of purpose to overreach and trepan both the Kings of England and France, and work his own designs on both) si forte in Rege Anglorum fructum penitentia inveniret ita quod vellet satisfacere Domino, & Ecclesie Romana, atque aliis omnibus illud negotium spectantibus, quid sibi inde fieri placeret? Tunc Papa *Pandolpho* quandam pacis formam evidenter expressit, cui si Rex assentire decreverit, apud sedem Apostolicam poterit gratiam invenire. Hæc autem pacis forma inferius descripta continetur. Per idem tempus Rex capi fecit *Galfridum de Norwic* clericum suum fidelem, prudentem, & elegantem, & in Castro de Nottingham pæna excogitata usque mortem torqueri. Quod videns Magister *Willielmus de Neccota* socius dicti *Galfridi*, vir non minoris valoris, fugit in Franciam, & apud *Curbolium* diu latitavit, ne sicut *Galfridum* immerito necaretur.

An. Dom. 1212  
Mat. Paris Hist.  
Angl. p. 213.  
Mat. Westm.  
p. 91, 92.

These Clerks then secretly confederated with the Bishops to depose the King; who

to secure himself against their confederates by special Writs (issued to all the Sheriffs of *England*, remaining on Record though not printed in our Historians) banished all those out of the Realm, who had received any Churches, or Rents from the Archbishops or Bishops of *England*, or Priour of *Canterbury* then beyond the Seas, who deprived of him his Crown, and to seise their Churches and rents to his use, and return them into his Exchequer.

Claus. 14. Joh.  
Rs. ni. 8. dorso.

**R**EX Vicecomiti *Middlesex*, &c. Præcipimus tibi, quod capias in manum nostram omnes Ecclesias & redditus quos Archiepiscopi vel Episcopi Angliæ, vel prior *Canthuariæ*, qui ultra mare sunt, dederunt in Balliva tua in absentia sua, & præcipias omnibus illis qui ea de dono eorum receperunt, quod sine dilatione exeant de terra nostra. Et scire facias distincte in crastino sancti *Johannis Baptistæ*, Anno Regni nostri Decimo Quarto, Baronibus nostris de scaccario ubi fuerint redditus illi & qui illi sint qui eos receperunt. Teste *W. Brigner* apud Westmonasterium Quinto die Junii, per breve de privato sigillo. Eodem modo scribitur omnibus Vicecomitibus Angliæ.

Anno Domini.  
1213.  
Mat. Paris  
Hist. Angl. p.  
223. 224. Mat.  
Westm. p. 92.  
93.

The next year, Anno Domini Millesimo Ducentesimo Decimo tertio Mense Januario, redierunt a Curia Romana *Stephanus Cantuariensis* Archiepiscopus, *Willielmus Londonensis*, & *Elyensis* Episcopi, & habito in paribus transmarinis Concilio, Regi *Francorum*, & Episcopis *Gallicanis* cum Clero pariter & populo, sententiam, quæ in Regem *Anglorum* Romæ pro Contumacia lata fuerat, solenniter promulgarunt. Deinde ex parte Domini Papæ, tam Regi *Francorum*, quam ceteris universis in remissionem suorum peccaminum injunxerunt, ut omnes pariter ad Angliam hostiliter accedentes, *Johannem* Regem a Regni solio deponerent, et alium qui dignus esset auctoritate Apostolica subrogarent. Tunc Rex *Francorum* rem diu desideratam intelligens, accinxit se ad pugnam, atque omnes suæ ditionis homines, Duces videlicet, Comites et Barones, Milites et servientes, cum equis et Armis iussit in Octavis Paschæ, sub nomine *Culvertagii* apud *Rothomagum*, ita potenter convenire, ne crimine læsæ Majestatis damnum exheredationis incurrere viderentur, vulgariter sub nomine *Felonis*. Fecit præterea omnes naves suæ potestatis, & alias multas quas colligere poterat frumento, vino, carne & diversis armamentis optime munire, ut in omnium copiam rerum tam numerosus exercitus abundaret. Tunc temporis quoque Rex vulpina calliditate ab omnibus Religiosorum domibus ad excusandum excusationes in peccatis, chartas exegit, quibus testarentur se gratis contulisse, quacunq; ab eis violenter extorsit. Upon those great Preparations of the French against *England*.

**R**EX *Anglorum* *Johannes*, de omnibus quæ in transmarinis partibus agebantur, per exploratores edoctus, cogitavit qualiter callide insidiis sibi paratis resistere potuisset. Fecit itaque mense Martio idem Rex inbreviare omnes Naves de universis portibus totius Angliæ per hoc Breve, quod singulis portuum Ballivis in hæc verba direxit.

**J**ohannes Rex Angliæ, &c. Precipimus tibi quatenus statim visis literis istis, eas in propria persona, una cum Ballivo portuum ad singulos Portus de Balliva tua, & facias diligenter inbreviare omnes naves ibi inventas, quæ possunt ferre sex equos, vel plures, & præcipias ex parte nostra magistris omnium navium illarum, & illis quorum naves sunt; quod sicut se, & Naves suas, & omnia sua diligunt habeant illas apud *Portesm* in media *Quadragesima*, bene adornatas bonis & probis *Marinellis* & bene armatis, qui ituri sunt in servitium nostrum ad liberationes nostras; & tunc habeas ibi memoriter & distincte inbrevium quot naves in singulis portibus inventis, & quorum ipsæ sint, & quot equos qualibet ferre possit. Et tunc facias nobis scire quot & quæ naves non fuerint in portibus suis die dominica proxima post cineres sicut preceperamus, & habeas hoc breve. Teste meipso apud *Novum Templum*, tertia die Martii.

His

His ita gestis de Naviis, misit Rex alias Literas ad omnes Viccomites Regni sui sub hac forma.

**J**ohannes Rex Anglia, &c. Summone per bonos summonitores Comites, Barons, Milites, & omnes liberos homines & servientes vel quicunque sint, & de quocunque teneant, qui arma habere debeant, vel arma habere possint; & qui homagium nobis vel ligantiam fecerunt, quod sicut nos, & seipsos & omnia sua diligunt, sint apud Doveram ad instans clausum Pascha, bene parati cum equis & armis, & cum toto posse suo, ad defendendum caput nostrum, et capita sua, et terram Angliæ, et quod nullus remaneat, qui arma portare possit, sub nomine \* Culvertagii et perpetuæ servitutis. Et unusquisque sequatur Dominum suum, & qui terram non habent, & arma habere possint, illuc veniant ad capiendum soliditas nostras: Et tu omnem attractum victualium, & omnia mercata Ballivarum tuarum venire facias, ut sequantur exercitum nostrum, ita quod nullum mercatum de Ballivis tuis alibi teneatur, & tu ipse tunc sis ibi cum pradiis summotionibus. Et scias quod scire volumus quomodo venerint de Ballivis tuis, & qui venerint & qui non. Et videmus quod tu ita effortate venias cum equis & armis, & hoc ita exequaris ne inde ad corpus tuum nos capere debeamus. Et tu inde habeas rotulum tuum ad nos certificandum qui remanserint.

His ergo literis per Angliam divulgatis conveniunt ad maritima in locis diversis & Regi magis suspectis, videlicet apud Doveram, Ferverham, & Gipewicum, homines diversæ conditionis & ætatis, nihil magis quam opprobrium Culvertagii motuentes. Sed cum post dies paucos tantæ multitudinis victus defuisset, remiserunt ad propria Principes Militie ex inermi vulgo multitudinem copiosam, milites solummodo, servientes & liberos homines cum Balistariis & sagitariis juxta maritimam retinentes. Venit præterea de Hibernia Johannes Episcopus Norwicensis, cum militibus quingentis & equitibus multis ad Regem, & ab ipso gratanter susceptus est. Omnibus igitur congregatis ad pugnam, æstimati sunt in exercitu apud Barham donam inter milites electos, & servientes strenuos & bene armatos, sexaginta millia virorum fortium, quibus si erga Regem Angliæ et defensionem Patriæ cor fuisset et anima una, non fuisset Princeps sub Cælo, contra quem regnum Angliæ se non defenderet. Constituit præterea Rex cum adversariis, navale prælium conferre, ut eos pelago submergeret antequam terram occuparent. Habebat namque cladem ubertorem quam Rex Francorum, unde maximam securitatem concepit hostibus resistendi.

\* Of being reputed a Turn-Tayle, or Run-away, for which offence, he not only became for ever infamous; but likewise forfeited all his lands, goods, hand, and life too in some cases; see Leges Canonicæ pars 2. c. 1. 2. 14. Concil. Eboracense c. 24. Leges Confe- foris cap. De Heretochis & Hom. 1 c. 10. Gulielmi Somneri Glossarium Tit. Fridwita. Svelmanni Glos- sarium, and Dr. Wats his Glos- sarium. Tit. cnl. vertagium.

What King John in point of prudence, Policy, Valour, Warre, Justice, Conscience, could have done more then he did to protect and defend the invaded Rights of his Crown, Kingdom, people, Church of England against the manifold unparalleld Treasons, Policies, Stratagems, Usurpations, affronts, unjust demands, Interdict, excommunication, dijudication from his Crown and Kingdoms, and intended invasions of this insolent Pope and his Agents, his own perjured Trayterous Bishops, Monks, Clergy, and their domestick confederats; his French and other forraign enemies, with admirable courage, gallantry, prudence, success, for 8. years space together, transcends my understanding to define, the times and circumstances duly considered, for which he really deserved more honour, thanks from the Crown, Church, Realm and people of England, then all of his predecessors, had he still persevered in his former unshaken magnanimous Resolutions, and not been decoyed by Pandulphus; must strangely to fail in his last actings, his Army and Navy then raised, through Gods assistance being able to have encountered all the forces raised against him, and dissipated them like a mist before the Sun.



## BOOK III. CHAP. II.

*Of King Johns most unworthy prostitution not only of the undoubted Rights and Privileges of his Crown, but of Himself, his Diadem, Kingdoms of England and Ireland, after so many years glorious Contests, to the Tyrannical Usurpations of Pope Innocent, and his own Trayterous Bishops and Clergy : Of his resignation of his Crown and Kingdoms by two several Charters, to the Pope and his Successors, and resuming of them as their Feudatory under an Annual Rent : His Oath of Homage and Fealty to the Pope : The Validity of these Charters, Rents, and their payment debated ; The present, subsequent Oppositions against them : His Oppositions to the Encroachments of his Treacherous, Rebellious Bishops and Clergy, who dealt most Treacherously with, and stirred up the Barons Wars, Rebellions against him, when they had enforced him to resign his Crown, and protested against his Vnkingly actions, when accomplished by their own procurement and designs : With other memorable particulars and Records relating to these Transactions ; and this Kings Charters, proceedings in Ecclesiastical Elections, Affairs, as Supream Patron therein, within his own Dominions.*

HAVING presented you with King *Johns* most heroick, vigilant, strenuous defence of his supream Ecclesiastical Jurisdiction over all persons, causes, within his Realms and Dominions for 14. years space ; I shall in the next place inform you, by what arts, menaces, fears, terrours he was at last ( by the intoxications of the Pope, and his Legate *Pandulphus*, when he had raised such a puissant Army as might have secured him against all Foreign Invaders, (a) a small part of his Navy burning and sinking all the *French Kings* Fleet in *Flanders*, soon after the surrender of his Crown ) suddenly emasculated, and totally metamorphosed into a quite contrary person, resolution, and induced not only to part with most of the antient Ecclesiastical Prerogatives united to his Crown, but with his very Crown, Kingdoms themselves, which he resigned to the Pope, becoming his sworn Vassal, Tenant for his own Kingdoms, under an annual rent, which rendred him a scorn, derision to his Bishops, Barons, Subjects, and all other Christian Kings ; with the Arguments and Policies by which the Pope and his Legates effected these their unjust designs.

You heard in the precedent Chapter what a puissant Army and Navy King *John* had provided to resist the Invasions of the *French King* and all his Confederates, who conspired to deprive him of his Crown, Kingdoms ; and what secret Agreements, Articles, Instructions the Pope had given to *Pandulphus* to communicate to *K. John*, whereby he might purchase his peace at *Rome*, if condescended to by him, without any hesitation. I shall now proceed to inform you out of *Matthew Paris*, how *Pandulphus* proceeded to accomplish the Popes designs, and decoy King *John* to submit to his most unworthy Proposals.

*a* Mat. Paris, p.  
2.

Mat. Paris Hist.  
Angl. p. 225.  
Mat. Westm. p.  
92, 93.

**D**Um autem Rex Anglorum cum innumera Armatorum copia circa maritima, Regia Francorum preestolaretur adventum, applicuerunt duo fratres de Militia templi apud *Doveram*, & venientes amicableiter ad Regem dixerunt ei, *Missi sumus ad te,*

O Rex potentissimus, ex parte Pandulphi subdiaconi ac Domini Papæ familiaris, qui pro utilitate vestra, & Regni vestri, vobiscum petit habere colloquium: proponit enim quandam tibi pacis formam, qua poteris Deo & Ecclesiæ reconciliari: licet in Curia Romana à jure Regni Angliæ abjudicatus fueris, & sententialiter condemnatus. Rex vero cum Templariorum verba intellexisset, misit Templarios memoratos propter Pandulphum quantocius transfretare. Venit ergo Pandulphus, (ut dictum est) invitatus ad Regem, & apud *Doveram*, cum ipso loquutus est, dicens: Ecce Rex Francorum potentissimus in Ostio Sequanæ fluminis cum innumera navium multitudine & maximo militem, equitum, peditumque stipatus agmine ad hoc expectat, ut majoribus adhuc vallatus catervis, super vos & Regnum vestrum hostiliter veniat, & quasi Domino & summo Pontifici rebellem, a Regno te violenter depellat, atque autoritate sedis Apostolicæ Regnum Angliæ perpetuo jure possideat. Veniunt & cum illo omnes Episcopi dudum ab Angliâ proscripti, cum Clericis & Laicis exultantibus: ut ipso duce sedes Episcopales, cum rebus aliis, te invito recipiant, & obsequium vobis olim & antecessoribus vestris exhibitum, ipsi de cætero reverenter impendant. Jactat se præterea idem Rex Chartas habere omnium fere Angliæ Magnatum de fidelitate & subjectione, unde plenam concepit securitatem ad finem optimum rem perducere inchoatam. Consule ergo saltem nunc quasi in extremis agens, utilitati tue, ut ad penitentiam redeas, & Dominum quem contra te ad vindictam provocasti gravissimam placore ne differas, si enim sufficientem volueris præstare cautionem, judicio Ecclesiæ parendi, & humiliari pro ipso, qui se pro te humiliavit, poteris ex Clementia sedis Apostolicæ Regnum recuperare, a quo pro contumacia Romæ abjudicatus fuisti. Nunc autem ne supergaudeant de te inimici tui, revertere ad cor tuum, cavens ne te in talem difficultatem inducas, de qua te volens expedire non valeas.

Rex denique Johannes his auditis ac medullitus intellectis, confusus est valde, & mente nimis perturbatus, videns undique sibi periculum imminere. Erant enim quatuor causæ principales quæ ipsum ad penitentiam simul ad satisfactionem compulerunt. Prima, Quod iam per quinquennium excommunicatus permaneras. Deumque & Sanctam Ecclesiam in tantum offenderas, quod de salute animæ penitus desperabas. Secunda, Quod Regis Francorum adventum metuebas, qui circa maris littora cum innumera Armatarum copia expectans, insidias suæ dejectionis parabat. Tertia, Quod si forte cum hostibus supervenientibus belli certamen iniret, Verebatur ne a Magnatibus Angliæ, & propria gente, solus in Campis relinqueretur, aut inimicis ad perdendum traderetur. Quartam, Verò causam aliis plus omnibus timebat: Instabat enim dies Dominica Ascensionis, in qua juxta Prophetiam, P. Heremite, de quo superius relatum est, cum ipsa vita Regnum, tam temporale quam æternum amittere vergebatur. His autem & consimilibus causis in desperationem dilapsus, persuasionibus Pandulphi & quievit, & subscriptam pacis formam non sine dolore concessit. Juravit ergo Rex, tacitis Sacrosanctis Evangelii in præsentia Pandulphi, se judicio Ecclesiæ pariturum, & sexdecim cum eo Comites & Barones ex potentioribus Regni in animam ipsius Regis, Quod si forte facti panisteret eum pro possibilitate ad satisfactionem compellerent.

Hereupon this perplexed King, intoxicated by Pandulphus, entertained the most dishonourable terms of Peace that ever were formerly proposed to him.

Convenerunt apud *Doveram*, decima tertia die *Maii*, videlicet die Lunæ proxima ante Ascensionem Domini, Rex & Pandulphus, cum Comitibus, Baronibus, & turba multa nimis, ubi in subscriptam pacis formam unanimiter consenserunt.

JOHANNES Dei gratia Rex Angliæ, Omnibus præsentibus Literas suspecturis, salutem. Per hæc Patentes Literas, sigillo nostro munitas, volumus esse notum, quod nobis præsentibus, hi quatuor Barones nostri, *Willielmus* scilicet Comes *Sarisbury*, frater noster, & *Reginaldus* Comes *Bovonie*, *Willielmus* Comes *Warennæ*, & *Willielmus* Comes de *Ferrariis*, juraverunt in animam nostram, quod nos subscriptam pacis formam, bona fide per omnia curabimus observare. In primis itaque solemniter absolute juravimus stare mandatis Domini Papæ, coram ejus Legato & Nuncio, super omnibus pro quibus excommunicati sumus, ab ipso & veram pacem, & plenam securitatem præstabimus venerabilibus viris *Stephano Cantuariensi Archiepiscopo*, *W. Londinensi*, *E. Elyensi*, *G. Herefordensi*, *J. Bathoniensi*, & *Huberto Lincolniensi Episcopis*.

Priori quoque & Monachis *Cantuariensibus*, & *Roberto filio Walteri*, & *Eustachio*

Mar. Paris.  
Hist. Angl. p.  
2. 5, 326. Mar.  
Westm. p. 924

93.

de

de Vesci, necnon & ceteris Clericis & Laicis ad hoc negotium contingentibus, praestando simul coram eodem Legato vel Delegato publice juramentum, quod ipsi cum suis nec laedemus, nec laedi faciemus, vel permittemus in personis vel rebus; illisque dimittimus omnem indignationem, & in gratiam nostram eosdem recipiemus, ac tenebimus bona fide; quodque praefatos Archiepiscopum et Episcopos non impediemus, nec faciemus nec permittemus aliquatenus impediri, quo minus ipsi libere suum exequantur officium et plena Jurisdictionis suae auctoritate, prout debent utantur. Et super his tam Domino Papae, quam ipsi Archiepiscopo, & singulis Episcopis nostras Patentes Literas exhibebimus, facientes ab Episcopis, & Comitibus, & Baronibus nostris, quot & quos praefati Archiepiscopus & Episcopi postulant juramenta, & eorum Patentes Literas exhiberi, quod ipsi bona fide studebunt, ut haec pax & securitas firmiter observetur. Et si forte, quod Deus avertat, per nos ipsos, vel alios contra venerimus, ipsi pro Ecclesia contra violatores pacis & securitatis, mandatis Apostolicis inhærebunt, nosque perpetuo vacantium Ecclesiarum custodias amittamus. Quod si forte nequiverimus ad hanc ultimam partem juramenti eos inducere, videlicet, quod si per nosmetipsos, vel alios contra venerimus, ipsi pro Ecclesia contra violatores pacis & securitatis, mandatis Apostolicis inhærebunt. Nos propter hoc Domino Papae ac Ecclesiae Romanae per nostras Patentes Literas, obligavimus omne jus Patronatus, quod habemus in Ecclesiis Anglicanis. Et sic omnes Literas quae pro securitate praedictorum sunt exhibendae, praetatis Archiepiscopo & Episcopis ante suum ingressum in Angliam transmittemus. Si vero nobis placuerit, saepe fatus Archiepiscopus & Episcopi praestabunt, salvo honore Dei & Ecclesiae, juratoriam cautionem, & literatoriam, quod ipsi nec per se, nec per alium contra personam nostram vel Coronam nostram aliquid attentabunt, nobis praedictam eis pacem & securitatem servantibus illibatam. De Ablatis autem plenam restitutionem, & de damnis recompensationem sufficientem omnibus impendemus, tam Clericis quam Laicis ad hoc negotium pertinentibus, non solum rerum, sed omnium libertatum & restitutas conservabimus libertates. Archiepiscopo quidem, & Episcopo Lincolnensi a tempore sua consecrationis, aliis autem a tempore discordia inchoata. Nec obstat aliqua pactio, vel promissio, seu concessio quo minus & damna recompensentur & restituantur ablata tam vivorum, quam & defunctorum. Nec aliquid retinebimus pretextu servitii, quod nobis debuerat impendi, sed postea nobis debita pro servitio recompensatio tribuetur. Statimque omnes quos detinemus Clericos, faciemus absolutos dimitti, ac restitui propria libertati, cum Laicis qui huius occasione negotii detinentur. Incontinenti quoque post adventum illius qui nos debet absolvere, faciemus de parte restitutionis ablatorum octo Millia librarum legalium Esterlingorum pro solvendis debitis, & faciendis expensis Nunciis praedictorum Archiepiscoporum, & Episcoporum, & Monachorum Cantuariensium assignari, sine impedimento quolibet per potestatem nostram, ad eos libere deferendum ut expediat veniant in Angliam honorifice revocati, videlicet Stephano Cantuariensi Archiepiscopo, duo Millia & Quingentas Libras. W. Londinensi septingentas & quinquaginta Libras. J. Bathoniensi septingentas & quinquaginta Libras. H. Lincolnensi septingentas & quinquaginta Libras. Priori & Monachis Cantuariensibus Mille Libras, & protinus postquam pacem illam duxerimus acceptandam, assignari faciemus absque mora Archiepiscopo & Episcopis Clericis ac Ecclesiis universis, in manibus nunciorum, vel procuratorum ipsorum, mobilia omnia cum administratione libera eorundem, & in pace dimitti. Interdictum vero utlagatio vulgariter nuncupatum, quod proponi fecimus contra Ecclesiasticas personas, publice revocabimus, protestando per nostras Patentes Literas Archiepiscopo tribuendas, id ad nos nullatenus pertinere, quod illud de cetero contra Ecclesiasticas personas nullatenus faciemus proponi: revocantes praeterea utlagationem Laicorum ad hoc negotium pertinentium, & remittentes omnia quae post Interdictum recepimus ab hominibus Ecclesiasticis praeter Regni consuetudinem & Ecclesiae libertatem. Si vero super damnis vel ablatis aut eorum quantitate vel aestimatione, quaestio fuerit de falso suborta, per Legatum vel delegatum Domini Papae, receptis probationibus terminetur. Et his omnibus rite peractis, relaxabitur sententia Interdicti, (not before.) Super ceteris autem capitulis, si quae fuerint dubitationes subortae, de quibus merito debeat dubitari, nisi per Legatum vel delegatum Domini Papae, de partium fuerint voluntate sopitae, ad ipsius referantur arbitrium, ut super his quae ipse decreverit observentur. Teste meipso apud Dover. Decima tertia die Maii. Anno Regni nostri Decimo quarto.

Nota.

Anno 1213.

Rebus ut jam dictum est, expeditis, conveniunt iterum Rex Anglorum, & Pandulphus, cum Proceribus Regni, apud domum Milium Templi, juxta Doveram, decimo quinto



quinto die Maii, in vigilia scilicet Dominicæ *Ascensionis*, ubi idem Rex, iuxta quod Romæ fuerat sententiatum resignavit Coronam suam, cum Regnis Angliæ et Hiberniæ, in manus Domini Papæ, cuius tunc vices gerebat Pandulphus memoratus.

The School-master of (a) *St. Albans*, *William Caxton*, (b) *Speel*, and other of our Chronologers, relate the forme and manner of the resignation of his Crowne to be thus.

*Thence put the King him to the Court of Rome; and thence gaue hee up the Reame of Englonde and of Irelande for him and for his Heyres for evermore that should come after him, soe that King John and his Heyres should take the two Reames of the Popes hands, and should every yeare pay ferme unto the Court of Rome a Thousand Marke of Silver. And tho took the King the Crowne off his head, and set it upon Pandulphus his knees, (at whose feet he also laid his Scepter, Robe, Sword, and Ring, his Royall enignes, as (c) John de Serres relates) and these words said hee in hearing of all the great Lords of Englonde.*

*Here I resigne up the Crowne and the Realme of Englonde, into the Pope Innocentius his hands the third, and put mee hooly in his Mercy, and in his Ordinance.*

Tho received Pandulph the Crowne of King John, and kept it five dayes as foze leasing, takyng off two Reames of Englonde, and of Irelande; And confermed all manner of thing by his Chartre that followeth after. There recited in English, in Mr. Fox his Acts and Monuments; but I shall present you with it as recorded by *Matthew Paris*, (if there were two successive Charters made, as he and others relate.)

Facta autem resignatione dedit Papæ & ejus successoribus Regna prædicta, quæ & Charta subscripta confirmavit.

**JOHANNES** Dei gratia Rex Angliæ, &c. Omnibus Christi fidelibus hanc Chartam inspecturis, salutem in Domino. Universitati vestræ per hanc Chartam sigillo nostro munitam, volumus esse notum, quod cum Deum et Matrem nostram, Sanctam Ecclesiam offenderimus in multis, et proinde divina misericordia plurimum indigeamus, nec quid digne offerre possimus pro satisfactione Deo et Ecclesiæ debita facienda, nisi nosmetipsos humiliemus et Regna nostra, volentes nosipsos humiliare pro illo qui se pro nobis humiliavit usque ad mortem, gratia Sancti Spiritus inspirante, non vi Interdicti, nec timore coacti, sed nostra bona spontaneaue voluntate, ac communi consilio Baronum nostrorum conferimus, et libere concedimus Deo et Sanctis Apostolicis ejus Petro et Paulo, et Sancto Romanæ Ecclesiæ matri nostræ, ac Domino Papæ Innocentio ejusque Catholicis successoribus, totum Regnum Angliæ, et totum Regnum Hiberniæ, cum omni jure et pertinentiis suis, pro remissione omnium peccatorum nostrorum, et totius generis nostri, tam pro vivis quam pro defunctis, et a modo illa ab ea et Ecclesia Romana tanquam secundarius recipientes et tenentes in præsentia prudentis viri Pandulphi, Domini Papæ Subdiaconi et familiaris: Exinde prædicto Domino Papæ Innocentio ejusque Catholicis successoribus, et Ecclesiæ Romanæ secundum subscriptam formam fecimus et inrabimus, et homagium legium in præsentia Pandulphi, si coram Domino Papa esse poterimus eidem faciemus; Successores nostros et hæredes, de uxore nostra, in perpetuum obligantes, ut simili modo, summo Pontifici qui pro tempore fuerit, et Ecclesiæ Romanæ sine contradictione debeant fidelitatem præstare, et homagium recognoscere. Ad iudicium autem hujus nostræ per-

<sup>a</sup> Chron. part 7. Johan.  
<sup>b</sup> Speeds History p. 571. Fox Acts and Monuments, vol. 1. p. 329.

<sup>c</sup> In Phil. Augusto, Speeds Hist. p. 576.

Mat. Paris Hist. Angl. p. 227.  
Mat. Westm. p. 93.

\* All the premises prove the contrary, that it was done by fraud, force, circumvention, against his will, and without the Barons adv'ce.

petuæ obligationis et concessionis, volumus et stabilimus, ut de propriis et specialibus redditibus nostris prædictorum Regnorum pro omni servitio et consuetudine quæ pro ipsis facere debemus, (salvis per omnia denariis Beati Petri) Ecclesia Romana Mille Marcas Esterlingorum percipiat annuatim, in festo scilicet Sancti Michaelis quingentas Marcas, et in Pascha quingentas, septingentas scilicet pro Regno Angliæ, et trecentas pro Regno Hybernæ, salvis nobis et hæreditibus nostris iustitiis, Libertatibus et Regalibus nostris. Quæ omnia sicut supra scripta sunt rata esse volentes atque firma obligamus nos et successores nostros contra non venire, et si nos vel aliquis successorum nostrorum contra hæc attentare præsumpserit, quicumque ille fuerit, nisi rite Commonitus resipuerit, cadat a jure Regni: Et hæc Charta obligationis et concessionis nostræ, semper firma permaneat. Teste meipso apud Domum Militum Templi juxta Doveram, \* coram H. Dublinensi Archiepiscopo, Johanni Norwicensi Episcopo, Gualfrido filio Petri, W. Comite Saresberie, W. Comite Pembroc, R. Comite Bononiæ, W. Comite Warrenæ, S. Comite Winton, W. Comite Arundel, W. Comite de Ferrariis, W. Biltwre, Petro filio Hereberti, Marino filio Geroldi, Decimo quinto die Masi, Anno Regni nostri Decimo quarto.

\* Observe that it is not said, *His Testibus*, but *Coram H.* &c. they refusing to subscribe such an execrable deed, Sealed and delivered only in their presence, if at all.

This Charter would not suffice the Usurping Pope and his Legate, but King John must likewise swear Homage to the Pope and his Successors, and become their most absolute Vassal in this new form.

Mac. Paris, Hist. Angliæ p. 227, 228.

Charta itaque Regis in scriptum, ut dictum est redacta, tradidit eam Rex Pandulpho Romam Papæ Innocentio deferendam, & continuo cunctis videntibus homagium fecit subscriptum. Ego Johannes Dei gratia Rex Angliæ, et Dominus Hybernæ, ab hac hora et in antea fidelis ero Deo et Beato Petro, et Ecclesiæ Romanæ, et Domino meo Papæ Domino Innocentio ejusque successoribus Catholice intransibus. Non ero in facto, in dicto, consensu vel consilio ut vitam perdant vel membra, vel mala captione capiantur. Eorum damnum si scivero impediam, et remanere faciam si potero, alioquin eis quam citius potero intimabo, vel tali personæ dicam, quam eis credam pro certo dicturam. Consilium quod mihi crediderint, per se vel per nuncios suos, seu Literas suas secretum tenebo, et ad eorum damnum nulli pandam me sciente. \* Patrimonium Beati Petri et specialiter Regnum Angliæ, et Regnum Hybernæ, adjutor ero ad tenendum et defendendum contra omnes homines pro posse meo. Sic me adjuvet Deus, et hæc Sancta Evangelia, Amen.

\* How this came to be St. Peters Patrimony, against his express precept, 1 Pet. 2. 13, to 18. c. 5. 2, 3, 4. I cannot define.

Acta autem sunt hæc, ut prædictum est, in vigilia Dominicæ Ascensionis præsentibus Episcopis, Comitibus, & Magistris supradictis. Pandulphus autem (with most Antichristian pride, and intollerable insolency) pecuniam, quam in arcam subsecutionis Rex contulerat, sub pede suo concubavit, Archiepiscopo dolente et reclamante.

Having thus presented you with a full and faithfull History of King Johns resignation of his Crown and Kingdoms of England and Ireland, to Pope Innocent and his Successors, the successive Interdicts, Excommunications, Abjudications from the Crown, Treasons of his Prelates, Subjects, Forces of his invading foreign Enemies, unchristian Frauds, unrighteous Policies by which it was effected, and this gallant Kings enforcements to it, against all his former Heroick Oppositions, Resolutions: I shall desire the greatest Voraries to the See of Rome, to resolve these Quarres.

1. Whether Pope Innocent (who in all his former Epistles, proceedings against King

King John, pretended that he sought nothing else or more but King Johns repentance, and reception of Stephen Langhton Archbishop of Canterbury, and greived at nothing so much as Englands desolation) did yet by all the premised circumventions, frauds, practises, display to all the world, that the principal thing he sought after, was the very Crown, Kingdoms of England and Ireland, to unite them to the See of Rome; as St. Peters pretended Patrimony, though with the Kings and Kingdoms great greif and desolation?

2. Whether this Resignation gained, extorted from King John by so many years successive unchristian detestable Perjuries, Treasons, Interdicts, Excommunications, Abjudication from the Crown, Hypocrisies, Frauds, Menaces, Lyes, false suggestions by Pope Innocent himself, (who was sole Judge of King John in his own case) and his confederates, and such unjust invasions of the Rights of his Crown, can in point of Justice, Law, Reason, Conscience be reputed a Good, Valid, Legal or equitable Title for him and his successors to claime the Realms of England and Ireland, as part of St. Peters Patrimony, or the rents reserved annually out of them, as a just Papal revenue, admitting King John had a legal power to resign his Kingdoms without the joyn consent of all his Nobility, subjects, Kingdoms, which he had not, as they oft protested both in and out of Parliament?

3. Whether all or many of these abominable, insolent, injurious, Machivillian if not Atheisticall practises, proceedings against King John, diametrically repugnant to all rules of Christianity, Piety, Justice, moral honesty, and expresse precepts of Christ himself, St. Peter and Paul forecited, proclaim not this Pope Innocent one of the grandest Nocents, Hypocrites, Antimonarchs, Impostors, Usurpers, Atheists, Monster of Impiety, Arrogancy, Covetousness, Ambition, that ever sat in St. Peters pretended chair; and King John the only Innocent and pattern of patience, justice, clemency, and unparalleled humility, farre below his Royal dignity, and the place, person, and publick trust he then sustained, notwithstanding our Monkish Historians defamations of him?

4. Whether the serious consideration of these proceedings of Innocent, seconded with those succeeding them, were not of themselves a sufficient ground for the King and Kingdoms of England and Ireland, without any guilt of Scisme or Injustice, for ever to exterminate the Usurped Antimonarchical Usurpations, and forraign jurisdiction of the Bishops and See of Rome, and to hold no future communion with them, to prevent the like attempts? especially when so magnified, justified by our Monkish Historians in that age, by late Popish Parasites of all sorts, and most succeeding Popes, who still make fresh successive claimes to the Crown, Kingdoms of England and Ireland, and the annual rent then reserved out of them as St. Peters undoubted Patrimony. But more of this in due place.

Pope Innocent and Pandulphus having thus cheated, decoyed King John of his Crown, Kingdoms; yea all his Regal Honour, Glory, Wisdom, Magnanimity and Renown acquired by his former oppositions against them; and the King of France (their meare itaiking horse to gain this rich booty, to his vast and fruitlesse expence) of his elevated hopes to possesse and enjoy it by the Popes donation, his next designe was, how to take off and pacify the French King from his intended invasions; and so sent the Archbishop and his confederates into England, there to insult over and trample upon King John, as they had done abroad; wherein he thus proceeded.

**H**IS ita gestis, Pandulphus cum Cartis memoratis transiretravit ad Gallias, Octo millia Librarum Esterlingorum secum gerens ut Archiepiscopo & Episcopis, Monachisque Cantuariensibus, ac cæteris causa interdicti exulantibus in parte restitutionis faceret ablatorum. Cum autem tenor Cartarum, & prefatæ pacis forma, illis omnibus placuisset, persuasit diligenter Pandulfus, ut pacifice redirent in Angliam Episcopi supradicti, residuum restitutionis illico percepturi: Deinde Regem Francorum diligenter admonere cepit, qui jam paratus fuerat in manu violenta ad Angliam hostiliter transfretare, ut desisteret a proposito, & ad propria pacifice remearet, non enim potuit sine offensione summi Pontificis terram Angliæ, vel ipsum Regem infestare, cum ille paratus sit Deo, & sanctæ Ecclesiæ ejusq; ordinatis satisfacere, atque Domini Papæ Catholicis jussionibus obedire. Hæc audiens Rex Francorum, iratus valde dixit, se jam in apparatu Navium, Victualium & Armorum plusquam seraginta Millia librarum expendisse & ex præcepto

Mat. Paris Hist. Angl. P. 228.



Domini Papæ Laborem prefatum & in peccatorum remissionem suscepisse. Et ut verum fateamur, idem Rex suggestionibus *Pandulphi* ascensum nullatenus præbuisset, nisi solus Comes Flandrensis *Philippus* ipsum sequi contraxisset. Fuerat enim Regi Anglorum confederatus, & ideo contra pactum suum venire noluit. Dixit præterea idem Comes injustum fuisse idem bellum, quod ad debellandum Regem Anglorum suscepit, cum nullus Antecessorum suorum jus aliquod sibi hæcenus in Regno Angliæ vendicasset. Adjunxit insuper quod Rex *Francorum* terras suas & castella injuste occupaverat & occupatam hereditatem suam contra justitiam detinebat, quare cum ipso ad Angliam venire nolebat.

Lo here a cleer confession of the Earl of *Flanders*, of the Injustice of King *Johns* deprivation, and King of *France* his intended Warre to deprive him of his Kingdom by the Popes command: who being diverted by *Pandulph* from invading *England*, turned all his forces and *Fleet* upon *Flanders*; and by a divine retaliation had all his Navy burnt and taken by a final party of King *Johns* ships, summoned to resist King *Philips* landing in *England*, to his great greif, vexation, and damage, the English burning above a 100. of his ships on shore, and taking above 300. more, laden with Wine, Victuals, Armes, and other things. The many insolences of the Popes Legat, and exiled Bishops Treasons, rebellions against King *John*, encouraged his Nobles in like manner to disobey, and capitulate with him, and that upon this occasion.

\* Mat. Paris p.  
228. 229.

\* Mat. Paris p.  
229.

\* It was but  
Duodecim as  
the Record  
resolves.

**R**EX apud Portesmue exercitum congregavit immensum, ut ad *Pictaviam* transiret, disponens a parte Occidentali, sicut illi qui erant in *Flandria* a parte Orientali, Regem & Regnum *Francorum* inquietare, necnon cum omni nisu terras amissas, ad suum dominium revocare. Sed aliter accidit quam sperabat, *Mag-nates* enim Angliæ ipsum sequi noluerunt nisi prius a sententia *Excommunicationis* absolberetur. Hac ergo districtione, Rex compul-sus, misit *Chartas* \* viginti (quator Comitum & Baronum ad Archiepiscopum & Episcopos præscriptos, ad maiorem securitatem, ut omni metu deposito, venirent in Angliam, omnia sua et ablatozū damna, secundum præscrip-tæ pacis formam, illico percepturi.

These Charters, and Patents of theirs and the King, being extant in no Histo-rian, I shall present you with them out the *Patent Roll* in the Tower.

Pat. 15. Johan.  
Regis m. 12.  
Dorso parte  
prima.

**V**enerabili in Christo Patri S. Dei gratia *Cantuariensi Archiepiscopo* totius Ang-liæ Primati, & sanctæ Romanæ Ecclesiæ Cardinali, *G. filius Petri Comes Essex*, *R. Comes Bolon.* & Comes Cestriæ *W. Mareſcal* Comes Penbroc. *W. Comes Warren.* *W. Comes Arundel.* *W. Comes de Ferrari.* *Willielmus Briwer.* *Robertus de Ros*, *Gilbertus filius in Reinulf.* *Rogerus de Mortuo Mari.* & *Petrus filius Hereberti*, sa-lutem & debitam reverentiam. Sciatis quod bona fide studebimus, quod Dominus noster J. Rex Angliæ pacem et securitatem vobis et aliis tam Clericis quam Laicis negotium quod inter Anglicanam Ecclesiam et ipsum Regem versatum est contingentibus, firmiter observabit, secundum formam pacis a Domino Papa ei transmissam et ab eo acceptatam. Et si forte (quod Deus avertat) Rex ipse, vel aliquis alius ex parte sua contrahenerit, nos pro Ecclesia contra violatores securitatis et pacis, mandatis Apostolicis in-hærebimus, et ipse perpetuo vacantium Ecclesiarum custodiam amittat. Præterea promittimus, quod si quid omisſum est, vel minus plene factum, circa hoc negotium in hoc scripto propter accelerationem adventus vestri in Angliam, id post adventum vestrum secundum formam prædictam perficietur. Et in hujus rei Testimonium, &c. Salutem in Domino. Hæc Autem omnia supra dicta nos firmiter observaturos, noveritis nos de mandatis Domini Regis

Regis, tactis sacro-sanctis spontanea voluntate corporali Sacramento firmasse.

Eodem modo scribitur singulis Episcopis cum Archiepiscopo existentibus, scilicet Londonensi, Herefordensi, Eliensi, Bathoniensi, & Lincolnensi, & Priori & Monachis Cantuariensibus.

The Kings own Patent reciting this of the Earls and Barons, follows in this form.

**R**EX Dei gratia Cantuariensi Archiepiscopo totius Anglia Primate, & sanctæ Romanæ Ecclesiæ Cardinali, salutem: Sciatis quod secundum formam mandati Domini et Venerabilis patris nostri J. Dei gratia summi Pontificis, veram pacem ac plenam securitatem vobis præstamus, nec non cæteris tam Clericis quam Laicis hoc negotium quod inter nos et Ecclesiam Anglicanam versatum est contingentibus, nec vos nec vestros lædemus vel lædi faciemus, aut permittemus in personis vel rebus, vobisque remittimus omnem indignationem, et in gratiam nostram vos recipimus, et tenebimus bona fide et quod vos non inpediemus, nec faciemus aut permittemus aliquatinus impediri quo minus vestrum libere exequamini officium, et plena jurisdictionis vestræ Authoritate prout debetis utamini; Et super his vobis juramenta & litteras Patentes fidelium nostrorum Venerabilium Patrum, Domini. *H. Dublin. Archiepiscopi, P. Wint. J. Norwic. Episcoporum, & præterea Duodecim Baronum nostrorum, scilicet, G. filii Petri Comitis Essex, Justiciarii Nostri, R. Comitis Bolon, R. Comitis Cicestr. W. Comitis Marescall, Comitis Pembroc. W. Comitis Waren. W. Comitis Arundell, W. Comitis de Ferrarius, Willielmi Briwer, Roberti de Ros, Gilberti filii Ranulf. Rogeri de Mortuo Mari, & Petri filii Herberti,* fecimus exhiberi, quod ipsi bona fide, studebunt ut hæc pax et securitas firmiter observetur. Et si forte quod Deus avertat, per nos ipsos vel alios contra veniremus, ipsi pro Ecclesiæ contra violatores securitatis et pacis mandatis Apostolicis inhærebunt; Nosque, perpetuum Ecclesiarum vacantiam custodiam amittamus: (thrust in by the Pope and Pandulph, on purpose that the Pope by his Provisions might dispose of them, as he had done of the See of Canterbury, wrested out of the Kings hands) Et ideo vos rogamus, quod ad nos secure sine dilatione in Angliam venire festinetis; si quid vero in hoc scripto omisum fuerit vel minus plene factum, cum in Angliam veneritis, id secundum formam mandati Apostolici perficietur: Et in hujus rei Testimonium, &c. Test. *H. Dublinensi Archiepiscopo, P. Wintonensi Episcopo. G. filio Petri, W. Marascal, Comite Pembroc. apud Templum de Ewell xxiv. die Maii, Anno Regni n. xv.*

Pat. 15. Johan. m. 12. intus num. 48.

Eodem modo scribitur singulis Episcopis ultra mare existentibus cum Archiepiscopo, scilicet Londonensi, Herefordensi, Eliensi, Bathoniensi, Lincolnensi, Episcopis, & Priori & Monachis Cantuariensibus, Teste eodem.

At the same time this King sent his Letters Pattens to Robert Fitzwater and other Lay-men to return into England, whence they fled upon the Bishops quarrel.

**R**EX Roberto filio Walteri, Mandamus vobis quod secure veneatis in Angliam secundum formam mandati Apostolici, quia pacem & securitatem, secundum formam mandati Apostolici vobis præstamus. Et in hujus rei testimonium has literas nostras Patentes vobis mittimus Teste Domino, *P. Wintonensi Episcopo apud Wingham, Decimo Septimo die Maii Anno regni nostri Decimo Quinto.*

Pat. 15. Johan. Regis. n. 12.

Eodem modo scribitur *Enstacio de Vescy.*

They likewise in pursuit of the Popes agreement enforced him by letters patents to the Archbishop, publicly to disclaime his ancient undoubted Right to outlaw any Clergy men, though never so great Traytors Rebels, dated 11. days before the former Patents.

REX

Pat. 15. Johan.  
Regis parte  
secunda m. 8.  
Intus.

**R**EX Venerabili Patri in Christo S. Dei gratia *Cantuariensi* Archiepiscopo, &c. I. eadem gratia Rex *Anglia*, &c. Sciatis quod per has *Literas* nostras Patentes protestamur, quod ad nos nullatenus pertinet *Clericos Atlagare*. Teste meipso apud *Templum de Swell*, xv. die *Maii*. Anno &c. Decimo quinto.

Never was any King of *England* before or since so fettered, and reduced to such extremities and Unkingly condiscentions, to Trayterous, Rebellious Prelates, and their Confederates, who had Interdicted his Kingdom for seven years space, excommunicated, deprived him of his Crown, engaged the *French*, all his foreign Enemies, and most Christian Nobles, Souldiers, in a publick Crossodo against him, as if he had been a Saracen, thereby enforcing him to resign his Crown, Kingdoms to the Pope, to swear Homage to him as his Vassal, and to hold his Kingdoms from him under an annual Rent; and then by his Writs, Letters Patents, his Nobles Letters, Oaths, thus submissively to write unto, send for them again and again to hasten their return, engage to perform all agreements made on their behalf, to their full content, under such forfeitures as these, and to receive them with all honour, before their least submission, precedent humble addresses to him, or Interdict released; all which sufficiently discovers their pride, obstinacy, disloyalty, and his unparallel'd humility. Upon receipt of these Letters, the Archbishop and Bishops not making such haste into *England* as the King expected, he thereupon sent this second Letter to them to hasten their return, and appointed Bishops, Earls, Barons, to receive them at their Landing, and to conduct them to him with all safety and honour, instead of guarding them to a deserved Execution.

Claus. 15. Jo-  
hannis Regis,  
parte 2. Dorf.  
in. 8.

**V**enerabilibus in Christo Patribus S. Dei gratia *Cantuariensi* Archiepiscopo totius *Anglia* Primati, & Sanctæ Ecclesiæ *Romana* Cardinali, & omnibus suffraganeis suis Episcopis cum eo existentibus. I. eadem gratia Rex *Anglia*, &c. Mandamus vobis quod bene veneritis in *Angliam*, scientes quod jamdiu vos expectabimus, et adventum vestrum desiderabimus, unde in occursum vestrum mittimus fideles nostros Dominum *H. Dublinensem* Archiepiscopum, *J. Norwicensem* Episcopum, *W. Comitem Arundell*, *Matthæum* filium *Herberti*, *W. Archidiaconum Huntingtonia*, rogantes quatenus ad nos venite festinetis, sicut prædicti fideles nostri vobis dicent. Teste meipso apud *Stokes* Episcopi, primo die *Julii*.

And to take away all pretexts for their delay, he sends them this second Patent, disclaiming his intended Utlay of Treason against them and their Confederates, and undoubted Regal power to Out-law any Clerks for Treachery and Rebellion, when as neither they nor the Pope ever renounced their Usurped power to Interdict, Excommunicate, Dethrone, and give away his Realms to his mortal foreign Enemies.

Pat. 15. Johan.  
Regis, parte 2.  
m. 8. intus.

**R**EX Omnibus, &c. Sciatis quod Interdictum quod vulgariter *Atlagatio* nuncupatur, quod proponi fecimus contra personas Ecclesiasticas, publice revocavimus et revocamus, protestantes per has *Literas* nostras Patentes, id ad nos de personis Ecclesiasticis minime pertinere, nec illud de cetero contra personas Ecclesiasticas, faciemus ullatenus promulgari. Teste meipso apud *Bellum*, Decimo tertio die *Junii*. Anno Decimo quinto.

The 17. of *August* following these Bishops Landed at *Dover*, and were conducted in state to the King at *Winchester*; the manner of the Kings extraordinary humiliation to, reception of, and begging pardon from them, prostrating himself to the ground at their feet, and their insolent proud carriage towards their offended Sovereign, though with some Crocadiles tears, is thus related by *Matthew Paris*.

Mat. Paris  
Hist. Angl. p.  
229, 230.

**P**andulphus itaque mediante, necessariis omnibus ad repatriandum paratis; ascenderunt naves S. *Cathariensis* Archiepiscopus, *W. Londinensis*, *E. Eliensis*, *H. Lincolnensis*,



coloniis, & Herefordensis Episcopi, cum ceteris Clericis & Laicis, causa Interdicti ex-  
niantibus, & apud D. veram, Decimo septimo Calendas Augusti applicantes, in die  
Beatæ Margaritæ Virginis, Wintoniam ad Regem venerunt. Rex autem cum  
eorum adventum cognovisset, venit obviam illis, et viso Archiepisco-  
po et Episcopis, \* cecidit pronus in terram, ad pedes eorum lacrymis  
profusus, (they should rather have fallen down at the Kings feet, and craved par-  
don for their Treasons and practises against him with tears). obsecrans ut de se ac  
Regno Angliæ misericordiam haberent. Videntes ergo Archiepiscopus &  
Episcopi tantam Regis humilitatem, cum lachymis illum de terra levaverunt, du-  
centes a dextris & a sinistris, ad ostium Ecclesiæ Cathedralis, ubi cum Psalmo Qui qua-  
gesimo, videntibus magnatibus cunctis, & ubertim præ gaudio flentibus, sicut mos  
est Ecclesiæ, illum absolverunt. Et hæc absolutio facta fuit in Capitulo Wintoni-  
ensi. (But pray mark upon what reasonable and dutifull termes it was made for their  
own and the Popes advantage, and his dishonour and prejudice.) In hac autem ab-  
solutione iuravit Rex, tactis Sacrosanctis Evangelis, quod Sanctam  
Ecclesiam ejusque ordinatos diligere, defenderet et manu teneret,  
contra omnes adversarios suos pro posse suo, quodque bonas leges  
Antecessorum suorum, & præcipue leges Edwardi Regis revocaret, & iniquas de-  
lueret, & omnes homines suos secundum iusta Curie suæ iudicia iudicaret, quod-  
que singulis redderet jura sua. Iuravit etiam quod omnibus ad Interdicti ne-  
gotium pertingentibus infra proximum Pascha plenariam restitu-  
tionem faceret ablatorum, sin autem, \* in pristinam excommunicatio-  
nis sententiam revocaretur. Iuravit præterea Innocentio Papæ  
ejusque Catholicis successoribus, fidelitatem et obedientiam, sicut  
superius in scripto redactum continetur. Deinde Archiepiscopus du-  
cens illum in Ecclesiam, missam celebravit. Et missa peracta ad mensam,  
cum Rege residentes, Archiepiscopus cum Episcopis, & magnatibus universis, epu-  
labantur in lætitia & jocunditate. (The very next day after their coming to Winche-  
ster the King issued out Writs to all Sheriffs of England, to enquire of their dama-  
ges.) In crastino autem misit Rex Literas ad omnes Vicecomites Regni Angliæ præcipi-  
ens ut de singulis Dominicorum suorum Villis quatuor Legales homines cum proposito apud  
Sanctum Albanum, primo die nonas Augusti facerent convenire: ut per illos & alios mini-  
stros suos de damnis singulorum Episcoporum & ablatiis certitudinem inquireret, & quid  
singulis deberetur.

\* To the Kings  
transcendent  
humility to  
these Traytors,  
who should  
have fallen  
down on their  
knees to him.

\* Non.

The forme of these Writs to Sheriffs being omitted by all our Historians, I shall  
here insert.

**R**EX Vicecomiti Sumersset & Dorset, &c. Præcipimus tibi quod sine dilatione ex  
parte nostra præcipias Roberto de Berkhel, Rogero de Penton, & Osberto filio Wil-  
helmi, quod omni occasione postposita, veniant ad diem, & locum, quos Dominus  
Episcopus Bathoniensis tibi seire fecerit, ad audiendam inquisitionem de ablatiis et  
dampnis Episcoporum et Clericorum, et omnium virorum Ecclesi-  
asticorum et aliorum negotiorum Ecclesiæ contingentium faciendam  
coram Clericis Domini Cantuariensis Archiepiscopi quos ad hoc  
per Literas suas Patentes assignaverit. Et summo ex parte no-  
stra omnes illos de Balliva tua, qui Custodiam vel aliquam Balli-  
vam habuerunt de rebus Ecclesiasticis a tempore motæ discordiæ in-  
ter nos & Clerum Angliæ, quod tunc coram prædictis Clericis Domi-  
ni Archiepiscopi compareant ad prædictam inquisitionem audiendam.  
Teste meipso apud Northampton. xxxi. die Augusti.

Claus. 15. Jo-  
hannis Regis,  
parte 2. m. 8.  
Dorset.

Galfridus filius Petri,  
Comes Essex.  
Simon de Pateshull.

} in Archiepiscopatu Cantuar.

Willus

Willus Briwer. Rogerus de Scures. Walterus de Aundely.	} in Episcopatu Winton.
Richardus Flandrensis. Eudo de Bello Campo. Robertus de Albamara.	} in Episcopatu Exon.
Comes Roger le Bigod. Robertus Pikot. Robertus de Burnvil.	} in Episcopatu Elienf.
Petrus filius Herberti. Willus de Arden.	} in Episcopatu Wygorn.
Robertus de Berkelie. Osbertus filius Willi. Rogerus le Penton.	} in Episcopatu Bathon.
Thomas de Estlegg. Willus de Warr.	} in Episcopatu Cestr.
Galfridus de Aumbly. Willus filius Rocellini. Philippus de Burnham.	} in Episcopatu Norwicen.
Richardus Fladr. de Glamorgan. Walterus de Suly.	} in Episcopatu Landaſſ.
Jordanus Foliot. Johannes de Birkin.	} in Archiepiscopatu Eborac.
Matheus filius Herberti. Willus de Cernton. Willus de Riffeteford.	} in Prioratu Cantuarienf.
Simon de Rockingham. Robertus de Sauvag. Robertus de Pet. Pont.	} in Episcopatu Ciceſtrienſ.
Comes W. Mareſcall. Jacobus de Poterna.	} in Episcopatu Londonienſ.
Radulphus de Nor- manvill. Thomas de Muleton. Alexand. de Pointon.	} in Episcopatu Lincolnienſ.
Robertus de Mortuo Mari. Walterus de Clifford. Rogerus Huſcarl.	} in Episcopatu Herefordenſ.
Godefridus de Sancto Martino. Petrus de Scudamore. Henricus filius Ancheri.	} in Episcopatu Sarr.

Thomas de Lauda. }  
Willus de Barry. } in Episcopatu Menevens.

Galfridus de Sunder- }  
ness. }  
Richardus de Valle Be- } in Episcopatu Rossens.  
donis. }

Rogerus de Andree. }  
Walterus de Monaste- } in Episcopatu Dunholmens.  
riis. }

There were other Writs sent to the Kings Judges to proceed in the said Inquisition.

**R**EX, G. filio Petri Com. Essex, & Simoni de Pateshull, &c. Mandamus vobis quod procedatis in Inquisitione facienda de Ablatis et dampnis per Archiepiscopatum Cantuariensem, sicut provisum est ad terminum ad hoc constitutum, et distincte inbreviari faciatis ex parte nostra, et Archiepiscopus ex parte sua, quid singuli solverint Balivis nostris, et quid ab eis exigitur, et quantum et quare, quia quod Balivi nostri recognoverint se recepisse de hiis quæ ad hoc negotium pertinent, id reddi faciemus. Et si de aliquo orta fuerit contentio unde fieri debeat probatio, probationem inde audire volumus coram nobis in presentia Domini Archiepiscopi ad terminum quem nos et ipse providebimus, quia Contentionem illam coram nobis terminari volumus, qui solutionem facturi sumus: præterea provideatis vobis de articulis exactionum et receptionum. Audivimus enim quod quedam exactiones sicut de serviciis nobis factis in exercitiis Walliæ et Hyberniæ, et de quibusdam aliis quæ ad hoc negotium nequaquam pertinent.

Claus. 15. Johannis Regis, pars 2. m. 8. dorso.

After which he issued out other Writs to all the Commissioners and Inquisitors of those damages in this forme.

**R**EX, Galfrido de Aumbly, Willielmo filio Roscelini, & Philippo de Burnham, &c. Mandamus vobis quod conveniatis ad diem et locum quos Offic. Domini Norwicensis Episcopi vobis scire faciet, coram Clericis Domini Cantuariensis Archiepiscopi quos per literas suas assignabit, ad Inquisitionem faciendam de omnibus ablatiis et dampnis illatis Ecclesiæ et Clero, et Laicis, hanc causam contingentibus de prædicto Episcopatu, et vos sitis cum illis ad Inquisitionem illam faciendam quia volumus quod plenarie fiat, nec remaneat propter aliquas Literas quas inde super hoc miserimus. Et scire faciatis omnibus illis qui Balivas habuerint in prædicto Episcopatu de rebus Ecclesiasticis vel aliis hanc causam contingentibus, quod veniant ad prædictos diem et locum Inquisitionem illam audituri. Et si non venerint, nihilominus inquisitio illa procedat. Et si quod dampnum evenierit per defectum ipsorum non nobis sed illis eveniet. Teste me ipso apud Novum Templum London, sexto die Octobris. Eodem modo scribitur omnibus Inquisitoribus supradictis.

Claus. 15. Johannis Regis, pars 2. m. 8. dorso.

After this generall compliance with them, the King conceiving he had given them full content, and settled all things in peace, resolved to passe with an Army into Pi-



cardy, whither the Nobles refused to follow him, animated by the example and secret persuasions of the Bishops, to divert him from invading *France*, where they had been succoured; which *Matthew Paris* relates in these words.

Mat. Paris Hist.  
Angl. p. 229,  
230.

**I**Nde vero apud *Portesmuë*, Rex cum festinatione veniens ut transfretaret in *Pictaviâ*, *Galfrido* filio *Petri*, & Episcopo *Winton.* Regnum *Anglia* commisit, præcipiens ut cum Consilio *Cantuariensis Archiepiscopi* (though his most implacable Enemy) omnia Regni negotia ordinarent. Quo factò venerunt ibidem, ad Regem numerosa militum multitudo (by the Archbishop and his Confederates instigation) conquirentes, quod in diutina, quam ibi fecerant expectatione, omnem pecuniam suam consumpserant, unde ipsum sequi nequiverant, nisi de fisco illis necessaria ministrarentur. Quod cum Rex facere recusasset, iratus cum privata Familia Naves ascendit & post triduum apud *Gersea* insulam applicuit, magnatibus suis domum reversis, ubi cum Rex sese derelictum cernebat, necessitate compulsus ad *Angliam* remeavit.

Whiles these things were acting, the Archbishop, Bishops, Nobles meeting at *St. Albans*, about the damages to be restored by the King to the Bishops during their exile, by the Archbishops and Bishops instigation, to depresse the King all they could, fell to demand the confirmation of their Liberties, granted by his Grandfather King *Henry* the 1. which the King condescended to.

Mat. Paris, p.  
230.

**D**um hæc agerentur, interfuerint Consilio apud Sanctum *Albanum*, *Galfridus* filius *Petri*, & Episcopus *Wintonia*, cum *Archiepiscopo*, & Episcopis, & Magnatibus Regni: ubi cunctis pace Regis denunciata, ex ejusdem Regis parte firmiter præceptum est, quatenus leges *Henrici* avi sui ab omnibus in Regno custodirentur, & omnes leges iniqua penitus enervarentur. Denunciatum est præterea, Vicecomitibus, forestariis, aliisque Ministris Regis sicut vitam & membra sua diligunt, ne a quoquam aliquid violenter extorqueant vel alicui injuriam irrogare præsumant, aut scotalla alicubi in Regno faciant, sicut facere consueverunt. Rex vero *Johannes* cum se a quibusdam Magnatibus quasi derelictum cognovisset, (by reason of some new Treasons then hatching against him by the Archbishop) magnum congregavit exercitum, ut rebelles ad consuetum obsequium revocaret. Cumque arma movere incepisset, venit ad eum *Archiepiscopus* apud *Northamptonam* dicens, plurimum in injuriam sui Sacramenti, quod in absolutione sua præstiterat, redundare, si absque iudicio Curia sua contra quempiam bellum moveret. Quod audiens Rex cum ingenti strepitu, dixit, se Regni negotia propter *Archiepiscopum* non differre, cum Laica iudicia ad ipsum non pertineant. In craftino autem summo diluculo iter turibundus arripens, versus *Nottingham* properavit: Sequutus est quoque Regem *Archiepiscopus* memoratus constanter affirmans, (like another Pope *Innocent*, in a presumptuous daring manner) quod nisi ab inceptis celerius desisteret, omnes qui versus quempiam ante relaxationem Interdicti hostiliter arma gestarent, præter ipsum solum anathematis vinculo innodaret. Sicque ab inceptis Regem revocans *Archiepiscopus*, non prius ab eo recessit, donec diem competentem ad Curiam Regis veniendi, & ibidem juri parendi Baronibus impetrasset.

This English Pope and Arch-traytor in pursuance of his implacable malice and revenge against the King, (notwithstanding his extraordinary favours and submissions to him) soon after caused all the Bishops, Abbots, Priors, Deans, and Nobles of the Realm to meet together at *London* upon pretext of satisfying his and the exiled Bishops damages, but in verity to engage them in a New Rebellion against the King to deprive him of his Crown, and conferre it on *Lewis* the French Kings son, as they did in the conclusion, under pretext of demanding the confirmation of the Charter and Liberties granted by King *Henry* the first, there produced by the Archbishop, which the King had but newly ratified at *St. Albans*; thus storied by *Matthew Paris*.

Hist. Angliæ. p.  
230. 231. Rog.  
Wendover. n. f.  
Speeds. Hist. p.  
279.

**E**odem Anno octavo Calendas Septembris, convenerunt in civitate *Londonia-* rum apud Sanctum *Paulum*, *Stephanus Cantuariensis Archiepiscopus*, cum Episcopis, Abbatibus, Prioribus, Decanis et Baronibus regni, (to promote a New Rebellion under a pretext of Religion, even whiles the Interdict

dict was contrived by him, as a curb upon the King) *ubi Archiepiscopus indulsit tam Ecclesiis Conventualibus quam Presbyteris secularibus ut horas canonicas in Ecclesiis suis audientibus Parochianis suppressa Voce cantarent* ( before the Interdict was released.)

**I**N hoc Colloquio ( ut fama refert ) Archiepiscopus memoratus convocatis seorsim quibusdam regni proceribus cepit affari eos secretius in hunc modum ; Audistis, inquit, quomodo ipse apud *Winton*. Regem absolvi et ipsum jurare compulerim, quod Leges iniquas destrueret, et leges bonas, videlicet leges Edwardi revocaret, et in regno faceret ab omnibus observari. Inventa est quoque nunc Carta quædam Henrici primi Regis Angliæ, per quam si volueritis, Libertates diu amittas, poteritis ad statum pristinum revocare, which \* charter

\* Mat. Paris. p. 230.

**C**um autem hæc Charta perfecta, & Baronibus audientibus intellecta fuisset, gavisum sunt gaudio magno valde, & iuraverunt omnes in præsentia Archiepiscopi sæpe dicti, quod viso tempore congruo, pro his libertatibus si necesse fuerit, decertabunt usque ad mortem. Archiepiscopus vero promisit eis fidelissimum auxilium suum pro posse suo, et sic confederatione facta inter eos, Colloquium solutum est: This being the real design of this Assembly.

As the King was thus ridden, trampled upon, and intollerably abused, betrayed by the Archbishop, Bishops and Barons inveigled by them on the one hand, so was he by the Popes Agents on the other. *Pandulphus*, besides his formentioned insolencies, endeavouring to wrest out of his hands the power of imprisoning Clerks for *Felonies*, that so they might be at his own disposal, and act any villanies with impunity, as these two Patents evidence.

**R**EX dilecto & fideli suo *Brieno de Insula*, &c. Sciatis quod ad petitionem Magistri *Pandulphi* Domini Papæ Nuncii, concessimus quod *Robertus Dosses*, *Ran Bullock*, *Galsfridus de Stanford*, & *Willielmus de Welmsford*, qui capti fuerunt propter rectum furti facti in vivario nostro de *Cliva*; & aliis vivariis, & quos habetis in custodia vestra *Deliberentur*. Et ideo vobis mandamus, quod eos sine *delatione deliberari faciatis*, & in hujus rei testimonium has literas nostras patentes vobis inde mittimus, Teste Domino *P. Wintoniensis Episcopo* apud *Wingham*, primo die *Jun.* Anno regni nostri Decimo quinto.

Pat. 15. Johan. Regis part 1. m. 11. 12. intus.

**R**EX *Reginaldo de Cornhill*, &c. Mandamus vobis, statim visis Literis istis, liberetis Magistro *Pandulfo* Domini Papæ Nuncio *Johannem Clericum Domini Hereford Episcopi* quam habetis in Custodia apud *Roffam* salvo Custodiendum donec certum fuerit, utrum fuerit *Clericus vel Laicus*: Et in hujus rei testimonium has literas nostras Patentes vobis mittimus. Teste Domino *H. Dublinensis Archiepiscopo* apud *Chileham* Duodecimo die *Junii*, Anno regni nostri decimo quinto. Per eundem.

These most unchristian disloyal proceedings of the Pope, his legats, Archbishops, Bishops, and English Clergy against the King, so much alienated his affections from the very Christian Religion they professed with their Mouths, but denied in their hearts, praetises, that ( if we credit \* *Matthew Paris*, who willingly traduces him upon all occasions ) after the death of *Geoffery Fitz-Peter* cheif Justice of *England* ( the cheif pillar and support of the Realm of *England* ) King *John* conceiving himself absolved from, and that he had liberty to go against all the Oaths, agreements, & extricate himself from the unjust conditions of peace he had made *volenter*, with much grief and reluctance wherewith he was entangled: prout ipsum graviter et amarissime, quod ad prædictæ pacis consensum inclinaretur. Whereupon thinking to finde better usage from very *Turks* then from the

\* Tit. 4. 16. \* Mat. Paris p. 233.

the Pope, his own Bishops and rebellious subjects, who were Christians, he resolved to put himself and his Realm into their hands, and to renounce the Christian Religion, which the premised proceedings of the Pope and Prelates against him made him repute as vain and ineffectual. Such was the fruit of these Antichristian proceedings against him, *Misit ergo nuncios secretissimos cum festinatione summa, videlicet Thomam Hardentonum, & Radulphum filium Nicholai Milites, & Robertum de Londino clericum, ad Admiratum Murmelium Regem magni Africæ, Marocchiæ, & Hispaniæ: significans eadem, quod se et Regnum suum libenter redderet eidem et dederet et debitum teneret ab ipso, si placeret ei, sub tributo. Necnon et legem Christianam quam vanam censuit, relinquens, legi Mahometæ fideliter adhereret.* To which message being delivered, *Murmelius* after a little deliberation returned this modest answer. *Modo inspexi librum in Græco scriptum, cujusdam Græci sapientis & Christiani, nomine Pauli (the Apostle) cujus alius & verba mihi maxime complacent, & accepto: Unum tamen de ipso mihi displicet, quod in lege sub qua natus est non stetit, sed ad alia tanquam transfuga & inconstans avolvit. Et idcirco de domino vestro Anglorum Rege, qui relicta piissima et mundissima lege Christianorum sub qua nascebatur, cereus et instabilis gliscit transmeare. Non it qui nihil ignorat Deus omnipotens, si ex lex essem, illam præ omnibus eligerem, & acceptam amplexar m. Postea vero sciscitabatur, cujus conditionis esset Rex Angliæ & regnum ejus.* Of which *T. Hardenton* gave this account of the King, that he was *Egregie & ingenue atavis Regibus magnis procreatus*: & of the kingdom, *terra ejus opulenta & suis contenta bonis, &c.* Regnum etiam ab \* *injuncto & coronato gubernatur, ab antiquo liberum esse dignoscitur, ad nullius præterquam Dei spectans Dominationem*: (the more shame for the Pope to invade & make it Tributary) *Ecclesia etiam & nostra cultus religionis plus quam in aliqua mundi parte ibidem prosperatur, ac \* Papalibus & Regiis legibus pacifice gubernatur.* Hereupon, *Tracto igitur ab alto præcordiali suspirio, respondit Rex, Nunquam legi vel audivi, quod aliquis Rex tam prosperum Regnum possidens subiectum et obediens, suum sic vellet sponte pessundare Principatum, ut de libero faceret tributarium, de suo alienum, de sælici, miserum; et se alterius sine vulnere victum, dedere voluntati. Quinimo de multis legi & audivi (qui) sibi libertatem (quod laudabile est) compararent: Nunc autem audio, quod Dominus vester \* miser, deses et imbellis, qui nullo nullior est, de libero servus fieri desiderat, qui omnium mortaliū miserrimus est.* Postea vero sed cum contemptu inquisivit cujus ætatis esset, staturæ ac staturæ: Cui Responsum est quod ætate fuit quinquagenarius, & omnino canus, corpore fortis, nec procerus, sed potius compactus, & formæ ad robora convenientis &c. Quod cum audisset Rex, respondit, *Virtus ejus juvenilis ac virilis tepuit jam & refrigeravit. Infra decennium, dato quod tamdiu victurus sit, virtus ejus deficiet antequam arduum quid consummaverit, si nunc inciperet in defectum declinaret, nec aliquid valeret.* Quinquagenarius enim decidit occulte, sexagenarius manifeste. Pacem de cætero sibi adquirat & quiescat. Colligens ergo omnia inquisita & responsa Nunciorum, post parvum silentium, facta subannatione, in signum magna indignationis, sprevit ille *Admiratus Regem Johannem, dicens, nullus est Rex ille, sed Regulus jam desipiens & senescens; nec curio de eo: Indignus est mihi confederari; & conspiciens Thomam & Radulphum torvo vultu, Ait, Non redeatis iterum ad me in præsentiam, nec videant oculi vestri amplius faciem meam.* Fama, sed potius infamia Domini vestri, jam Apostatæ desipientis factorem exhalat in conspectu meo teterrimum. Recedentibus igitur cum Rubore nunciis, intuebatur Rex ille *Admiratus Robertum Clericum, qui tertius erat Nunciorum, qui puerus erat & niger, unum brachium longius habens reliquo, & digitos inordinatos, scilicet duos sibi Coherentes & faciem Judaicam.* Perpendens igitur Rex, quod tam despicibilis persona, ad tam arduum negotium declarandum non destinaretur, nisi sciret ut callidus & intelligeret, videns ejus coronam & tonsuram, & inde discernens quod esset clericus, jussit eum ad se evocari, quia aliis loquentibus adhuc tacuerat, stans remotus. Ipso igitur retento & spretis aliis, Rex cum eo multa loquebatur secretius quæ postea ipse *Robertus* amicis suis patefecit. Inquisivit autem dictus Rex ab eodem, si Rex Angliæ *Johannes* \* aliquibus polleret moribus, & si liberos strenuos procreasset; & si potens esset in vi generativa. Addiditque quod si *Robertus*

\* Mispainted  
injuncto.

\* A forgery for  
the Popes advantage.

\* He was neither.

† A likely story



Robertus super his interrogatis miratur, nunquam precipue clerico crederet Christiano. Tunc Robertus sub attestatione legis Christiana se prorsus, ad omnia interrogata veraciter responditur. Dixit igitur affirmative quod potius fuit Tyrannus, quam Rex; potius subversor quam gubernator, oppressor suorum, & fautor alienorum. Leo suis subditis, Agnus alienigenis & rebellibus, qui per desidia suam Normania Ducatum, & alias multas terras amiserat. Et insuper Anglia Regnum, amittere vel destruire sitiebat. Pecunia extoritur insatiabilis, possessionum suorum naturalium invasor & Destructor. Paucos vel potius nullos strenuos generavit sed patrizantes. Sponsam sibi habet exosam, & ipsum odientem, incestam, maleficam, & adulteram, & super hac sapiens conv. Nam: unde Rex sponsus ejus comprehensus laqueo iussit super stratum ejus suffocari. Ipse Rex nihilominus multos procerum suorum & etiam consanguineos Zelo impavit violentior, ac filias corruptis nobiles, & sorores, In cultu autem Christiano prout audistis fluctuans & defusus. Hæc cum audisset Rex Admiralius non tamen sicut prius ipsum sprexit, sed detestabatur & in sua lege maledixit & ait; Quare permittunt miseri Anglici talem super se regnare & dominari? vere effeminati sunt & serviles. Respondit Robertus patientissimi hominum sunt Anglici donec supra modum offendantur & damnificentur. Nunc autem sicut Leo vel Elephas cum laesum se senserit vel erementum, irascuntur, & executre colla de sub jugo opprimuntis, etsi sero proponunt & conantur. Et cum hæc omnia ipse Rex Admiralius audierat, Anglorum nimiam redarguit patientiam; quam formidolositate recta interpretatione fuisse interpretas asseruit qui ad omnia presens extiterat. Multos autem præter hos tractatus, & confabulationes habuit Idem Rex cum eodem Roberto, quæ postea Amicis plenius in Anglia declaravit. Collatis igitur ipsi Roberto muneribus preciosis in auro & argento, gemmis variis & holofericis ipsum in pace dimisit. Recedentes autem nuncios alios, nec salutavit nec aliquibus muneribus honoravit; Cumque autem ad propria remeassent nuntii & quæ viderant & audiverant domino suo renuciassent doluit, dominus eorum Rex Johannes vehementer usque ad Spiritus Amaritudinem, quod sic ab ipso Rege Admiralio contemnebatur, et quod in proposito suo impediabatur. Robertus autem de extraneis donis sibi collatis Regem liberaliter respexit, ut saltem sic preciperet, quod favorabilis alliis audiretur, licet primo repulsus tacuisset. Unde ipse Rex ipsum plus aliis honoravit, & quasi propriam Custodiam Abbatis potius sancti Albani, quamvis non vacaret, improbus exactor concessit, ut sic de alieno Clericum suum fidei transgressor remuneraret. Ipse igitur Robertus, inconsulto imo invito Abbate, qui protempore fuit, videlicet Johanne de Colla viro religiosissimo & literatissimo, omnia quæ in Ecclesia, & Curia fuerunt, pro libitu diripuit, & sibi appropriavit. Et in qualibet Basilica quas obediencias appellamus, constituit (maxime in janua) janitorem omnium diligentem exploratorem & protervum unde plusquam Mille Marcas ab eadem domo assidue nimis emunxit Robertus Clericus memoratus. Hic tamen quosdam Abbatis Ministros precipuos cum quodam S. Albani Monacho, videlicet Dominum Clericum Magistrum Walterum Monachum Pictorem dilexit, & habuit familiares, quibus gemmas suas & alia secreta revelavit, sibi a dicto Admiralio collata & dicta, audiente Matthæo qui & hæc scripsit & enarravit.

\* A very probable tale that he should thus defame King John, and yet be rewarded and advanced by him for this Embassy.

\* A likely story.

\* It was granted him 3 years, or more before this fictitious Embassy. \* The true ground of this fiction, and slander of King John.

\* Note this Embassy or his relation of himself and King John.

If this Embassy to Admiralius were a real truth, it discovers the transcendent wickedness and impiety of the Popes, Archbishops, and Bishops Treasons to, cheats put upon King John, which should cast him upon such a temptation and necessity as this, to trust a Saracen rather than a Christian, and to renounce the Christian Religion as vain: But the whole contexture proves it a most scandalous malicious forgery of this Monke of St. Albans, for sequestering that Abby.

1. It is recorded by no other Historian but himself. 2. All the parts thereof appear to be a malicious Satyr, Libel, invective against King John, invented by the Historians under the Person of Murmelius and Robert one of the Ambassadors, to render him odious to his subjects, excite them to rebel against him and deprive him of his Crown, as a person unfit and unworthy to reign over them, and to justify their election of Lewis of France for their King. 4. All the premised passages Glorious Victories, successes of King John, prove him to be a quite contrary person to what was here represented to Admiralius. 5. Had he formerly resigned up his Crown and Kingdom or under an Annual Tribute Rent to the Pope, as this Monk relates, King John had then no power to surrender or subject them to Murmelius a Saracen without the Popes consent. 6. This Kingdom being subject to none but God,

\* Speeds History p. 588.

\* Speeds History p. 588.

\* Hist. p. 234. Speeds History p. 567, 568.

it was a very great impiety in the Pope to unite and enthrall it to the See of Rome. 7ly. That King John would renounce the Christian Religion as vain, and embrace the Mahumetan as true, is most improbable; it had been truer of Pope Innocent. For 1. King John commanded all Bishops, Abbots, Monks, Priests, to celebrate Divine Service and Sacraments, during the above 6. years Interdict, in all their Churches, when the impious Pope and Prelates prohibited them, and suspended those who obeyed his pious precept. 2ly. He seized all the Temporalities, Benefices, Goods, of those who disobeyed him. 3ly. He encouraged all who celebrated Divine Service and Sacraments. 4ly. He with most passionate importunity pressed the Pope and Bishops to release the Interdict, and that Divine Service and Sacraments might be every where administred, which they both delayed and refused, till their own covetous and ambitious ends were satisfied, shewing himself a far more religious, devout, zealous Christian, then the Pope, Bishops, and his Clergy, who for above 6. years space together suspended all Divine Service and Sacraments throughout his Realm, against his will and Writs, to wreck their own malice upon this King, and deprive him at last of his Crown and Kingdoms. 5ly. His constant profession and maintenance of the Christian Religion during his life,\* the 5. Religious houses he built, and his piety at his death, prove this to be a malicious forgery, that he would embrace Mahumetanism, and abjure the Christian Religion. 6ly. It is very improbable, as this forged Narrative relates, that King John would make himself and his opulent Kingdom a Tributary and Vassal to another Prince so remote, of his own voluntary motion, without War or Conquest. 7ly. That King John should send such mean and despicable Ambassadors as these here mentioned, to so great a Prince as Marmelins, about so weighty an affair as this. 8ly. That he should do it with such privacy, that none of his Nobles should know or consent unto it. 9ly. That these Messengers should find this Saracen King reading St. Pauls Epistles, when they were presented to him, and that he should profess the Christian Religion to be the best and purest of any, yet blame St. Paul for electing it before that wherein he was educated. 10ly. That Robert should make such a relation to him and them concerning Admirallus his description of his own deformity, of King John his Masters Tyranny, Vices, and unworthinesse to reign; and King John continue him in his favour notwithstanding. 11ly. That Robert only of the three should be rewarded by Marmelins, and that with so many and rich presents, being so despicable a person, and the first (who was the most honorable, eloquent, properest person) go unrewarded. 12ly. The ground of this Historians malice, and frequent Invectives against King John, and this forged Legend of his against him and this Robert, was because the King seized the Lands and Monastery of St. Albans into his hands, (whereof he was a Monk) for their Abbots and Monks refusal to celebrate Divine Service during the Interdict, upon the Kings command, and committing the custody thereof to this Robert, at least three or four years before this pretended Embassy, discovers Roberts Embassy thither, and claiming the custody of this Abby, by giving him a great share of the gifts bestowed on him by Marmelins, to be a meer \* forged Fable. 13ly. He subjoyns this further forgery of King Johns mis-belief, and denying the Resurrection of the dead, (grounded only upon his speech or jest of a fat Stagge) \* *Diebus quoque sub eisdem adeo inspiebat Rex Johannes ut de mortuorum Resurrectione futura, & alia fidem Christianam contingentibus male sentiret, & quadam inenabilia diceret deliramenta, quorum unum duximus recitandum, (as the worst of all the rest, and that but a truth, discovering his little esteem of the merits of Popish Masses, by which the Monks got and held their livings) Contigit ut venatu capto cervo quodam pinguisimo, in presentia Regis cum excoarietur, & acridens diceret, O quam prospere vixit iste, nunquam tamen missam audivit!*

To make King John some amends for these malicious slanders, (who to over-top his new English Pope and Barons, by that Papal hand by which himself was subjected to them) this Historian gives Pope Innocent the 3d. this true Character; evidencing him to be little better then a Devil incarnate.

Mat. Paris Hist. Angl. p. 235.

EX tunc igitur Rex Johannes, præconceptum propositum suum a quo credidit resilire, & suam cepit conditionem deteriorare & deterioratam in perniciem Regni solidare. Oderat quippe quasi virus viperium omnes Regni generosos, præcipue tamen Sacrum de Quency, Robertum filium Walteri, & Caninariusem Archiepiscopum Stephanum

phanum, Roverat autem, et multiplici didicerat experientia quod  
 \* Papa super omnes mortales ambitiosus erat, et superbus, paucis  
 æque sititoꝝ insatiabilis, et ad omnia scelera pro præmiis datis vel pro  
 missis Cereum et Proclibum. Missis igitur sub omni testinatione Nunciis, mag-  
 nam Thesauri summam ipsi transmisit & promisit ampliozem, spoponditque suum  
 se esse et semper fore subiectum tributarium (which intimates his first mentioned  
 Charter and Homage to the Pope to be a forgery) ea conditione, ut nacta substil-  
 ter occasione, Cantuariensem Archiepif. confundere niteretur, & Barones Angliæ quos  
 prius fovirat, excommunicaret. Et hoc si ienter desiderabat, ut in excommunicatos exha-  
 redando, & incarcerando, & necando posset malignari. Dux igitur nequiter subar-  
 raverat, nequius, ut in sequentibus dicetur, solidavit.

\* A true Cha-  
 racter of Pope  
 Innocent.

The Pope greedy of this new booty, forthwith dispatched his Legate into England, a person every way as covetous, ambitious, wicked, tyrannical as himself; of whose coming near England the King no sooner heard, but he dispatched this Letter to him, by Messengers to attend and hasten his arrival.

Venerabili Patri in Christo, N. Dei gratia Tusculan. Episcopo Apostolicæ sedis Le-  
 gato. 7 eadem gratia Rex Angliæ, &c. & debitam Patri cum devotione rever-  
 rentiam. Audito adventu vestro verius partes nostras, nos cum toto Regno nostro ga-  
 vili sumus in Domino, de Religione, & honestate vestra fiduciam gerentes plenio-  
 rem. Mississemus autem ad vos, sicut decens & dignum esset, nuncios nostros, nisi communis  
 relatio nos decepisset, qua vos in festo exaltationis Sanctæ Crucis Capitulo Cisterciensi debere  
 interesse asserbat. Cum vero certos de Appropinquatione vestra rumores audisse-  
 mus, fuimus in remotis Regni nostri partibus ultra Eboracum, & statim latores præsen-  
 tium prudentes viros & familiares nostros Eborac. & Seleby Abbates, in occursum vestrum  
 misimus: Mandantes quod bene veneritis, & plures & sollemniores nuncios misissemus si  
 via fidelibus nostris tuta esset. Nos vero in occursum vestrum versus mare venire festi-  
 namus, vestram Rogantes sanctitatem, quaetnus quam citius poteritis in Angliam venire  
 festinetis, & voluntatem vestram nobis si placet significetis. Teste meipso apud Thike-  
 hull, Decimo nono die Septembris.

Claus. 14. J.  
 hannis Regis,  
 parte 2. Dof.  
 m 7.

The time of his arrivall, manner of his reception, Pomp, Covetousnesse, new U-  
 surpationous as well on the Bishops and Clergy, as the King, Kingdom, Subjects, are  
 thus recorded by Matthew Paris.

Eodem Anno, circa Festum Sancti Michaelis, venit in Angliam Nicholaus Tuscu-  
 lanensis Episcopus, & Apostolicæ sedis Legatus, ut dissensiones inter Regnum  
 et Sacerdotium auctoritate Apostolica reformaret: Et licet terra Interdicta  
 fuisset, ubique tamen cum processione sollemni & cantuum modulatione & indumentis festi-  
 vis, honorifice receptus est. Cumque ad Westmonasterium pervenisset, Willielmum Abba-  
 tem dilapidationis & incontinentiæ a Monachis suis accusatum illico degradavit. Venerunt  
 autem ad eum Oxonia Burgenses quorum instinctu & præsumptione duo Cle-  
 rici (de quibus superius fecimus mentionem) suspensi fuerant absolutionem postulan-  
 tes. Quibus indicta pœnitentia inter cætera præcepit, ut ad singulas Civitatis Eccle-  
 sias, depositis indumentis, pedibusque nudis flagella portantes in manibus euntes, a Presbyte-  
 ris Parochianis absolutionis beneficium cum Psalmo Quinquagesimo impetrarent. Nec  
 licuit eis nisi diebus singulis, singulas petere Ecclesias, ut tam ipsi quam alii talia præsumere  
 formidarent. Legatus itaque cum septem tantum equitaturis in Angliam veniens, quin-  
 quaginta in brevi & familia multa stipatus incessit. Conveniente tandem Archiepif-  
 copo Cantuariensi, cum Episcopis, & Magnatibus Regni Londonii, in præsentia Regis  
 & Cardinalium, tractatum est ibidem, per triduum inter Regnum et Sa-  
 cerdotium de damnis Episcoporum et Ablatis, facta ex parte Regis  
 oblatione Episcopis præfatis ad plenariam restitutionem: Centum  
 Mille Marcarum argenti continuo numerandarum: (A vast sum,  
 besides what they formerly received.) Et si vero post inquisitionem investi-  
 gari possit, Custodes Ecclesiarum, aliosve Regis Ministros am-  
 plius abstulisse, Juratoꝝiam obtulit Rex et fideiustoroꝝiam cautionem,  
 quod

Mat. Paris  
 Hist. Angl. p.  
 236, 237.

\* A very Roy-  
 al Guard.



quod pro Episcoporum, et ipsius Legati arbitrio, infra sequens Pascha satisfactionem plenam omnibus faceret ablatorum. Ad hoc autem Legatus consentit, (being most just and satisfactory) volens instanter hoc fieri, indigne ferens quod non statim suscepta fuit oblatio. Unde protinus suspicatum est, Legatum plus æquo parti Regis consentire. Episcopi quoque negotium protrahentes, ablati conditionibus obviabant. Habito consilio, ut prius inquirerent de ablatis & damnis, & summam diligentius Regi inquisitam ostenderent, & sic simul acciperent quod querebant. (Such was their unsatiable avarice and perverseness, thus to continue the Interdict on the whole Realm on this account.) Audiens itaque Rex dilationem sibi dilectam, præbuit illico consensum. Et sic eo die, infecto negotio recesserunt.

The next dayes proceedings clearly demonstrate that the true design of this meeting by secret compact between the Legate, Archbishop, and Bishops, under pretext of satisfying their damages, and releating the Interdict, was only to decoy and enforce the King to a new resignation of his Crown, in the presence of the Archbishop, Bishops and Clergy, (not present at the first resignation, if really made) and procure a second Charter of surrender of his Kingdoms of *England* and *Ireland*, to the Pope and his Successors, and resumption of them from him under an annual rent, and new Oath of Homage to him, the first Charter being either forged, or not really sealed or delivered, and a meer nullity. Which last Charter though the Archbishop, Bishops and Barons totally disliked, disclaimed, and never assented to, after it was sealed and delivered, yet they covertly promoted, and never dissuaded him from it, to render him odious and despicable to all his Subjects, and foreign Princes, to effect their own designs upon him.

\* Mat. Paris. p. 237.

\* It seems there was but one Charter, yet twice sealed and delivered, as this passage intimates.

Veniens vero die crastina, convenerunt omnes iterum ad Sanctum Paulum in Ecclesia Cathedrali: ubi post multos, et varios de Interdicti relaxatione tractatus, ante majus altare coram Clero et populo exacta est a Rege et innovata, illa non formosa sed famosa subjectio; qua in manum Domini Papæ Diademate cum Regno resignato, tam Dominum Pyberniæ quam Regnum subdidit Anglicanum. \* Charta quoque Regis, de qua superius diximus, quæ prius cera signata fuerat, et Pandulpho tradita; nunc auro Bullata est, et Legato ad opus Domini Papæ et Romanæ Ecclesiæ resignata. Super ablatorum vero restitutione, tertio nonas Novembris apud Radinum diem statuerunt. Cumque die jam prælibato, omnes ut superius, convenissent, Rex die illa non comparuit, sed die tertia apud Wallingford, iterum pariter convenerunt. Ubi Rex ut supra de omnibus ablatis, Episcopis et aliis universis se satisfacturum gratanter spopondit. (Yet to the unsatiable covetousness and perverseness of the Bishops.) Sed hoc illis quoque Castella diruta, domus subvertæ, pomeria cum nemoribus succisa fuerant, parum videbatur. Unde Rex et Episcopi in hoc pariter consenserunt, ut in arbitrio quatuor Baronum se ponerent; et sic ipsorum iudicio satisfaceret universis. After this, Convenerunt iterum Rex cum Legato, Archiepiscopo, cum Episcopis, Magnatibus, ac omnibus viris Religiosis, ad Interdicti negotium contingentibus, apud Radinum, octavo Idus Decembris: Ubi singuli Chartam prærexerunt in publicum, omnium ablatorum pariter & damnorum summam continentem. Sed Legato Regi favorem præbente, solutio omnium dilationem accepit, excepto quod Archiepiscopus & Episcopi, dudum ab Anglia proscripti, ibidem quindecim Millia Marcarum Argenti perceperunt.

By which relation we may discover, 1. The insatiable avarice, obstinacy, perverseness of the Bishops, to any cordiall, dutifull agreement with the King; and the great trouble, vexation, delays, and frequent meetings they put the King and Nobles to, about their pretended damages. 2ly. Their transcendent impiety, in robbing God and the whole Kingdome of his Divine publick service, by deferring the release of the Interdict from time to time, till all their unreasonable demands were satisfied. 3ly. Their execrable Treason and disloyalty, in enforcing the King once

or

or twice actually to resign his Crown to the Pope, and swear Homage to him, to procure a future discharge of the Interdict, and yet maliciously keeping it on foot till, or after full satisfaction made by the King of all their excessive damages, and unreasonable demands.

Before I proceed further in this Chronological History, I shall present you with a true Transcript of the second Charter of Resignation, made by King John at Pauls, out of the Charter Roll in the Tower of London; and of the Homage he then swore to the Pope, being almost the same in syllables with the first, (if any such) but different in some material words, clauses, here noted in the Margin, which second Charter is not printed in any of our Historians.

**JOHANNES** Dei gratia &c. Omnibus Christi fidelibus presentem Chartam inspecturis, salutem. Universitati vestre per hanc Chartam Aurea Bulla nostra munitam volumus esse notum, quia cum Deum et Matrem nostram, Sanctam Ecclesiam offenderimus in multis, et proinde divina misericordia plurimum indigere noscamur, nec quidem quod digne offerre possimus pro satisfactione Deo et Ecclesie debita facienda, nisi nosiplos humiliare pro eo qui se pro nobis humiliavit usque ad mortem, gratia Spiritus Sancti inspirante, non vitandis, nec timore coacti, sed nostra bona spontaneaue voluntate, ac communi consilio Baronum nostrorum offerimus, et libere concedimus Deo et Sanctis Apostolis ejus, Petro et Paulo, et Sancte Romanæ Ecclesie matri nostre, ac Domino nostro Papæ Innocentio tertio, ejusque Catholicis successoribus, totum Regnum Angliæ, et totum Regnum Hiberniæ, cum omni jure et pertinentiis suis, pro remissione peccatorum nostrorum, et totius generis nostri, tam pro vivis quam pro defunctis, et a modo illa a Deo, et ab Ecclesia Romana tanquam Feodum recipientes et tenentes, in presentia Venerabilis Patris nostri Domini Nicolai Tusculanensis Episcopi Apostolica sedis Legati, & Pandulphi Domini Papæ Subdiaconi, et Familiaris, Fidelitatem, Exinde prædicto Domino nostro Papæ Innocentio ejusque Catholicis successoribus, et Ecclesie Romanæ secundum subscriptam formam fecimus et juravimus, et homagium ei ligeum pro prædictis regnis Deo, & Sanctis Apostolis Petro & Paulo, & Ecclesie Romanæ & eidem Domino nostro Papæ Innocentio tertio, per manum prædicti Legati loco & Vice ipsius Domini Papæ recipientis, publice fecimus. Successores & Hæredes nostros de uxore nostra, in perpetuum obligantes, ut simili modo, Summo Pontifici qui pro tempore fuerit, et Ecclesie Romanæ sine contradictione debeant fidelitatem præstare, et homagium recognoscere. Ad indicium autem hujus nostre perpetue oblationis et concessionis, volumus et statuimus, ut de propriis et specialibus Redditibus nostris prædictorum Regnorum pro omni servitio et consuetudine quod pro ipsis facere debemus, (salvo per omnia denario Beati Petri) Ecclesia Romana Mille Marcas Sterlingorum percipiat annuatim, scilicet in festo Sancti Michaelis, Quingentas Marcas, et Pasch. Quingentas Marcas, septingentas scilicet pro Regno Angliæ, et trecentas pro Regno Hybernæ, Salvis Nobis et Hæredibus nostris Justitiis, Libertatibus et Regalibus nostris. Quæ omnia sicut supradicta sunt, rata volentes esse perpetua ac firma: Obligamus nos et successores nostros contra non venire, et si nos vel aliquis successorum nostrorum hoc attentare præsumpserit, quicumque fuerit ille, nisi rite Commonitus resipuerit, cadat a jure Regni: Et hæc Charta oblationis et concessionis nostre, semper permaneat.

Carta 15 Johannis Regis, num: 31: intus

\* Sigillo nostro

\* Humiliemur.

\* Interdicti.

\* Conferimus.

\* ab eò.

\* Secundarius

\* not in the first

\* not in the first

\* not in the first

\* Obligationis.

\* not in the first

\* Obligationis.

Carta 15 Jo-  
hannis Regis  
numero 15.

\* Forum.

\* Obligationis.

\* Those Bishops  
only attest it  
who were bani-  
shed.

**E**go Johannes Dei gratia Rex Angliæ, et Dominus Hybernæ, ab hac hora inantea fidelis ero Deo et Beato Petro, et Ecclesiæ Romanæ, ac Domino nostro Papæ Innocentio tertio ejusque successoribus Catholice intransibis. Non ero in facto, dicto, consensu, vel consilio ut vitam perdant vel membra, vel mala captione capiantur. \* Eorundem damnum si sciero, impediam, et removere faciam si potero, alioquin eis quam citius potero intimabo, vel tali personæ dicam, quam eis credam pro certo dicturam. Consilium quod mihi crediderint, per se vel per nuncios, seu per Literas suas secretum tenebo, et ad eorum damnum nulli pandam me sciente. Patrimonium Beati Petri et specialiter Regnum Angliæ, et Regnum Hybernæ adjutor ero, ad defendendum et tenendum, contra omnes homines pro posse meo. Sic me Deus adjuvet, et hæc Sancta Evangelia. De quibus ne possit in posterum dubitari, ad majorem securitatem prædictæ \*oblationis, et concessionis nostræ, præsentem Chartam nostram fecimus sigillari, et pro concessu hujus præsentis et primi Anni Mille Marcas Sterlingorum per manum prædicti Legati Ecclesiæ Romanæ persolvimus. Testibus Domino \*S. Cantuariensi Archiepiscopo. W. London, P. Winton, R. Elyensi, H. Lincolnensi Episcopis, Waltero de Gray Cancellario nostro, W. Com: Sarum Fratrem nostro, R. Comite Castria, W. Mar: Comite Pembroc: W. Comite de Ferrariis, S. Comite Wintonia, Roberto de Ros, Petro filio H. Briwer. M: filio Heriberti, Briano de Insula, Dapifero nostro. Dat: per manum Magistri Richardi de Marefcis apud Sanctum Paulum London, tertio die Octobris, Anno ab incarnatione Domini MCCXIII. Regni vero nostri Decimo Quinto.

Before I present you at large with the Judgements, Resolutions of others concerning the Nullity of King *John*'s Charters, and the Rent reserved on them, in the age wherein they were made, and since: I shall crave leave to acquaint you with my own thoughts concerning this doubt, whether he made & sealed two Charters, or only one?

I am clear of opinion that King *John* never made and sealed but one Charter, and took but one Oath of Homage and Fealty to the Pope, to wit the last, sealed with a Golden Seal, not two, as *Matthew Paris*, and others misguided by him, conceive; for which I have these strong inducements.

1. This only is extant on Record in the Charter Rolls of King *John*, the other not, nor any mention or memorial concerning it; and had the first (of so great moment to the King, Kingdom, Pope) been real, it would have been carefully recorded in the Charter Rolls as well as the latter. 2ly. There is no mention made in any of Pope *Innocent*'s Letters, Messages to the Barons and Bishops of *England*, King *John* himself, the *French* King, or any else, but only of this latter Charter, sealed with his Bull of Gold. 3ly. King *John* himself, his Bishops, Barons, in their Appeals and Invectives against him, hereafter cited, mention only the latter Charter, without any intimation of a precedent. 4ly. *Matthew Paris* himself, in his ensuing passages Anno 1231. concerning *Stephen Langtons* protestation and appeal against it, and the vacating of the new Chancellors election by the Pope, and the Embassadors and Proxie of King *Henry* the 3d. and the whole Kingdom in the Council of *Lyons*, Anno 1245. mention only one Charter then casually burnt; and the Parliament of 40 E. 3. do the like: Therefore but one. 5ly. Because the Popes, Cardinals, Kings Letters and Records concerning it, hereafter transcribed, resolve as much. 6ly. It is very improbable that the Pope would demand, or King *John* make two distinct Resignations of his Crown and Kingdoms, by two Charters, and take two Oathes of Homage and Fealty to him, and that almost in the self-same words, without any additional clauses, covenants, either by the King or Pope, within the compass of five moneths, the first bearing date May 15. the other the 3d. of October next following. And if King *John* was so unwilling, and hardly enforced, perswaded to seal the first Charter, and so much grieved, perplexed, reproached, contemned, de-



rided as he was, for sealing the first Charter, as *Matthew Paris* and others relate, & the release of the Interdict continued still as a bridle over him after its sealing, when he expected its final release, he would never have sealed the second; through any menaces, force, or persuasions whatsoever, especially before the Interdict was finally discharged, which continued long after the last Charter was sealed, through the Archbishop and Bishops obstinacy, Treachery, Impiety. 7ly. It is not probable the Barons or Bishops would have permitted him in their presence to have made a second Charter and Homage to the Pope, since they so much detested the first. 8ly. *Matthew Paris* his relation of his proffer to resign his Crown and Kingdoms to *Murmelius* the Sarazen, compared with those Messengers relations to him, touching the present freedom of the Kingdom, subject only unto God, after his first supposed surrender of it by Charter and Homage to the Pope, proves this Embassy to be fabulous, or his first Charter of Resignation fictitious, both being inconsistent. 9ly. His own relation what moved King *John* to send to the Pope to resign his Crown and Kingdoms to him, on purpose to curbe the Archbishop, Bishops, and Barons, after their restitution, and to bribe him with a great sum of money to effect it, knowing him to be the most covetous, ambitious, proud person in the world, contradicts the story and inducements for making his first Charter sealed with Wax, upon far different grounds. In fine, I conceive this mistake of two distinct Charters, (the one sealed with Wax, the other with Gold,) surrendring the Kingdoms of *England* and *Ireland* to the Pope, and resumng them under an annual rent, grew from this occasion. *Pandulphus* the Popes first Legate brought a form of an accord of Peace between the Pope, exiled Bishops, and their confederates and King *John*, drawn at *Rome*, which if he would submit to, he might be received into the Popes favour, the Churches bosom, and preserve both his kingdoms and life: This agreement he swore to, and sealed the 13th. day of *May*, and delivered to *Pandulphus*, recorded by *Mat. Paris* at large; the Earls and Barons siding with the Pope, were to enforce him to perform and see it duly observed; perchance he then treated with him three dayes after concerning the resignation of his Crown and kingdoms to the Pope, and had some oath or engagement from him afterwards to ratifie it under his seal, which this Monk mistook for the Charter, actually surrendring his crown in October following, which I conceive to be the Charter recited in the Autographum of Pope *Innocent* Bull under his Seal, witnessed with the Subscriptions and Seals of 12. Cardinals; and 3. Bishops dated Novemb: 4. 1213. a full moneth after this second Charter October 3. before, and sent to King *John*; wherein the Pope declared to him, how willingly and joyfully he accepted the Kingdoms resigned to him, and set them again to King *John*, (which *Dr. Craken-thorp* mistooke for his first Charter) and the same with that in the Manuscript collection of *Nicholas* Cardinal of *Aragon*.

There are several Opinions among Popes, their Flatterers, Historians, and others concerning the Popes right to *England* and *Ireland*; and these two Charters of King *John* granting, and resumng from Pope *Innocent* and his successors his Realms of *England* and *Ireland* under an annual Rent; which I think fit here to relate and examine, ere I proceed further, being the grandest Papal encroachment on the Crown.

(a) *Lelius Zecchus*, (b) *Marta*, (c) *Alvarus Pelagius*, (d) *Augustinus Steuchus*, and other Popish parasites, as they assert in general, That the Pope is absolutely the Lord of the whole Christian world, and that Kings and Emperors must acknowledge their Empires and Kingdoms to be held of him, the whole world being his territory: So they assert, that the Emperor of *Rome*, *Germany*, the Kings of *France*, *Aragon*, *Naples*, *Granado*, *Portugal*, *Spain*, *Sicily*, *Jerusalem*, *Bohemia*, *Hungaria*, *Denmark*, *Swecia*, *Norway*, *Croatia*, *Dalmatia*, and *Scotland*, are the Popes Vassals, Tributaries, holding all their Crowns, Kingdoms from him as his Fendatories, under several annual rents and tributes, and an Oath of Homage and Fealty. It is no wonder therefore if they pretend the like Title under the like Tenure and Vassallage to the Realms of *England* and *Ireland*. Pope *Alexander* the 2d. had the impudency to affirm, That ever since the kingdom of *England* received Christianity, it hath been in the hands and power of *St: Peter*, if his Epistle be not forged by (e) *Baronius*. If this were a truth, then King *Johns* resignation of his kingdom to the Pope, was only a restitution of that antient right the Pope had thereto before in Recognition of the Popes Sovereign Dominion over

\* Of the Popes Temporal Monarchy, p. 245, 246.

d De Romano Pontif. p. 82, 83  
b Paris l. c. 25. 18. 20.

c De Planctu Eccles. lib. 1. Artic. 37. to 66.

d De Donatione Constantinensi p. 100. to 200. See Dr. Craken-thorp of the Popes Temporal Monarchy, cap. 1. p. 10, 102

\* *Baronius* Anno 1068. num. 1. Dr. Craken-thorp of the Popes Temporal Monarchy, p. 14.

f Part. 1. c. 15 it; and his resuming of it from the Pope under an annual rent, nothing but an revival of the former Service due to Rome, as (f) *Marta*, (g) *Caverius*, and (b) *Schioppinus* argue in the cases of Constantines pretended Donation, Charles the Great, Pepins, and others grants of Lands and Territories to the See of Rome. But none of our Monks or Historians of that or any age since, though professed Votaries to the Pope, ever made such a pretence or conclusion as this. Therefore it is a meer forgery.

(a) Cardinal Bellarmine and other Romanists falsely averre, That the kingdom of England was *semper Beneficium et Tributarium Romano Pontifici*; because King Ina and Offa, Anno 740. Adolphus Anno 847. paid a penny for every house to Saint Peter by way of Tribute, confirmed by several Lawes: And King Henry the 2d. acknowledged the Pope to be his Temporal Lord, himself his Feudatory, and his Kingdom the Popes Patrimony: The falshood of which having at large refuted, I shall preternit as fabulous; only if true, it quite subverts or enervates this Charter of King John and reservation of the annual rent, as a New thing, honor, rent, not formerly acknowledged by his predecessors. But their principal Title to England and Ireland is from King Johns Charter under his golden Bull, which they boast to be yet extant in the Vatican; by which the Pope hath (as Bellarmine and Martia assert) *Directum Dominium in Regnum Angliæ et Hiberniæ*, that King John and his Successors are thereby made *Feudatories and Vassals to the Pope*, whence b Pope Innocent the 3d. in a vaunting manner said of King John, *Clavallus noster est Rex Angliæ, et Romanæ Ecclesiæ*.

To counterplead and enervate this Grand pretended Title of the Pope, I shall desire the Readers to consider;

1. That Sir Thomas Moor Lord Chancellor of England (who (c) lost his head under King Henry the 8. his Master (in defence of the Popes Supremacy in England) is so far ashamed of Pope Innocents proceedings against King John, that he avowes it in print, (d) to be utterly UNTRUE; that King John did make his Realms thus Tributary to the Pope, or that ever such pensions were paid to Rome for them; (wherein doubtlesse he mistakes) Adding, That if he so did, or any other English King should so do, such an act was of no validity at all, as *Rossius Warwicensis* also resolves.

2ly. That (e) Edmond Campian (a great Advocate for the Papacy) writes; Such Instruments might happily then be moved and drawn, and yet dye unratified, though the copies stand recorded; denying any annual pensions paid thereby for England or Ireland to Rome.

3ly. (f) *M. Antonius Coccius Sabellius* informes us; That this pretended Rent out of England and Ireland was granted by King John out of a Religious Vow, to expiate his gaining these kingdoms by fratricide; without mentioning any Charter or resignation. *Haud merito post Johannes Rex Angliæ, Ricardum fratrem interfecit, Regnumque parricidio adeptus, à Ludovico Philippi filio, qui tum in Gallia regnabat gravi bello petitus est. Tum vero novisse fertur, si regnum sibi incolume mansisset, futurum ut Angliæ et Hyberniciæ vectigales essent Apostolicæ sedis, magnumque auro pondus voto nuncupavit, quod duæ Illustræ Insulæ quotannis Romano Pontifici penderent; sui itaque voti damnatus, quum ipse, tum Successores plerique ut rite acumerat, ratum habuere.* But this voluminous Historian is utterly mistaken in his whole relation of this pension: For 1. King John did not murder his brother, King Richard, who died of a shot out of Chalus Castle, as all our (g) Historians record. 2ly. He obtained not the Realm by parricide, but by his Brothers special bequest at his death, and heir to him. 3ly. This Rent was granted before Lewis the French Kings Sonne warred on him; upon Philips intended invasion; but admit it true, the very force of warr nulls it. 4ly. None of our Historians mention any such Vow of King John, as the cause of this grant. 5ly. Not one, much lesse many of his Successors acknowledged it rightly granted, nor ever confirmed, but protested against it, as null; though one or two of them now and then voluntarily paid it, upon other grounds. \* *Raphael Volaterranus* Geogr. l. 3. f. 54. concurring with *Sabellius* records, that *Johannis cum gravi bello à Ludovico Gallorum Rege premittitur, EX VOTO Angliam, Iberniamque Romano Pontifici Vectigales fecit, ut anni Marcus 70. quotannis penderent, Anno salutis 1208.* he being mistaken in the occasion, quarrel, summe,

g Mat. Paris, Mar. Westmin. Wendover, Polichronicon, Walsingham Ypodigma. Bromton, Hen. de Knyghkon, Speed, Holinshed, Grafton, Stow in his life.

\* Edit. 1511.

summe year of the grant, which was not till 1213. and Lewis his warre above a year after that: And admit it true, this Vow, Grant being made by Dureffe and force of Warr, can be of no validity.

4ly. (b) *Polydor Virgil* a Stranger, (but yet the last collector of the Popes Peter-pence in England, who pried into our Histories, Annals) and the (i) Century writers out of him, write thus of this Rent and Grant: reciting King *Johns* surrender of his Crown, *Nunquam nisi à Romano Papa recepturus (sic enim fieri jusserat Innocentius crudelis et sanguinis Anglici silentissimus,* add the Centuriators) *ex quo fama est Johannem cupientem perpetuare memoriam muneris accepti* (therefore a meer free gift, not tribute, in their judgements) *ea lege fuisse se Beneficiarium* (not tributarium) *ut Reges deinceps à Pontifice duntaxat Romano iura regni consequerentur. Ceterum has reconciliationis Leges qui secuti sunt Reges minime serbavit, neque Annales Anglici de huiusmodi donatione loquuntur. Johanni tantummodo qui deliquisset imposita, non item Successoribus sustinenda fuisse satis constat.* So that by this resolution of the Popes own Collector in England, the grant of these annual rents obliged only King *John* himself, the delinquent, who imposed them, not his heirs, successors or kingdoms in the least degree: To which the Century collectors assent.

g Hist. l. 19.  
b Cent. Magd.  
13. c. 8. col. 760.  
Speeds History,  
p. 577.

5ly. (a) *Matthew Paris*, and *Matthew Westminster* themselves, (both Monks, extraordinary Votaries to the Popes, and inveterate Enemies to King *John*) deride & scorn his Charter to the Pope, which they first inserted into their Histories, styling it *Lugubrem, detestabilem, non formosam, sed famosam subiectionem, Scriptum toto mundo execrabile, &c.* And relate the Judgements of the English, French, and others, who reputed it *Null, voyd, and a most detestable example*; thereby sufficiently intimating their own concurrence therein.

a Annis 1213,  
1214, 1231. p.  
245.

6ly. As the Archbishop of *Dublin* openly protested against the first Charter and the Legates insolency when he received it, and the money he trampled under his feet, as [b] *Matthew Paris* himself records: so he writes, That *Stephen Langton* the Archbp. the Popes own Legate, great creature, and a Cardinal, though he underhand consented to and abetted it, to render King *John* despicable, detestable to his Barons, Subjects, and all forreign Princes, to accomplish his own designs and wreck his malice upon the King, yet (to preserve the hereditary Rights of the Kingdom inviolable, and accomplish his own ends the better) so soon as this Charter was sealed, and presented at the high Altar in *Pauls*, and delivered to the Popes Nuntio, he stepping out in the presence of the King, Legate, Barons, and all there present, in the name of the Clergy and Kingdom, boldly and earnestly presented at the same Altar in solemn manner his Appeal against this Charter, *so detestable to the whole world*; as *Rossius Martinus*, Dr. *Beard*, and others relate. But hear [a] *Matthew Paris* himself. *Ralph* Bishop of *Chichester*, then Chancellor of England being elected Archbishop of *Canterbury* by the Monks after the death of *Richard*, and the Monks of *Canterbury* pressing the Pope to confirm his election, Anno 1231. thereupon the Pope made diligent inquiry of *Simon Langton* (*Stephens* Brother, elected, but rejected by King *John*, and the Pope too at his request, to be Archbp. of *York*;) concerning *Ralphs* person and disposition; thereupon Respondit, illum curialem esse, & illiteratum, rapidum in verbis, & festinum: & quod durum est, si ad illam dignitatem promoveretur, moliret volentem, ut anhelante ad hoc Rege, cum toto regno iuvante, exiret Angliam de sub iugo domini Papæ et Curie Romanæ, qui eidem tenetur sub tributo; ut soluto vinculo tributi, quo tenebatur eam Rex *Johannes*, solita Deo et Ecclesiæ sanctæ servaret libertate. Et ad hoc velle usque ad expositionem capitis decretare, immixtus iuri et appellationibus *Stephani Cantuariensis* Archiepiscopi; quas fecit solenniter idem *Stephanus* ante Altare Sancti *Pauli* Ecclesiæ Cathedrali Londinensi, cum redderet coronam Angliæ memoratus Rex *Johannes* in manus Legati, conficiens scriptum toto mundo execrabile. Papa autem his auditis sermonibus, postulacione cassata, concessit, ut *Conventus Cantuariensis* alium Archiepiscopum, ac talem eligerent, qui sibi esset Pastor Animarum salubris, et Ecclesiæ utilis Anglicanæ, et Romanæ fidelis ac devotus

b Mat. Paris, p.  
237. Archiepiscopo dolente & reclamante,

c Mat. Parker, Antiqu. Ecclesiæ Brit. 150.

d Hist. Angl. p. 370, 371 Edit. Londini 1640.

Nota,



Gervasius Do-  
robernenſi An-  
tiquitates Ec-  
cleſiæ Brit. in  
vita Edmundi  
& Godwini Ca-  
talogue of Bi-  
ſhops, p 66, 67.

tus. Monachi igitur domum reverts, Conventus retulerunt quomodo fuerant a ſuo deſiderio defraudati. And after the Election of two others, whom the Pope rejected, were enforced to elect St. Edmond whom the Pope recommended to them.

In this Historical paſſage, there are ſeven moſt obſervable circumſtances conſiderable. 1. That *Simon Langton*, brother to *Stephen* Archbiſhop of *Canterbury*, his principal agent for his reſtitution, privy to all his Actions, being made Archdeacon of *Canterbury* by him, and at this time holding that office, informed the Pope of theſe Appeals of his brother *Stephen* Archbiſhop of *Canterbury*, publiſhly made at *Pauls Church London*; when King *John* there ſummoned his Barons, and ſealed his Charter to him: Therefore no fiction, but a real truth. 2ly. That this information was within 16. years after the reſignation and charter thus made. 3ly. That King *Henry* the 3d. and the whole kingdom then groaned under, and reſolved to caſt off this unjuſt Tribute, Charter, and to proteſt againſt it as invalid. 4ly. That if *Ralph* were admitted and conſecrated Archbiſhop (the deſign in electing him to that place) he would certainly with the peril of his life proteſt againſt this reſerved Rent and Charter as voyd in Law, becauſe *Stephen* his predeceſſor had thus appealed againſt it at the very ſealing and delivery thereof, as not only voyd, but deteſtable, and therefore the King and kingdom would wholly exempt themſelves from it; which had been a vain ſurmiſe had there been no ſuch appeal. 5ly. That *Simon* himſelf, as well as his Brother *Stephen*, acknowledged this Charter and Tribute, to be not only deteſtable in it ſelf, and to the King and kingdom of *England*, but even to the whole world; and therefore certainly moſt illegal and invalid. 6ly. That Pope *Gregory* the 9th believed both the truth of this relation and Appeal, and upon this information and ground alone vacated the election of *Ralph*, to prevent this deſign of the King, kingdom, and Archbiſhop elect, to ſhake off this Tribute and yoaſ of bondage, enforcing them to elect another more compliant with his deſignes, to preſerve his intereſt in this annual Rent, though reſerved by ſuch a moſt deteſtable Charter. 7ly. That it was afterwards inſiſted upon in the Council of *Lyons*, and not gainſaid by the Pope.

Hiſt. Angl. p.  
264.

8ly. That the Engliſh Barons themſelves, though they were preſent, and & connived at this charters ſealing and delivery by the King, the better to effect their own deſigns againſt him, being made moſt contemptible and quite deſtroyed of his Royal honor, and moſt of his authority thereby, yet they abominated, declaimed, proteſted againſt it and him with higheſt Indignation and deteſtation when executed, witneſſe theſe paſſages and Speeches of theirs recorded by (a) *Matthew Paris*, Firſt, within few moneths after this ſecond reſignation and Charter, Anno 1215. All the Nobles aſſembled in a Great Council at *London*, together with the Archbiſhops, Biſhops, Abbots, Priors and Clergy (where the King ratified the Great charter, and Charter of the Forreſt, and Charter concerning the freedom of Elections to Biſhopricks and Monafteries) perceiving King *John* heart both by his geſtures and ſpeeches to be totally averted from them, and himſelf almoſt diſtracted with ſad melancholly thoughts, for ſealing his ſecond Charter to the Pope, and Confirmation of the Great Charter, and that of elections) antequam ipſum Concilium ſolveretur continua mente præſaga futuros eventus ponderabant; dicentes; *Ne nobis immo toti Angliæ carenti rege veraci, et oppreſſæ Tyranno ſubdolo, et ſummis conatibus regnum Angliæ evertenti. Nos jam Romæ ſubjecit et Romanæ Curie, ut protectionem ab ea conſequeremur, timendum eſt ne injurioſas ſuppeditationes in poſterum inveniamus; Nunquam audivimus de aliquo Rege, qui nollet colla ſervitutis ſubtrahere, iſte ſponte ſuccumbit. Et ſic lamentantes Regem recedendo reliquerunt, ad propria revertentes.* A ſtrong evidence they never adviſed, aſſented to, or approved it (as both Charters falſly recite) but thus openly and joynly declaimed againſt, lamented the ſad conſequences of it, which they both foreſaw, feared, and thereupon departed from him to their homes with much grief and diſcontent, as one who had uſed his utmoſt endeavours to ſubvert a miſerable Kingdom, by ſubjecting his own and their free necks to the Pope & Court of *Rome*, under pretext of obtaining protection from them. After this, Anno 1216. the Barons being driven almoſt to deſperation, reſolving utterly to reject King *John* and elect a new King, which they did, thus openly inveighed againſt him, for this his Charter, dicentes

of Resignation, and against Pope *Innocent* himself, making it the principal argument of their revolt from him.

**C**irca hoc dies, cum denique Barones, qui jam omnia amiserant, quæ propensius in mundo diligebant, & spem boni melioris penitus non habebant, ut per se recuperarent amissa, tanto summo dolore Cordis intrinsecus, & quid agerent ignorabant, male dicentes Regis versutiam, tergiversationes et infidelitatem, et ducentes suspicia geminando: *Ale tibi Johannes Regum ultime, Anglozum Principum Abominatio, Nobilitatis Anglicanæ Confusio. Deu Anglia jam vastata, et amplius vastanda: Deu Anglia, Anglia omnibus bonis hactenus Princeps provinciarum, facta es sub tributo, non tantum flammæ, fami, et ferro, sed servozum ignobilium et advenarum imperio subjecta, et suppeditata: cum nihil infelicius quam servozum subijci servituti. Legimus quod multi alii Reges, immo ut Reguli, usque ad mortem pro liberatione terræ suæ subjectæ dimicarunt: sed tu Johannes (lugubris memoriæ pro futuris seculis) et terra tua ab antiquo libera, ancillaret excogitasti, et operam impendisti, et ut alios tecum traheres in servitutem, quasi cauda serpentina medietatem stellarum a firmamento te ipsum primo depressisti, factus de Rege liberrimo, Tributarius, firmarius, et vassalus servitutis; terrarum nobilissimam Chirographo servitutis æternæ obligasti, nunquam a Compede servili liberandam nisi miseratus ille, qui nos et totum mundum, quos sub pecc. Iugo vetusta servitus tenuit, dignetur quandoque liberare. At quid de te Papa? qui pater sanctitatis, speculum pietatis, tutor justitiæ, & custos veritatis, toti mundo deberes lucere in Exemplum, tali consentis, talem laudas, & tueris? Sed hac causa Exhaustorem pecunie Anglicanæ & Exhaustorem Nobilitatis Britannicæ tibi inclinantem, defendis, ut in Barathrum Romanæ Avaritiæ omnia demergantur: sed hac causa & excusatio, est ante Deum culpa & accusatio; Et sic Barones Lachrymantur, & Lamentantes Regem & Papam maledixerunt, peccantes inexpiabiliter, cum scriptum sit. Principi non maledices, & veritatem & reverentiam transgredientes, cum illustrem Johannem Regem Angliæ servum asserverunt, Cum Deo servire regnare sit Tandem decretum est, ut aliquem potentem in Regem eligerent per quem possint ad possessiones pristinas revocari, credentes quod nullus Johanne pior vel durior possit dominari, & tale miserabile statuentes Argumentum,*

Hist. Ang. Edic  
Londini p. 278  
279.

— — — — — Fortuna miserrima tuta,  
Nam timor eventus deterioris abest.

Cumque aliquandiu, quem oligerent basitassent, demum in hæc pariter consenserunt, ut Lodovicum filium Philippi Regis Francorum sibi præficerent, & ipsum in Regem Angliæ sublimarent.

Besides King *John* himself in his Letters to the Pope complains, that his Earls and Barons were devout and loving to him till he had subjected himself to his Dominion, but since that time, & specialiter ab hoc, they did all rise up against him. And, when he alleged to them, that the Realm of England was St. Peters patrimony, and held of the Pope, &c. they slighted it so, as to return no answer to it. Yea Pope *Innocent* himself in his Epistle to all Christian people wherein he Nulls the Great charter of Liberties complains thus of the Barons, *ut ordine perverso in illum insurgerent postquam Ecclesiæ satisfecit, qui assistebat eidem quando Ecclesiam offendeabant.* And the French Kings Barons, H. the 3. and his Proctors in the Council of Lyons, with the Parl. of 40 E. 3. peremptorily affirm, that the Barons never assented to it: Therefore this clause inserted into the Patent that it was made, **Communi Consilio Baronum Proctorum;** must needs be a false suggestion and untruth, which makes it Null in Law.

8ly. There

\*Dr. Crakenth.  
of the Popes  
Temporal Mo-  
narchy, ch 12.  
d. 348, 349.  
Speeds History,  
p. 581.

8ly. There is an ancient *Manuscript* stiled \* *Enlogium* in the famous Library of Sir *Robert Cotton*, which records, that in the year 1214. (soon after this Surrender and Charter of King *John*) there was a Parliament called at *London*, wherein *Stephen* Archbishop of *Canterbury*, and all his Clergy, cum tota laicali secta, with all the Lay sect being present. Per Domini Papa praeceptum illa obligatio praefata, quam Rex Domino Papa fecerat, cum fidelitate et homagio relatur omnino, primo die Julii. It then Pope *Innocent* himself in full Parliament totally released King *Johns* Charter, Obligation, Rent, Homage and Fealty made him for these kingdoms, immediately after their making (upon the Archbishops appeal against it, or as extorted from him by such atheistical impious Interdicts, Excommunications, menaces, frauds, circumventions, Crossadoes, and foreign forces raised against him, and fraught with nothing but untrue suggestions, not upon any real considerations, as the Author of this Treatise positively asserts) How any of his Successors or Roman Advocates (especially in this Age) can in justice or equity insist thereon to intitle themselves to the Sovereign Temporal Dominion, Jurisdiction of *England* and *Ireland* as *St. Peters Patrimony*, without the greatest absurdity and shamelesse impudence, no rational creature can discover.

9ly. After King *Johns* surrender of his kingdom, and confirmation of the Charters to the Kingdom and Bishops, with the Popes ratification of them too, his friends, courtiers, flatterers, soldiers, and common people; for this his Resignation of his Crown, did thus deride and jeer him to his very face, to exasperate him against the treacherous Bishops and his Barons, as well as against the Pope, and raise New Commotions.

Mat. Paris Hist.  
Angl. p. 273.  
254.

His peractis & ex utraque parte approbatis, exultaverunt omnes, credentes Deum, misericorditer Cor Regis tetigisse, Cor ab eo lapideum abstulisse, & Cor Carneum addidisse, & ut in eo fieret optima dextrae Excelsi permutatio. Speraveruntque omnes & singuli Angliam quasi Aegyptiaco Jugo, quo diu ante premebatur, per Dei gratiam suis temporibus liberatam, tam per Romanae Ecclesiae protectionem, cujus alis se credebant obumbrari, & sic velut sub Clypeo Divinae Militiae, cui servire regnare est, pace & libertate gaudere, tum propter Regis humiliationem desideratam; quam speraverant omni mansuetudini & paci feliciter inclinatam. Sed longe alter, proh pudor, et proh dolor, et nimis dissimili quam speratum fuit evenit. (Treachery, Perjury, Fraud, Rebellions, Hypocrisy and Accords obtained by wicked Machivillian Policies, never ending in expected Tranquillity and security) Credebatur fortuna aridendo Nectar propinasse, cum fellita pocula, & venena preparavit. Ecce enim filii Belial (diabolo procurante) qui successibus hominum ex antiqua sua consuetudine, videlicet ruptani nequissimi qui bella potius quam pacem voluerunt, regis auribus verba discordiae susurrando instillarunt. Dixerunt enim grunniendo et derisionibus multiplicatis subannando: Ecce vigesimus quintus Rex in Anglia, ecce jam non Rex nec etiam Regulus, sed Regum opprobrium: malle deberet non Rex: quam sic Rex esse. Ecce Rex sine regno: Dominus sine dominio: Ecce Alficus nauci et angularis, rota quinta in plastro: Regum ultimus, et populi abjectio. Deus miser et servus ultimae conditionis, ad quam servitutis miseriam devolutus es? Fuisti Rex, nunc ser: fuisti maximus, nunc minimus. Nihil infelicius quam fuisse scelerem. Et sic fram provocantes, addendo flammam vento ab igne sulphureo scintillas excitaverunt. Therefore there was certainly no common universal consent to this surrender, Charter, but a generall detestation of, and declaration against it in the highest degree; which made it null in Law.

10ly. Whereas it is recited in the Charter: Nos gratia Spiritus Sancti inspirante, non vi induci, nec timore coacti, sed nostra bona et spontanea voluntate offerimus et libere concedimus Deo et Sanctis Apostolis, &c. & Domino nostro Papa Innocentio tertio, usque Catholicis Successoribus, totum Regnum Angliae, & totum Regnum Hiberniae, &c. This is most false and untrue: For as King *John* was enforced



enforced to it fore against his will to his great grief, as the premises evidence: So he was so much ashamed of, and exceedingly discontented at it, that rejecting all the English; he deeply lamented that ever he was born into the world, or that ever his mother nursed him to do such detestable, unroyal, shamefull actions, and was almost quite distracted with the thoughts thereof, which *Matthew Paris* thus expresseth.

**T**unc Rex nimis credulus susurris abominabilium Ruptariorum, quos ex consuetudine in propriam perniciem nimis libenter; abjectis naturalibus suis hominibus, educaverat; animum summutavit; & cor ejus pessimis consiliis inclinavit: leve est enim fluctuantem movere, & proclivum ad mala, ad flagitia precipitare. Tunc Rex ab alto ducens suspiria, concepta indignatione maxima, cepit in seipso tabescere, lamentationibus multiplicatis conquerendo dicere: ut quid me genuit mater mea infelix, et impudica? At quid genibus exceptus? ut quid uberibus ablactatus infauustum accepi incrementum? Ferrum mihi potius quam Alimentum debuit preparari. Cepit frendere dentibus, oculis torvis intuitum retorquere, arreptos buculos et stipites more furiosi nunc corrodere, nunc corolos confringere. Et inordinatorum gestuum plurimis argumentis, conceptum dolorem, imo furorem manifestare. &c. And when he heard tidings of the defeat of his Forces in France by King Philip, soon after this surrender and Charter, (where *Matthew Paris* observes; *In hoc autem casu Rex Anglorum, qua raginta Millia Marcarum, qua tempore Interdicti à Monachis Cisterciensibus, consilio Ricardi de Marisco & similium aulicorum impudenter abstulerat, consumpsit, ut falem faceret Proverbio, quo dicitur;*

Hist. Angl. p. 254.

Hist. Angl. p. 255.

Non habet eventus fordida præda bonos.)

animo nimis consternatus, affantibus dixit; Postquam Deo reconciliatus, me ac mea regna, proh dolor, Romanæ subjecti Ecclesiæ, nulla mihi prospera, sed contraria omnia advennerunt. Yea the shame and infamy of it stuck upon his spirit till his dying day.

Nota.

111y. Philip King of France, together with his Sonne Lewis, & his Proctor, and all the Nobles of France Anno 1216. *with one mouth*, protested against this Charter and resignation to Walo the Popes own Legat, (when purposely sent to them by Pope Innocent to dissuade them from invading England, as being then St. Peters Patrimony) not only as null, void in it self for several reasons, but of most pernicious example to all kingdoms; thus at large recorded by *Matthew Paris*.

**S**ub his diebus, Magister Walo a Domino Papa missus venit in Franciam, ut Lodovici progressum in Angliam autoritate Apostolica impediret. Qui cum ad Regem Philippum pervenisset, porrexit litteras ex parte Domini Papæ deprecatorias; in quibus continebatur, ne præter mitteret filium suum Lodovicum cum Angliam hostiliter adire, vel Regem Anglorum inquietare in aliquo: sed ipsum, ut Romanæ Ecclesiæ vassallum protegeret, defenderet, et diligeret; cujus regnum ad Romanam Ecclesiam ratione Domini pertinebat. Rex autem Francorum, cum hæc verba intellexisset, incontinenti respondit: Regnum Angliæ patrimonium Petri nunquam fuit; nec est, nec erit. Rex enim Johannes, multis retroactis diebus, volens fratrem suum Regem Richardum a regno Angliæ injuste privare, et inde de proditione accusatus, et coram eo convictus; damnatus fuit per judicium in Curia ipsius Regis: quam sententiam pronuntiavit Hugo de Pusat, & Episcopus Dunelmensis. Et ita nunquam fuit verus Rex, nec potuit regnum dare. Item si aliquando fuit verus Rex, postea regnum forisfecit per mortem

Hist. Angl. p. 270. 271.

\* Permitteret.]

Nota.

Qq

Arthuri;

Nota.

Arthuri; de quo facta damnatus fuit in Curia nostra. Item nullus Rex vel Princeps potest dare regnum suum, sine assensu Baronum suorum; qui regnum illud tenentur defendere: et si Papa hunc errorem tueri decreverit, perniciosissimum regnis omnibus dat exemplum. Tunc quoque magnates omnes uno ore clamare ceperunt: quod pro isto Arriculo starent usque ad mortem, ne videlicet Rex vel princeps per solam voluntatem suam posset regnum dare, vel tributarium facere, unde nobiles regni efficerentur serbi. Acta sunt hæc apud *Lugdunum* die Decimo quinto post Pascha.

Mat. Paris,  
p. 270. 271.

**I**N crastino itaque procurante Rege Francorum supervenit *Lodovicus* ad colloquium, & torvo vultu respiciens Legatum juxta Patrem suum resedit. Quo facto, Legatus multis precibus cepit rogare *Lodovicum*, ne iret in Angliam ad invadendum, vel occupandum patrimonium Romanæ Ecclesiæ, et patrem ejus, ut prius fecerat, ne ipsum permetteret ire. Rex autem Francorum Legato protinus respondit, dicens; Ego Domino Papæ, & Ecclesiæ Romanæ devotus semper fui, & fidelis, & in omnibus agendis suis negotia sua omnia efficaciter hucusq; promovi: Sed nec modo per consilium meum, vel auxilium Filius meus *Lodovicus* contra Romanam Ecclesiam aliquid attentabit. Veruntamen si jus aliquod de regno Angliæ sibi vendicat, audiat, & quod justum fuerit, concedatur eidem. Ad hæc miles quidam, quem *Lodovicus* procuratorem suum constituerat, surgens, audientibus cunctis respondit: Domine Rex, res notissima est omnibus, quod *Johannes* dictus Rex Angliæ, pro *Arthuri* nepotis prodicione, quem propriis manibus interemit, in curia vestra, per judicium Parium suorum ad mortem sit condemnatus: ac postmodum a Baronibus Angliæ pro multis homicidiis & enormitatibus aliis, quas ibidem fecerat, ne regnaret super eos reprobatus. Unde Barones contra eum guerram moverunt, ut ipsum a folio regni immutabiliter depellerent. Præterea Rex sæpe dictus, præter assensum Magnatum suorum, regnum Angliæ Domino Papæ contulit et Ecclesiæ Romanæ, ut iterum illud reciperet ab eis tenendum sub annuo tributo mille marcarum. Et si coronam Angliæ sine Baronibus alicui dare non potuit, potuit tamen dimittere eam. Quam statim cum resignavit, Rex esse desistit, et Regnum sine Rege vacavit. Vacans itaque regnum sine Baronibus ordinari non debuit. Unde Barones elegerunt dominum *Lodovicum* ratione uxoris suæ; cujus mater, Regina scilicet *Cassella*, sola ex omnibus fratribus & sororibus Regis Angliæ vivens fuit. Tunc Legatus proposuit, quod Rex *Johannes* erat Cruce signatus, unde ex constitutione generalis Concilii pacem habere debuit usque in quatuor Annos, & omnia sub protectione sedis Apostolicæ secura permanere: unde medio tempore *Lodovicus* non debuit guerram dicto Regi movere, nec eum a regno privare. Ad hæc procurator *Lodovici* respondit: Rex *Johannes* ante crucem sumptam guerram moverat Domino *Lodovico*; & castrum de *Buncham* obsederat & illud destruxerat, &c. Legatus itaque his rationibus non contentus; prohibuit, sicut prius, sub pœna excommunicationis, ne *Lodovicus* Angliam intrare præsumeret: & patrem ejus, ne ipsum ire permetteret. His auditis, *Lodovicus* Patri suo dixit: Domine: etsi ego homo vester ligeus sum de feudo quod mihi dedisti in partibus Cismarinis, de regno Angliæ ad vos non pertinet statuere quicquam: unde me sub jicio judicio Parium meorum, si debetis cogere me ne prosequar jus meum: quia pro hereditate uxoris meæ usque ad mortem, si necessitas coegerit, decertabo. Et his dictis *Lodovicus* cum suis a colloquio recessit: Quod videns Legatus, Rogavit Regem Francorum, ut saluum sibi conductum præberet usque ad mare. Cui Rex respondit: Per terram nostram propriam conductum libenter præstabo; sed si forte incideris in manus *Eustachii* monachi, vel aliorum hominum *Lodovici*, qui custodiant semitas maris; non mihi imputes, si quid sinistri tibi contingat. Hæc audiens Legatus, iratus a Curia recessit.

By which passages it is apparent, that the King of France, his Son Lewis, and all the Nobility of France, unanimously resolved, with highest indignation and detestation

tation, this Charter to be a meer nullity, because made by King *John*, then no lawfull King, and without the Barons consent, and of dangerous president to all other Kingdoms; thereupon thus slighted the Popes command, and his Legates, not to War upon King *John*, or invade *England*, being *St. Peters* Patrimony. And dare any Pope or other Champion of the Church of *Rome*, now own or iustifie such a universally condemned Charter as this?

12ly. King *Henry* the 3d. (King *Johns* heir, and next successor) though much devoted to the Pope and his Legate, as \* instrumental to Crown and restore him to the actual possession of his Kingdoms, after his Fathers death, not only disclaimed and endeavoured by the assistance of his Chancellor and whole Kingdom, to free himself from the Vassallage of this pretended Rent and Charter, Anno 1231. as you have heard, but in the general Council of *Lyons*, Anno 1245. (about 31. years next after this grant and Oblation) by his Ambassadors and Advocate, made a special protestation against it, as a meer Nullity, extorted by War, Force from King *John*, against the Archbishops protestation, and against the Barons consent; thus related by (a) *Matthew Paris*, and (b) *Matthew Westminster*.

\* See Mat. Paris, Mat. Westminster, Holinshed, Daniel, Speed, & others Anno 1 H. 3.

a Hist. Angl. p. 639, 646.  
b Flores Hist. pars 2. p. 193, 195.

**P**er idem tempus, Rex sano fretus Consilio, ex quo certificabatur de Concilio generali in proximo *Lugduni* celebrando, Nuncios solennes ad Concilium destinavit; videlicet Comitem Rogerum Bigod, Johannem filium Gislefridi, Gulielmum Cantilupo, Philippum Basset, Radulphum filium Nicholai, Milites, et Gulielmum de Powic, Clericum: ut Domino Papæ, et toti Concilio gravamina exponerent quæ Regno Angliæ in multis a Romana Curia diatim inferentur: præcipue de Tributo in guerræ tempore extorto, in quod nunquam consensit Regni universitas, cui contradicatum fuit et aperte per Stephanum Archiepiscopum Cantuariensem, reclamantem. Quod in posterum factum est.

In this Council when assembled, on the very day that Pope *Innocent* the fourth propounded his complaints against the Emperour *Frederick*, to depose him, *Gulielmus de Powic*, qui cum Nobilibus Domini Regis Angliæ procuratoribus Comite Rogerio, et aliis sociis præsens affuit, volens hæc prædicta, per interruptionem differre, surgens in medio, gravamina Regis et Regni Angliæ proponens satis eleganter: CONQUESTUS EST GRAVITER, QUOD PER CURIAM ROMANAM EXTORTUM EST TRIBUTUM INJURIOSE NIMIS TEMPORE GUERRÆ A REGE JOHANNE, DUM SUMMA MENTIS ANGUSTIA TORQUERETUR, CUI ETIAM MANIFESTE CONTRADICTUM FUIT, ET EX PARTE UNIVERSITATIS REGNI; RECLAMATUM, QUOD TALIA Nullo modo FACERE POTERAT, PER OS VENERABILIS STEPHANI CANTUARIENSIS ARCHIEPISCOPI, QUO NON ERAT TUNC MAJOR IN REGNO. IN QUOD TRIBUTUM NUNQUAM PATRES NOSTRI CONSENSERUNT, VEL ALIQUO TEMPORE CONSENTIENT, UNDE SIBI PETIT INSTANTER EXHIBERI JUSTITIAM CUM REMEDIO. Ad quod Papa non oculos elevans, nec vocem, dissimulavit, donec quæ magis sum angebant præmitus eruperasset.

From the consideration of which passage, and that of *Simon Langton* Archdeacon, and of his Brother *Stephen Langton* Archbishop of *Canterbury*, thus recorded by Archbishop *Parker* his Successor, in his Life, Sed Stephanus Langton etsi has injurias & calumnias tam Regi quam Regno constavit, tamen cum rebus compositis in Cantuariensi Archiepiscopatu

\* Antiqu. Eccl. Brit. p. 450.



*chiepiscopa u cum Regis benevolentia sedisset quietus, victus amore atque charitate Patriæ, cum Johannes Rex in Pandulphi manus Sceptum et Diadema Regium concessisset, iniquissimo id animo ferens, accedens ad altare, ob tam indignum Papæ factum continere se non potuit quin in appellationis vocem, a tam grandi illato Angliæ præjudicio prorupit.* I am clear of opinion, that *Archiepiscopo dolente & reclamante*, applied by \* *Matthew Paris* and others to the Archbishop of *Dublin*, at the sealing of the first Charter, and Legates trampling on the earnest money or rent, was in verity the appeal of *Stephen* Archbishop of *Canterbury*, at the sealing and delivering of the second Charter, (unlesse one of them appealed for *Ireland*, the other for *England*) since the Archbishop of *Dublin* appeal was never insisted on in the Council of *Lyons* or elsewhere, but only this of Archbishop *Langtons*; which had it not been true as well as the other Allegations, the King and his Advocates would never have propounded them so solemnly in this general Council, and Pope *Innocent* the 4th. for his own and his Predecessors honour (*Innocent* the 3d.) would have there denyed this appeal to be true; but his stupid silence, without the least reply either then or afterwards, is a convincing argument of their verity, and this Charters nullity.

3ly. \* *Matthew Paris* relates, that the Pope setting his Study in *Lyons* on fire, a little before this Council, to burn some lose papers and things of small value, that so by pretext thereof, *Occasionum Dominus Papa acciperet pecuniam petendi & extorquendi a Prælati ad Concilium properantibus*; the fire exceeding his intended bounds, *Cumbusta sunt etiam quadam qua habebantur chariora. Et fuit multorum assertio, quod detestabilis illa Charta, quæ de tributo Angliæ, sub nobilibus memoriæ Rege Johanne confecta fuerat, eodem incendio in cinerem est redacta.* And if so, (as is most probable by his fore-mentioned silence in the Council, to *Powicks* complaint against it) how a Charter thus burnt, nulled by divine providence, gotten by such sinister, forcible, fraudulent means, should be still in force, no Lawyer or Statesman can resolve.

4ly. The Pope returning no satisfactory Answer at all to the Procurators of the King, and generality of *England*, touching this Charter, exacted Rent, or other grievances then complained of, thereupon they departed thence with indignation. The Pope soon after (as † *Matthew Paris* informs us) being conscious of the burning and invalidity of King *John's* Charter, sent a Transcript thereof (no man can suppose he would send the original 31. years after its date) to all the Bishops of *England* to subscribe and seal, to give it the best countenance he could thereby.

**M**It igitur ad singulos Episcopos Angliæ, præcipiens districtissime, ut quisbet eorum illi Chartæ detestabili, quam lachrymabilis memoriæ Rex Anglorum Johannes, reclamante Archiepiscopo Cantuariensi Stephano, incoeliciter confecit de tributo, signum suum appenderet, ut magis roborata perpetuaretur. Quod ipsi Episcopi timore inexcusabiliter examinati, non sine enormi Regis et Regni, (prohdoloꝝ) fecerunt præjudicio. Unde cum Dominus Rex hoc audisset, in maximam iram excandens juravit, quod etsi etiam ipsi Episcopi turpiter sint incurvati, ipse firmiter staret pro Regni libertate, nec unquam dum vitales carperet auras, censum sub nomine tributæ Curia Romanæ persolveret. Porro Episcopus Londinensis s. ultimus et inbitus in arcum præbium versus, signum suum dictæ Chartæ apponens, minus aliis meruit reprehendi. Simili quoque modo, cuidam amplæ Chartæ transcripæ de verbo ad verbum, (as that of *K. John's* Charter was) secundum Chartam Bulla Papali communitam, de sententia depositionis in Imperatorem Fredericum lata, apposuerunt omnes Prælati signa sua, tam ad majorem roborationem quam memoriæ rei sempiternam.

From whence I shall observe: 1. That King *John's* original Charter was then either actually burnt or lost, else what needed this desired subscription and sealing a new transcript of it? 2ly. That this Pope held it invalid (if not burnt) for want of the Bishops

\* Hist. Angl. p. 228.

\* Hist. Angl. p. 648.

† Hist. Angl. p. 660.

Bishops seals and subscriptions to confirm it. 3ly. The unparallel'd Treachery, Unworthinesse, Cowardice, Slavery of all the English Archbishops and Bishops in that age, who fearing the Pope more then either \* *God himself or their King*, (against Gods and St. Peters peremptory commands) out of an Unenglish, Unmanly, Unchristian fear of his indignation, after such a general complaint against this Charter and Tribute, made by the King and whole Kingdom in the general Council of Lyons, and the protestation of Archbishop Langhton himself, in the name of all the people of England, durst thus presume upon the Popes Decree, Mandate, without the Kings, Barons, Kingdoms privity, and against their resolutions, Trayterously to subscribe, seal, and as much as in them lay raise this detestable Charter; such broken reeds were they then for the King, Church, Barons, Kingdom to depend on; yea so perfidious to them, as upon all extremities to desert, betray them, to advance the Pope and his interest, to the Kings, Kingdoms, Churches, their own prejudice and intralling. 4ly. Their like unworthy compliance in setting all their seals to the Popes excommunication of the Emperor Frederick, the Kings alley, though his Embassadors protested against it in the Council of Lyons. 5ly. The Kings just indignation against the Bishops, for this their Treachery, Cowardice, and Unworthy compliance, and his magnanimous resolution to unburthen the Kingdom of Papal exactions, and never to pay this Rent or Tribute to Rome whiles he breathed. 6ly. That neither the King nor Barons ever subscribed or ratified this Transcript, but only the degenerate, craven Bishops, and that in a clandestine manner. Therefore it neither obliged the King, Barons, Kingdom, or Commonalty of the Realm, and was but a meer insignificant nullity.

\* Prov. 24. 11.  
1 Pet. 2. 17.

15ly. That the Parliament of England, Anno 40 Edw. 3. was specially summoned for this particular occasion of King Johns Charter, and the Rent therein granted, which the Pope (after above 50. years discontinuance and non-claime) intended to revive and put in execution, by issuing out a Proceffe against the King and Kingdom, to demand the Homage and Rent reserved to him and his Successors by vertue of that Charter; whereupon the King craved the advice of the Bishops, Dukes, Earls, Barons, Knights, Citizens, and Burgeses then assembled, in case the Pope should proceed against him or the Realm for this cause, and what they would do therein; who upon mature deliberation severally resolved, that King John had no power at all to make such a Charter, or grant such a Rent, without his Barons and Commons consents: That it appeared by several evidences, *they never gave their assents thereto*, and so the Charter null and voyd: and that if the Pope should issue out any Proceffe to demand the Homage or Rent against the King or his Kingdoms, they would resist him with all their might. I shall here present you with a true Transcript of the Parliament Roll it self, thus Recorded in French.

**E**T ceste chose fait feust commande as Grantz & Communes q'ils se depertifont & q'ils y feussent lendemain, cest assavoir, les Prelatz & Grantz en la Chambre Blanche, & les Communes en la Chambre de peintz, au quele lendemain nostre Seigneur le Roy, les Prelatz, Ducs, Counts, Barons en mesme la Chambre blanche, les Chevaliers des Countees, Citiens, Burgeis demurrantz en la Chambre de peintz, fenst monstre a eux per le Chancellor, Comment ils avoient entenduz les causes du summons du Parlement en general, mes la volonte le Roy fust, que les causes feussent monstres a eux en especiall. Leur disoit, coment le Roy avoit entendu, que le Pape per forcedun fait quel il dit, que le Roy Johan fesoit au Pape, de lui faire homage pur le Roialme Dengleterre, et la terre Dirlande. Et que per cause du dit homage qil lui deberoit paier chescun an perpetuellement mill Marks, est en volonte de faire process devers le Roy, et son Roialme pur le dit service, et ceus recoverir, de quel le Roy pria as ditz Prelatz, Ducs, Countes et Barons, leur avys et bon conseil, et ce qil efferroit en cas que le Pape voiroit proceder devers lui ou son dit Roialm pur celle cause. Et les Prelatz requeroient au Roy qils se purroient sur ce per eux sont aviser, et respondre lendemain, *queux Prelatz le de lendemain, a de priens pur eux mesmes, & puis les auters Ducs, Countz, Barons*

Rot. Parl. An.  
40 E. 3. n. 7, 8.

Num. 8.

Barons & grantz responderent, & disoient, que le dit Roy Johan ne nul autre purra mettre lui, ne son Roialme, ne son people en tiele subjection sanz assent et accorde de eur. Et les Communes sur ce demaundez et Avisez, responderent en mesme le manere: Par quoi feust ordein et assentu per Commune assent, en manere geuslyt: En ce present Parlement tenuz a Westm: lundy proleche in apres la invention de la Seint Croice, lan du Regne le Roy Edward quadrantesime, tant sur lestat de Seint Eglise come des droitz de son Roialme, et de la Cozone meinteinur, entre auters choses estoient monstres, Coment ad este parler et dit, que le Pape pet force dune fait qiele il dit que le Roy John iadys Roy de Engleterre fesoit au Pape, au perpetuite de luy faire homage, pur le Roialme Dengleterre, et la terre de Ireland, et pur cause du dit homage de lui rendre un annuel cens, ad este en volonte de faire process devers le Roy pur les ditz services, et ceus recoverer, la quele chose monstre as Prelatz, Ducs, Countz, Barons, et la Commune, pur ent avoie lour avys et bon Conseil, et demand de eur, ce qe le Roy enferra en cas que le Pape voyroit proceder, ou rien attempter devers lui, ou son Roialme pur celle cause; queux Prelatz, Ducs, Countz, Barons et Communes eu surce plein deliberacion, responderent et disoient dune accorde, que le dit Roy Johanne, ne nul autre, purra mettre lui ne son Roialme, ne son people en tiele subjection, sanz assent de eur, et com piert per plusieurs evidences, que si ce feust fait, ce feust fait sanz lour assent, Et encountre son serement en la Coronacion. Et outre ce les Ducs, Countz, Barons, Grants et Communes accorderent et granterent, que en cas que le Pape se Afforceroit ou rien attempteroit per process, ou en autre manere, de fait de Constreindre le Roy ou ses Subjects de parfaire ce qest dit, qil voet clamer cella partie, qils resistont et contre esseront oue tout leur puissance.

Since this unanimous gallant peremptory resolution of K. Edward the 3d. and all his Bishops, Dukes, Earls, Barons, Commons assembled in this Parliament, against this Charter, thus resolved to be null and voyd, and to resist the Pope with all their power in case he should demand or issue any processe against the King or his kingdom to recover it, ( being 297. years past ) No Pope ever presumed (for ought I can find) to demand this Homage or Rent of any of our Kings, or to send out Processe to endeavour its recovery; And a discontinuance, non-claim of this Charter, Homage, Rent for so long a space, upon such a solemn deliberate Parliamentary resolution, entred with special care in the Parliament Rolls, must needs be a perpetual barre in point of Law and Justice, against such a voyd, injurious Charter, procured with so much perjury, treachery, impiety, fraud, force, circumvention, as you have already heard.

16ly. All our Histories, Chronicles, generally Old and New, declaim against this Charter as most detestable, infamous, illegal, null in Law, and no wayes obligatory to our kings or kingdoms in the least degree; yea the Author of the Answer to Bellarmines Apologia, cap. 3. and learned Dr. Richard Crakenthorp in his Treatise of the Popes Temporal Monarchy, cap. 12. p. 245. to 262. proves the Nullity of it by 4. strong Arguments, and Mr. John Speed in his History of Great Britain, London 1623. p. 577, 580, 581. proves both Charters voyd by many more Reasons; the summe of them is, That this was an act in King John 1. Of manifest perjury against his Coronation Oath. 2ly. Of Constraint. 3ly. Of Combination. 4ly. Of fear, he being drawn thereto by the Pope himself, who had set up both the French power, and his own Barons and Prelates against him. 5ly. An act of a person actually interdicted, excommunicated by the Pope himself, and so unable to avouch or grant any thing to the Church or Pope. 6ly. The witnesses, if any were, stood excommunicated



cated for conversing with him. 7ly. Neither the Barons. 8ly. Nor the Clergy. 9ly. Nor the body of the Kingdom, people. 10ly. Nor his next heir and successor to the Crown ever consented thereto. 11ly. Fraught with many false untruths; as done freely and voluntarily, without fear or force, in a general assembly of the Barons by their advice and consent, by the inspiration of the holy Ghost; because the King had nothing fit to give away to God or the Pope for the satisfaction of his sins; but his crown and kingdoms. 12ly. From the proviso of exception in the Grant, *Salvis nobis & heredibus nostris*, Justitiis, Libertatibus, & Regalibus nostris, extant in both charters (if there were two) which saves the right of Sovereignty, Kingship, and Sovereign Dominion in and over the Kingdoms of England and Ireland intirely to the King; which he never transferred to the Pope. The Liberty of a King is freely and absolutely to rule his Subjects according to Law, without being subject or servant to any Superiour, and the very essence of Regality, *Independency of Authority, on any but God alone*. Now these being expressly reserved, excepted; utterly made void whatsoever was before mentioned, either as granting Sovereignty, and doing homage and fealty by his Successors for the Kingdoms to the Pope; as his Subjects, and the subsequent clause of losing the right and inheritance of the crown, in case of contradicting ought therein mentioned; after due admonition, a meer Nullity, inconsistent with Monarchy, or the Kings or kingdoms Rights.

To which reasons I shall subjoyn, 1. That this Charter was procured by the Popes own wrongs and Duresse against King John; 1. By interdicting his whole kingdom; 2ly. Excommunicating him by name; 3ly. Absolving all his Subjects from their Oaths of Allegiance and Fealty; 4ly. By depriving both him and his heirs of their kingdoms, and giving them to the French King and his heirs. 5ly. By publishing a general *Crossado* for all Christian Barons, Knights, to assist the French King to deprive him of his kingdoms by force of arms. In all which Antichristian proceedings the Pope being both Judge and Party, & K. John the only person injured; these his own wrongs, frauds, force, can give him no just Title by any Laws; Frauds and circumventions being expressly (a) *prohibited Christians in the Gospel*, especially towards one another. It is an old received Maxim in all Laws, (b) *Fraus & Dolus non minus patrocinantur*; whence *Charters, Dowers, Remitters* gained by fraud, collusion, circumvention, force, are meer Nullities. That (c) *Nemo in propria causa potest esse Judex* (especially if *Judex & Testis* too.) Yea Pope Gregory the 1. and a whole Council denounced an *Anathema* against the Pope himself, or any other that should presume to be a Judge in his own cause, *sive in rusticano, sive in urbano pradio*; (much more then in case of two kingdoms,) whence *Bartholomew Buxiensis*, Dr. John Thierry and other Canonists in their Glosses on Gratian, caus. 16. qu. 6. resolve downright *Papa in sua causa Judex esse non debet*; yet *Alvarus Pelagius* De Planctu Eccles. l. 1. Artic. 34, 35. affirms the contrary upon this strong presumption and supposition: *Quod non debet aliquam causam a se remittere, immo non potest (licet suspectus) quamdiu est Papa, Papa enim aut sanctus est aut sanctus presumitur; non enim presumendum est quod alias faciat Papa quam Christus vel Petrus cujus est Vicarius & Successor*; Which presumption ceased in King Johns case, neither of them being ever Judges in their own case, but submitting to the Judgement and execution of the Civil Magistrate; and never denouncing such Interdicts, curses against any, nor procuring such a surrender, charter of temporal kingdoms to themselves as the Pope did here; much lesse by such unchristian practises. To which I shall adde, that this is a Maxim frequently resolved in Law-books by all the Judges of the Realm, *That none can be judge in his own case*, who have further adjudged, that if an Act of Parl. make any person Judge in his own case, the very Act itself is voyd in Law, being against the Law of Nature, which ought not to be violated, and all Judgements given thereon are voyd. Since therefore all these Judgements of Interdict, Excommunication, Deposition, transferring his Crown to the French, this Agreement from Rome, and oath to perform it, were all made by the Pope himself, both Judge, Party, chief Witnesse, and his professed Enemy too, and that upon his Legates and Bishops bare Informations and false Suggestions; in Kings Johns absence, without Oath, Summons, or Liberry to purge himself before any Lawfull, indifferent Judge, Arbitrator, or Tribunal; thereupon the Charters on this Account are meer Nullities in Law to all intents and purposes.

2ly. If Pope Innocents deprivation of King John and his heirs; and giving away his

a 1 Cor. 6. 8.  
1 Thef. 4. 6.  
b Summa Angelica & Rosella, tit. Dolus & Fraus, Gratian caus. 16. qu. 6. & 26. qu. 3.  
20. qu. 4. Littleton, sect. 676 &c. Cookes 1 Instit. f. 317.  
209. b Brook & Fitzherbert Abridgment, tit. Collusion, Duresse  
c Summa Angelica & Rosella tit. Judex, Littleton, sect. 212, 2 R. 2. c. 2. 33. 1 H. 6. c. 4. 20 E. 3. 23. Cooks 1 Instit. f. 141, 234. & 8 Report f. 118. 3 Instit. f. 32, 33. Alensis, Sum. Theolog. pars 3. qu. 40. sect. 1. qu. 4. Artic. 25.  
d Hobards Reports, f. 85, 86.

his Crown to the King of *France* and his heirs were good in Law, (as he reputed them) then King *John* after this Sentence and grant to the French King had no power to resign to, or resume his Crown and Kingdoms from this Pope; nor he to appropriate them to himself as *St. Peters Patrimony*, against his grant to the King of *France*, who by his own command was at so prodigal expence in raising an Army to take possession thereof. And so this Resignation, Charter voyd by his own Act.

\* 1 H. 4. c. 6. 2.  
H. 4. c. 1. 6 H. 4.  
c. 2. 6 H. 8. c.  
15. 31 H. 8. c.  
13. 1 Edw.  
6. c. 8. 18 Eliz.  
c. 2. 43 Eliz.  
c. 2. Brook Pa-  
rents 7, 2, 54,  
93. 97. 102.  
48. Fitzherb.  
Grant 29, 30,  
35, 36, 58, 110  
Cook 2 Rep.  
f. 50. to 54.  
3 Rep. f. 31. 75  
76. 5 Rep. f. 93.  
94. 6 Rep. f. 55.  
56. 8 Rep. f.  
28. 58. 167.

3ly. It is a received Maxime in the Lawes of [a] *England*, (seconded by sundry Statutes, hundreds of Resolutions by all the learned Judges of the Realm from age to age) That if the King be misinformed, circumvented, or mistaken in the considerations, grounds, motives of his Grants, especially by the circumvention of those to whom they are made; the Charters of grant in such cases are meerly voyd to all intents. Therefore this Charter must be so above any I ever yet read. For 1. it recites, That King *John* publickly acknowledged, he had offended God, and his holy mother the Church (meaning the Pope and his Traiterous exiled Bishops) in many things, for which he much needed Gods mercy; to wit, in not admitting *Stephen Langton*, unduly elected, to be Archbishop by this Popes own practises, force, fraud, against the just rights of his Crown and Liberties of the Church of *England*; in not submitting to his impious Interdict, but commanding all Bishops, Priests, to celebrate divine Service, Sacraments notwithstanding it, and punishing those who disobeyed; in not subjecting himself to his Excommunications, unreasonable demands, seizing the Temporalities, goods of his Treacherous Bishops; and refusing to restore them, for interdicting his Realm, and depriving him of his Crown; &c. When as this Pope and they on the contrary by these impious proceedings, had more highly offended God, his Church, & the King, for which they more needed mercie, and to make publick acknowledgement and satisfaction thereof to the King by some humble Addresse; rather then to extort this Charter from him upon such a false surmise. 2ly. That he needed to humble himself and both his kingdoms, for these his pretended personal sinnes, whereof his kingdoms (especially *Ireland*) were not guilty, and so needed not to be humbled for them. 3ly. That he had nothing fit or worthy to make satisfaction to God or his Church for these his surmised sins, but the humbling of himself and his Kingdom so farr as this (against all rules of Law, Justice, and without president in any precedent age whatsoever in sacred or prophane storie) to resign both his Crown, kingdoms to this Pope and his Successors, resume them from his Legat as his Tributary under an annual rent; and to swear homage and fealty to him and them; when as God himself (the King of Kings) never required any such satisfaction from the worst of the Kings of *Israel* and *Judah*; and this satisfaction was neither actually made to God, nor yet to his Church, but meerly to Pope *Innocent* himself and his Successors, who was then neither God, nor his Church, but a professed Enemy to both; as his above six years continued Interdict and proceedings demonstrate. Besides, the Church offended by his proceedings, if any, was the Church only of *England*, by the Archbishops, Bishops, and Monks of *Canterburies*, confiscations and exile; not the Church or Pope of *Rome*, who had no Right to dispose of the See of *Canterbury*, or any of the Bishops and Monks seized Temporalities: Therefore the satisfaction and Charter should have been only made to the Church of *England*, and those Bishops, Monks, not to this Pope *Nocent*, and his Successors. 4ly. The satisfaction that was made; by the King to the Archbishop, Bishops and Monks, in admitting, restoring them to their Temporalities, goods confiscated, and what ever unreasonable damage they could pretend to, (though Arch Traitors, Rebels, Enemies to him, deserving rather a Gibbet, after so many successive Treasons and Practises against him;) was more then sufficient, (being then made and secured to the Church he had offended) without this resignation, or oblation of his kingdoms to this Pope, by this charter, and swearing homage to him. And so the charter void upon this account. 5ly. That this Charter was made by the inspiration of the holy Ghost, is as direct a lye and blasphemy against the holy Ghost, as that of *Ananias* to *St. Peter*; who lyed not only to men, but to God. For, 1. The holy Ghost never instructed any King to resign up his Kingdoms, without his Subjects consents, to any who had not the least right or pretence thereto. 2ly. He never taught any Pope, Prelate, Apostle, or Clergy-man, to receive Crowns, Scepters, kingdoms, or Oaths of Fealty, Homage, and subjection from Kings to them, as their Vassals, but expressly prohibits them to do it; commanding them to live in subjection to them, and not intangle themselves in the affairs of this world; as I have largely demonstrated

\* Acts 5. 1. 2, 3.

demonstrated. 3ly. The \* premised passages of *Mat. Paris, Mat. Westmister*, and others assures us, That Pope *Innocent*, and his Legate *Pandulphus* inspired those motions into King *John*, which induced him to make this Charter: which were full of Antichristian menaces, and untruths, (As that near all the Barons and Commons of England, had by their Charters promised homage and fealty to the King of France, and to assist him to seise his Crown and kingdoms by force of arms, &c.) Now whether such an insolent Impostor as *Pandulphus*, such an Antichristian Pope as this *Innocent*, were in truth the holy Ghost, or their false fraudulent menaces, surmises, infused into this King by the inspirations of the holy Ghost, or can be so reputed without blasphemy, let all sober Christians judge; they really proceeding from the very father of Lyes, the \* Devil. 6ly. This pretended holy Ghost inspired him, to insert these 8. notorious Lyes, and false Suggestions together into the very next words of the Charter: 1. That he did it, *non vi induci*; for the later Charter, but the first, *non vi interdicti*; 2. *Nec timore coacti*; 3. *Sed nostra bona spontaneaue voluntate*; (which 3. \* all the premised passages disprove.) 4. *Ac Communis consilio Baronum nostrorum offerimus*, as the last, or *conferimus*, as the first Charter. (Contradicted by the \* Barons themselves, King *Henry* the 3d. the whole Kingdom, and their Proctors to the Popes face in the Council of *Lyons*, King *Edward* the 3d. and his whole Parliament, by our Historian, yea the French King and all his Nobles, as you have heard.) 5. *Libere concedimus*, &c. 6ly. *Deo, & Sanctis Apostolis Petro & Paulo*, (who neither required, approved, nor accepted this satisfaction, nor to whom King *John* ever intended it.) 7ly. *Et Sancta Ecclesia Romana matri nostre*, (she being then his and our Churches stepmother, enemy, not mother) all made stales to usher in this clause; which hath the sole colour of truth; *Ac Dominus noster* is added in the last, not in the first charter) *Papa Innocentio, iusque Catholicis successoribus totum Regnum Anglie, & totum Regnum Hybernie* (the word *nostrum* is omitted in both Charters, and annexed to neither; therefore void in Law) *cum omni iure, & pertinentiis suis*: 8ly. For this pretended end, *Pro remissione omnium peccatorum meorum* (the only supposed delinquent). & *totius generis nostri, tam pro vivis, quam pro defunctis*; the later whereof were no wayes privie to, nor guilty of his surmised offences against the Pope and Church. Which Charter being against his Oath, trust, office, duty, and the Laws, increased his Sins, but could no wayes tend towards the remission of them, as this Pope and *Pandulphus* untruly suggested. 7ly. Its Nullity in Law is most apparent, from these 3. grand defects: 1. King *Johns* surrender of his Crowns, kingdoms to *Pandulphus* at least 9. dayes before, was only by word of mouth, not Patent, or Charter, and so voyd in Law. 2ly. *Pandulphus* had no special Letter of Atorney from the Pope, either to receive this charter or surrender to the Popes use, or regrant his kingdoms to King *John* under this special annual rent, homage, and other conditions. 3ly. Here is no reconveyance of them from the Pope or his Legat to King *John* by any special Bull, but only King *Johns* bare charter to the Pope. Therefore all a meer void Pageantry, passing just nothing. 8ly. The Tenure of King *John* in the last Charter quite subverts the Popes Title: For whereas the first runs, *Et amodo illa ab eo*, (to wit, Pope *Innocent*) the later is, *amodo illa A Deo, & Ecclesia Romana tanquam feudum* (the first is *secundarius*) *recipientes & tenentes*. That the Kings of \* England hold their Crowns, Kingdoms, immediatly and only from God (and King *John* as well as his Predecessors, not from the Pope or Church of Rome) I have formerly evidenced: Therefore he by this Charter holding and receiving it only from God (not the Pope) to whom he here granted it, (as *concedimus Deo* evidenceth) \* by whom alone Kings reign, & receive their kingdoms, the Pope being not mentioned in this clause, and the Church of Rome no party to this Charter, nor Proprietarie of our Realms, nor exalted so as to out God himself of the Kings immediate Tenure of his Crown from him alone, as his Sovereign Lord, the Charter must needs be void. 9ly. Upon this account, the Oath of Homage made and sworn by the King to Pope *Innocent* in the presence of his Legat *Pandulphus*, seeing all the branches thereof relate only to him and his Successors, not to God, St. Peter, St. Paul, or the Church of Rome (only inserted for a blind, in the prologue, not in any branches of the Oath) must necessarily be void in Law and conscience; else God the Supream Landlord, and his Church alone commanding one thing, and the Pope another contrary thereunto, (as oft he doth) the King and his Successors by his Oath and Homage should be bound to obey the Pope, before God or the Church, under pain of forfeiting their right in the two kingdoms, which were both irreligious and absurd. 10ly. The Clause whereby the King obligeth his heirs and

R r

religious

\* Here, p. 271, 272.

\* Here, p. 271, &c.

\* John 8. 44.

\* Here, p. 294, to 302.

\* Here p. 296, to 300.

\* Here, p. See 16 R. 2. c. 5. 37 H 8. c. 17 1 Eliz. c. 3. 1 Jac. c. 1.

\* Prov. 8. 15, Dan. 4. 25.

\* Acts 4. 19, 20. c. 5. 29.



successors to do homage to the Pope and his Successors, and not to contradict any thing in this charter under pain of forfeiting his Right to these kingdoms, is contrary to the Rights and Prerogatives of the Crown, specially excepted out of this grant, yea contrary to the coronation Oath, and Laws of the Realm: Therefore it makes the Charter Null to all intents, of which anon more largely. 11ly. It is observable, 1. That the thousand marks yearly pension for *England and Ireland* at two several feasts, *Michaelmas* and *Easter*, is no reservation made by the Pope, (and so no rent-service at all) but a special grant of the King himself. 2ly. That he granted it only as an *inducium*, or token of this his *perpetua oblationis*, (so the last Charter, not *obligationis* as the first) & *concessionis* thrice stiles it: Therefore being only an *Oblation* (not *obligation*) made by him unto God to expiate his sins, it could not be a Tribute, rent-service or rent-charge, but a meer voluntary pension. 3ly. That he granted it only *de propriis & specialibus redditibus nostris* (not *heredum nostrorum*, a great flaw) *praedictorum regnorum* (without the word *nostrorum* in the first, inserted into the last) and so out of his Exchequer only, not his Demesnes. 4ly. That it was in lieu of all other services; *pro omni servitio & consuetudine* (qua in the first, but *quod* in the later charter) *pro ipsis facere debemus*; except only *Peter-pence*: Therefore no Tribute, but a pension, to exempt him from all other duties formerly exacted out of either kingdom, not a rent, or service now due by his resignation & resumption of his Crown and kingdom from the Pope. 5ly. That this Annual oblation is not granted by the King to God, or to St. Peter, and St. Paul, (the chief pretended Landlords) and which is more considerable, not to Pope Innocent himself and his canonical Successors, but only *Ecclesia Romana*; Now although \* *Alvarus Pelagius* informs us, *Ubiunque est Papa, ibi est Ecclesia Catholica*; Yet whether the Pope alone, or the Pope with his Cardinals, or the Pope with his Cardinals and Diocesan Bishops, or the Pope and a General Council jointly; or a General Council alone, or the Cardinals, and Clergy of Rome, without the Pope, be the Church of Rome, is yet \* unconcluded, undecided by their great Doctors; and so the grant void for uncertainty. 6ly. There is no grant or clause of *Distress*, *Interdict*, *Excommunication*, *Sequestration*, *Entry* into the demesne of these Realms, or any other coercive means to recover this Rent in Law or Equity, if in arrear and unpaid at the terms in this Charter mentioned, (a very great oversight) and so a meer voluntary pension, *oblation* to be paid at will, but no Tribute or real rent, as hath been generally mistaken.

Now because I found no mention in our Histories of any payment of this Annuity or oblation to this Pope or his Successors, by King John himself, or any of his Successors, but only an intimation by King Henry the 3d. and kingdom - (complaining against it in the Council of Lyons, and endeavouring an exemption from it) that it was demanded, and paid too as a kind of Tribute and publike Grievance; I did for my own satisfaction make diligent search in the *Liberate*, *Clause* and *Patent* Rolls, to discover what demands and payments were heretofore made thereof by any king, which I shall here present you with as a rarity not formerly observed by any.

Upon my strictest search, I can find no payment thereof to Pope Innocent by King John himself which granted it, but only † *for one year before-hand* when he sealed his Charter, who dying about 3. years after, during which his kingdom was infested with civil Wars between him and his Barons, invaded by *Lewes of France* made King by the Barons in his stead, his Lands, Rents seized, his treasure exhausted, and the people every where miserably plundered, it is probable there neither was nor could be expected any other punctual payment of it. His Son and Successor H. the 3d. being an Infant, crowned at *Glocester* by *Walo* the Popes Legat, (who was very instrumental to restore him to his Crown, and expell *Lewes*, only to preserve the Popes interest rather than the Kings) after his Coronation Oath, by this Legats means, *fecit homagium Stæ Romanæ Ecclesiæ et Dom. Innocentio Papæ de regno Angliæ et Hiberniæ; et juravit, quod mille marcas quas Pater ejus tulerat Romanæ Ecclesiæ (therefore his Fathers meer grant, not Popes reservation) fideliter persolveret quamdiu prædicta regna teneret*; as \* *Matthew Paris* records, yet notwithstanding this Oath (made by an Infant King not ten years old, and so void in Law) I cannot find in the *Liberate* Rolls (where all warrants for payments of all Pensions granted by the King, or sums of money issued out of his Exchequer to any persons are carefully entred) any warrant to pay this oblation, till the 12th. year of King Henry the 3d. (full 15 years after its first grant by King John) when the

\* Most of our Historians ignorantly stile it, an *Obligation*, from *Math: Paris* his mistake.

\* De Planctu Ecclesiæ. l. i. Art. 31.

\* See Sir Humphry Lyndes Via Devia, Bishop Morton of the Church, Bellarmin. de Ecclesiâ; Dr. John Whites Way to the true Church, & Defence thereof

\* See here, p. 390.

\* Hist. Angliæ p. 278.

the King upon an extraordinary occasion to work his ends with the Pope and Cardinals, and to advance, gratifie his Chancellor, issued this ensuing Warrant.

**R**EX. E. Theſaurar. & Camerariis ſuis ſalutem; *Liberate de Chelſanco no-*  
ſtro Magiſtro Stephano Clerico Domini Papæ, ad opus ipſius Domini Papæ  
de Annuo Cenu, et de termino Domini Papæ debito, de termino Sancti  
Michaelis Anno, et. xi. et de termino Paſche, Anno et. xii. Teſte Rege  
apud Weſtm: 21 die Febr: Anno &c. xii.

\* Liberate 12  
H. 3. mem. 8.  
intus.

The ground of this Warrant I conceive to be this: After the death of *Stephen Langton*, the Monks of *Canterbury* gaining the Kings license to elect an Archbishop, chose \* *Walter de Hevesham* a Monk, whom the King refused to allow of for sundry reasons, resolving to make *Richard* his Chancellor Archbishop: *Walter* posting to *Rome* to get confirmation and consecration from the Pope, and the Kings Proctors there excepting against him; pressing the vacating of his election; and making *Richard* Archbishop with much importunitie, they could not prevail with the Pope or Cardinals to stop *Walters* confirmation, or promote *Richard*, till *Habito tractatu detestabili de promissis, promiserunt Domino Papa ex parte Regis Anglorum Decimationem omnium rerum mobilium, ab universo Regno Angliæ & Hybernix, ad guerram suam contra Imperatorem sustinendam, ut eis in Regis proposito exaudiret*: whereupon the Pope and Cardinals forthwith vacated *Walters* election for his insufficiency, and made *Richard* Archbishop. No doubt the same occasion drew on the payment of this Pension, being both the same year, and the warrant after the tenth promised, was most probably seconded with a promise of paying this pension, else the Pope and Cardinals would not have so readily gratified the King in this his importunate sute: which being fully granted, the King by way of gratitude made this other Warrant for payment of this annual Pension the very next year, for one moiety at *Michaelmas* 12. and another moiety at *Easter* 13. of his reign.

Anno 1219.  
\* Mat. Paris,  
Hist: p: 342.  
343. Antiqu.  
Ecclef. Brit. &  
Godwin in the  
Life of Richard

**R**EX. W. Theſaurario & Camerariis ſuis ſalutem. *Liberate de Chelſanco no-*  
ſtro Magiſtro Stephano Capellano Domini Papæ ad opus ipſius Domini Papæ  
Quingentas Marcas de termino sancti Michaelis Anno Regni noſtri  
Duodecimo, et Quingentas Marcas de termino Paſche Anno, et. De-  
cimo Tertio de Annuo Cenu ſuo Mille Marcarum. Teſte Rege apud Weſt-  
monaſterium Quinto die Maii, Anno, &c. Decimo Tertio.

Anno 1238.  
Liberate 13.  
Hen. 3. mem. 7.  
intus.

The King having now obtained his end, by these two successive annual payments, had no minde nor care to pay it afterwards, the rather because the Pope and his Cardinals fell at variance about it; the Cardinals demanding the moiety thereof, as reserved not to the Pope and his successors, but to the Church of Rome, of which they were the most noble members and Pillars, they being much displeased with King *Henry* for paying the whole thousand marks to the Pope alone, and not paying the moiety thereof to them. Whereof the King being informed, to avoyd the Cardinals causeless displeasures, and continue in their favours of which he had then special occasion, and withall to please the Pope whose Counsel and assistance he then needed, and implored, writ thus unto the Cardinals in the 19th. year of his reign.

**V**iris venerabilibus & amicis in Christo Karissimis, *universis Dei gratia sancta*  
*Romana Ecclesia Cardinalibus*, H. eadem gratia, Rex Angliæ, &c. ſalu-  
tem, & ſinceram in Domino dilectionem. Quia ex quorundam relatione ad nos  
pervenit, quod ægre fertis et indignanter quod de annuo Cenu ſanctæ  
*Romanæ Ecclesiæ debito, a Regno Angliæ et terra noſtra Hiber-*  
*nix quingentas Marcas non percipitis, cum \* ejusdem Ecclesiæ*  
*membra ſitis nobilia, et collumpnæ, ſet in Summi pontificis cedit*  
*indivisiſus. Ne a vobis indignationem ea de cauſa reportemus, tanquam pro vo-*  
*luntate noſtra Cenſum illum dividere poſſimus, & ne ſolutio talis nobis impute-*  
*tur, univerſitati veſtræ ſignificamus, quod in prima conceſſione illius*  
*Cenſus, inſertum fuit in Charta Domini Johannis Regis patris*  
*R r 2 noſtri*

Claus. 19. H. 3.  
part 2. mem. 6.  
intus.

\* They deemed  
not the Pope  
alone, to be the  
Church of  
Rome in that  
age.

nostri inde confecta, quod sanctæ Romanæ Ecclesiæ redderetur census memoratus pro indiviso. Nosque innitentes tenori ejusdem Chartæ, hucusque Censum illum Domino Papæ nomine memoratæ Ecclesiæ solvere consuevimus, per certum Nuncium suum literas suas vobis deferentem, penitus ignorantes hucusque, utrum Domino Papæ integre remaneret, aut plisset. *Uti igitur apparuit Innocentius nostra in hac parte, & habita de nobis tollatur suspicio, rogamus attentius quatenus erga Dominum Papam instare velitis & procurare, quod nobis det in mandatu, quod de Quingentis Marcis illius Censui divisim, vobis respondeamus, & nos promptis invenietis & paratos inde gratanter vobis respondere: In aliis & aliis gratiam a vobis promereri cupientes & favorem. Teste Rege apud Westmonasterium Vicesimo Quinto die Februarii.*

At the same time the King writ and sent several Letters to the Pope, and to every Cardinal severally, closely sealed, and a general letter to all the Cardinals, unsealed, by his Procurators, imploring an extraordinary favour from them, which partly induced him three years after to pay this pension as formerly, and leave it to themselves to divide, as these letters to them more then insinuate, compared with the former.

Claus. part  
2. Anno. 19.  
Hen. 3. mem. 6.  
incus.

**R**everendo Domino ac patri in Christo sanctissimo G. Dei gratia summo Pontifici H. eadem gratia Rex Angliæ, &c. Salutem & tanto Patri debitum honorem & reverentiam. Sperantes ob affectionem sinceram, quam erga personam nostram, & Regnum nostrum similiter vestri gratia geritis, quod paternitati vestræ placere debeat, si de statu nostro simul & Regni nostri tranquillitate lata ad nos perveniant, significandum vobis duximus: quod quoad personam nostram in bona (benedictus Deus) sumus prosperitate, & quoad Regnum nostrum, in quiete & optata pacis tranquillitate consistunt universa. Magnatibus de terra nostra singulis & universis cum Clero votis nostris unanimiter concordantibus, nobis in mera & mutua dilectione permanentibus. Ita quod spem habemus in Domino certissimam adpridia temporum præcedentium quibus hucusque enormiter gravatum est Regnum nostrum, tum per hostilitates, tum per discordias pluries exortas respirare, & statum nostrum & regni nostri, in melius reformare. Nec est ad presens quod prosperitati terræ nostræ gravius se opponat, quam sterilitas annonæ precedentis simul & presentis, & defectus eorum sine quibus stare fragilitas humana non potest. Hac quidem aduersitate gravius impeditur status regni nostri quo melius in plena consistit prosperitate. Cum autem quadam Negotia habeamus specialia pro quibus necesse habemus sedis Apostolica consilium & auxilium implorare, dilectos Clericos nostros Magistrum Willielmum de Kilkenny, & Robertum de Summercote, quibus negotia ipsa commisimus sanctæ Paternitati vestræ plenius exponenda, commendamus Rogantes attentius & devote, quatenus ipsos vel alterum eorum, si ambo presentes esse non possint, benigne ac mansuetudine solita admittentes, negotia illa favorabiliter prosequi velitis, & nos tanto favorabilius exaudire quanto Sancta Romana Ecclesia (qua honoris nostrum sui reputare debet honoris incrementum) filius sumus specialiores, & ad eam in omnibus suum respiciunt profectum sumus promptiores. Memorati quidem Clerici nostri vel alter illorum causas sufficientes & rationes supplicationis nostræ efficaces sanctitati vestræ plenius exponent. Quæ quidem ad favorem & gratiam nobis impendendam vos non immerito inducere debent & movere, de incolumitate vestra, quam Ecclesiæ suæ & nobis Conservet Altissimus, petimus si placet, vice versa certificari: Teste Rege apud Westmonasterium Vicesimo Quinto Februarii.

Eodem modo scribitur singulis Cardinalibus per Literas Clausas, & universis, per Literas Patentes.

The next warrant I find in Record for paying this pension, is in the Liberate Roll of 22. Hen. 3. wherein I desire the Reader to observe, that notwithstanding the Kings complemental Letter to the Cardinals concerning his accustomed manner of paying this mighty pension to the Popes special Nuncios: Yet it was not at all payd by him, from the 16. year of his reign, till the 22. year, and then only for his 16th. year and no more, so that he and his Cardinals needed not to have quarreled about dividing



ding it, when it was not at all paid; and that not as a rent, but bare voluntary oblation or Annuity payable at pleasure, not of meer right or duty.

**R**EX *Thesaurario & Camerariis suis salutem. Liberate de Thesuro Bonacors* Anno 1239.  
Ingelesk, Amery Coffe & sociis suis Mercatoribus Florentinis, *mille Mar-* Liberate 22.  
*cas ad opus Domini Pape de Annuo Censu suo, videlicet de termi-* Hen. 3. mem. 12.  
*no Pasche Anno. xvi. et de Terminis sancti Michaelis Anno eo-* intus.  
*dem. Teste P. Wintoniensi Episcopo apud Westmonasterium, Vicefimo Tertio die*  
*Jan.*

From 22 H. 3. this Pension was detained and not paid, by the general consent of the King and Kingdom, as appears by *Matthew Paris* his \* forecited passages, Anno 1231. and 1245. their complaint against it in the *Council of Lyons*, and the Kings resolution never to pay it more while he lived: For which general complaint, Pope *Innocent* the 4th. Anno 1246. was so incensed against the King and English, that he studied to be revenged of the King and Kingdom, endeavouring to engage the French King to Warre against them, as \* *Matthew Paris* thus informs us.

\* Here p. 293, 299, 300.

Anno 1246.

\* Hist. Angl. p. 669, 670.

**E**odem tempore ortus est rumor sinister, & ex rumore suspicio non modica, quod Dominus Papatancorem in corde retinuit, cum tamen non subsisteret causationabilis: iratus est valde, et multiformiter ampullose coepit comminari Anglorum Regi et Regno, ut si posset Fredericum edomare, et per consequens recalcitrantium Anglorum qui de oppressionibus Romanæ Curie, et maxime de Tributo in Concilio conquesti sunt, insolentem superbiam conculcabit. Non enim, ut ei videbatur, licuit miseris Anglis, pro multiformi etiam injuria (so they repayed this Annual Pension amongst the rest, as the greatest) flagellatis lachrymari vel mutire. Conabaturque in illo diuturno ac secreto Colloquio, quod habuit apud *Cluniacum* cum Rege Francorum, persuadere & acuire Regem ipsum, ut insurgeret ad tantæ injuriæ vindictam tantam, ut ipsum Regulum Anglorum, vel usque ad exheredationem impugnaret, vel enormiter læsum sese omni modo voluntati Romanæ Curie, vellet, nollet inclinaret. Et ad hoc jubaret eum omni conatu Ecclesia et Papalis Auctoritas. Quod constanter Rex Francorum dicitur renuisse, tum quia ipsi Reges consanguinei sunt, & eorum Reginæ sorores: tum quia jus non habet Rex Francorum in Regnum Angliæ manifestum: tum quia Treugæ inter ipsos Reges initæ sunt quas maluit prolongare, ratione peregrinationis suæ, quam proditiose rescindere: tum quia instabat validior inimicus & Ecclesiæ Romanæ nocivior, videlicet *Fredericus* edomandus: tum quia antequam Regnum Angliæ, Francis cederet, non modicus sanguis Christianus effunderetur: tum quia Christiani in terra Sancta jam a Paganis oppressi & obsessi Regis Francorum adventum desideratum, quasi naufragantibus aura lenioris prosperitatem præstolantur.

Nota.

Before all which sober, serious, Christian Considerations, this Antichristian Pope endeavoured to preferre his own private Revenge, and thousand Mark Annual Pension out of England and Ireland, thus complained against and then detained.

The very next year after, 31 H. 3. I find this Warrant issued for its payment, to the Treasurer of the New Temple, as a meer voluntary Annual Pension issuing out of his Exchequer.

**R**EX *Thesaurario & Camerariis salutem. Liberate de Thesuro nostro fratri Roberto* Anno 1247.  
*de Sukelinghall Thesaurario Novi Templi London. mille Marcas de* Liberate 31.  
*anno xxxi. de Annuo Censu mille marcarum quem idem Dominus* Hen. 3. mem. f.  
*Papa percipit ad Scaccarium nostrum: primo die Octobris Anno Regni* intus.  
*nostri xxxi.*

This Warrant was granted only (as appears by *Matthew Paris* his History of this year) to induce the Pope to indulge this frivolous priviledge, that when ever the Pope

Hist. Angl. p. 699.

Pope

Pope conferred any Bishoprick or Benefice in England upon his Cardinals or Nephews, or any Italian by his Provisions, they should earnestly petition the King, it might be thus provided: by which he was the more inflamed to the Popes Usurpations, instead of being exempted from them.

The next warrant I have found for its payment, is 4. years after, and that only for that year, (35 H 3.) without stiling in a duty, which was to issue only out of the Kings Exchequer, like other ordinary pensions. This payment was (as I suppose) to obtain the Popes favour to confirm *Ethelmare* the Kings Brother Bishop of *Winchester*, which he did this year at the Kings solicitation, \* *Non obstantibus iuventute, & literarum ignorantia, & omnimoda ad tantam dignitatem, & tot animarum regimen insufficientia. Concessa est etiam eidem ab Domino Papa tanta gratia, ut prius obtentos redditus retineret, Procuravit enim hac omnia urgens Domini Regis vigil diligentia.*

\* *Mat. Paris*,  
Hist. p. 788.

Anno 1251.

Liberate 35 H.  
3. m. 2. intus.

**R**EX *Thesaurario & Camerariis suis salutem, Liberate de Chelauco nostro ad opus Domini Papæ, mille Marcas, de Termino Sancti Michaelis, Anno &c. rrrb. de Anno Censu mille Marcarum quas percipit ad Scaccarium nostrum. Teste Rege apud Westmonasterium Decimo Nono die Octobris.*  
*Per Regem.*

Anno 1261.

For above 9. years next ensuing I find no warrant at all for its payment: but in the *Liberate Roll* of 45 H. 3. I meet with this warrant for paying One thousand Marks, not for that, but the precedent year 44.

Liberate 45 H.  
3. m. 13. intus  
Pro Domino  
Papæ.

**R**EX *Thesaurario & Camerariis suis salutem; Liberate de Chelauco nostro fratri Johanni de Kancja de Ordine Fratrum Minorum Nuncio Domini Papæ in Angliam, mille Marcas ad opus ipsius Domini Papæ de Anno Regni nostri quadragesimo quarto, de Anno Censu mille Marcarum quas percipit ad Scaccarium nostrum. Teste meipso apud Windes. sexto die Februarii.*

\* *Histor. Angl*  
p. 958.

The principal cause of this warrant was (if I mistake not) to procure the Popes dispensation with his Oath made to the Barons for observing the Statutes made by them at *Oxford*, which he solicited for and received this year, as \* *Mat. Paris* informs us, *Paniturat eum jam jurare taliter, metuens quodammodo notam perjurii, misit igitur ad Papam secretè, rogans, ut ab hoc se juramento absolueret, quod facillimè impetravit;* and thereupon issued this warrant for this years Pension.

After this Warrant it continued unpaid for 7. years together, whereupon the Pope to allure and enable the King to pay him the 7. years Arrears, with a greater *overplus* to his own Coffers, gave him a Tenth to be collected of the Clergy and Religious persons throughout *Ireland*; whereupon the King issued these two Patents in the 51. year of his reign to the Collectors of this Tenth, to make payment thereof without delay out of the Tenths collected, which should be allowed them on Account, being the first warrant of this Nature.

Anno 1267.  
Pat. 51 H. 3.  
m. 11. intus.

**R**EX dilecto Clerico suo Magistro *Willielmo de Bakpæ*, & socio suo Collectoribus *Decima sibi a sed: Apostolica concessa in Hibernia*, salutem. Cum sanctissimo Patri Domino Clementi Papæ quarto teneamur in septem Millibus Marcis de Areragis Annuæ Censu Mille Marcarum quas de nobis percipit ad Scaccarium nostrum, quam quidem pecuniam, de Decima nobis concessa in *Hybernia* persolveri volumus sine mora: *Vobis mandamus quod predicta septem Millia Marcarum Magistro Sericio ipsius Domini Papæ Clerico, vel ejus certo Nuncio has literas deferenti modis omnibus Liberetis de decima ante dicta, & nos eas in eadem decima volumus allocari;* In cujus, &c. Teste Rege apud sanctum Paulum London. Vicefimo sexto die Julii.

**R**EX Venerabilibus Patribus O. sancti *Adriani Diacono Cardinali* Apostolicæ sedis Legato, & *W. Eborum Archiepiscopo Angliæ Primati*, & discretis viris *Magistris S. Cantuar. & R. Cleiveland* in Ecclesia Eborum Archidiaconis salutem. Cum sanctissimo Patri Domino C. Papæ teneamur in septem Millibus

libus Marcarum de Arteragiis annui Census mille Marcarum quas de nobis percipit ad scaccarium nostrum, Quam quidem pecuniam de Decima nobis concessa in Hibernia persolvi volumus sine mora. Nos rogamus quatinus predicta Septem Millia Marcarum eidem Domino Papæ omnibus modis assignetis de Decima antedicta. Et nos eas in eadem Decima faciemus allocari; In Cujus, &c.

After this for two years space and an half this Annuity remained unpayd, and then the King at the Popes importunity Anno. 54. of his reign, sent these Letters Patents to the Bishop and Dean of *Lincoln*, to pay it without delay or difficulty to the Nuntio of the Sea Apostolick and Church of *Rome*, out of the Tenthes of the Dioceffe of *Lincoln*; promising to allow it, and allowing it on their Account by this Patent.

**R**EX Episcopo & Decano *Lincolniæ* salutem. Cum vos assignaverimus ad satisfaciendum Magistro Sinicio Apostolicæ sedis & Ecclesiæ Romanæ Nuncio et procuratori, nomine ipsius Ecclesiæ, de Duabus Millibus Quadringentis et Viginta et una Marcis quatuor solidis sex denariis et obolo in quibus eidem Ecclesiæ tenemur pro Arteragiis Annui Census Mille Marcarum, quas dicta Ecclesia de nobis percipit ad scaccarium nostrum, quam quidem pecuniam de Summa nobiscum pro Decima *Lincoln*. Dioc. conventa persolvi volumus sine mora; vobis mandamus quatinus pecuniam predictam prefato magistro Sinicio, vel ad ejus mandatum nomine predictæ Ecclesiæ sine dilatione, vel difficultate aliqua, modis omnibus vos vel alter vestrum plenarie liberetis de Summa predicta. Nos enim pecuniam ipsam quam eidem vel ad ejus mandatum solveritis, unde literas suas de Acquietancia penes vos habueritis; vobis in Summa predicta nobiscum conventa volumus allocari, & per presentes Literas allocamus; In cujus, &c. Teste Rege apud *Westmonasterium* Decimo die Novembris.

Anno 1270.  
Pat. 54. Hen. 3.  
mem. 27. intus.

This is the last payment during King *Henry* the 3d. his reign; who paid it with much reluctancy and unwillingness, delaying it many years together, and never issuing out Warrants to pay it, but when he had extraordinary pressing occasions to make use of the Popes and Cardinals favour and assistance, whereby he might reap far greater advantages then the damage of its payment now and then at his own pleasure, amounted to.

King *Henry* the 3d. deceasing in the 57. year of his reign, and King *Edward* the 1. succeeding him, Pope *Gregory* the X. in the 3d. year of his reign, sent this complementary Bull unto him, (the original whereof I found in the White Tower, with sundry other Bulls of consequence, long buried under dust and cob-webs) humbly requiring and beseeching the King to assist and advise *Nogerus* his Chaplain, in collecting the Tribute of the Church of *Rome*, and *Peter-pence*, in *England*, *Wales*, *Scotland*, and *Ireland*, to give him a safe conduct whenever desired, and particularly to assign unto him freely and fully seven years arrears, formerly due, and that present years Annual Pension, wherein he stood bound to the Church: The Transcript whereof I shall here present you with.

**G**REGORIUS Episcopus Servus Servorum Dei, Charissimo in Christo Filio *Edwardo* Regi *Angliæ* Illustri, salutem & Apostolicam Benedictionem. Quod ad benevolentiam tibi, & favorabilem matrem tuam Romanam Ecclesiam reverentiam iugiter exhibens filialem, non solum de juribus in quibus tenetis eidem promptitudine tibi respondeas liberali, immo etiam ubicunque de suis pertractandis Negotiis agitur fructuosus Adjutor & propitius habearis, firmam spem gerimus & infallibilem fiduciam obtinemus. Cum itaque dilectum filium Magistrum de *Nogerus*, Capellanum nostrum, nobis & fratribus nostris merito sue probitatis acceptum, pro Censibus Colligendis, et denario Beati Petri, ac debitis prefatæ Ecclesiæ

Anno 1275.



*Ecclesiæ requirendis, aliisque nostris, et ipsius Ecclesiæ Negotiis, ad partes Angliæ, Walliæ, Scotiæ, & Hybernæ, jamdudum duximus transmittendum; Celsitudinem Regiam requirimus attentius & rogamus, quatenus Capellanum ipsum benigne recipiens, & honeste per tractans Annuatim Centum, in quo Constat eidem Ecclesiæ te teneri, pro instanti et septem transactis annis, in quibus non fuit Census hujusmodi persolutus, Capellano ipsi nostro, et Ecclesiæ memoratæ nomine Liberaliter facias, et integre assignari; dictum Capellanum prefata negotia promoventem, habens circa illa pro nostra, & Apostolica sedis reverentia propensius commendatum, eidem super his ac etiam in securo conductu per Regium tuum cum ab ipso fueris requisitus auxilium opportunum & consilium impensurus. Ita quod proinde serenitatem Regiam dignis laudibus gratiarum actionibus prosequamur. Dat. Lugduni viij. Idus Novembris. Pontificatus nostri Anno Tertio.*

I cannot find in the Liberate or other Rolls, that those arrears were ever satisfied by King *Edward* the 1. which incurred in his Father King *Henry* the 3d. his reign: But by Pope *Martin* the 4th. his Bull, and his Nuncios solemn acquittance to him, declared by his agreement before Witnesses of quality, and attested under their Seals, it appears, that King *Edward* the 1. after a Treaty about these 8. years arrears, was contented and promised to pay 4000. Marks for 4. years incurred during his reign, at the Feast of *Michaelmas*, Anno 1277. by the hands of foreign Marchants there named, the receipt whereof he acknowledged by his Bull, in form following.

Anno Dom.  
1283.

Claus. 10. Edw.  
1. mem. 4. dorso.

**M**ARTINUS Episcopus servus servorum Dei, Karissimo in Christo filio *Edwardo* Regi Angliæ Illustri salutem & Apostolicam Benedictionem. Ex parte tua fuit propositum coram Nobis, ut cum de Anno Censu Mille Marcarum Argenti in quo Ecclesiæ Romanæ teneris pro Octennio jam transacto in festo Beati Michaelis de mense Septembris tunc currente Anno Domini Millesimo Ducentesimo septuagesimo septimo, terminato, ipsi Romanæ Ecclesiæ fuerit pro parte tua per diversas solutiones integre satisfactum, nec fueris de satisfactione hujusmodi a sede Apostolica opportunas quietationis literas assecutus. Petebatur a nobis ut providere tibi in hac parte paterna diligentia curaremur. Nos igitur Petitioni tuæ, utpote justæ benignius annuentes, præsentium tenore facemur, de Censu hujusmodi pro prefato Octennio fore prefatæ Romanæ Ecclesiæ satisfactum. Ad tuam tuorumque Heredum cautelam & futuram memoriam presentes tibi Literas concedentes. Dat. apud Urbem veterem 11. Non. Feb. Pontificatus nostri Anno primo.

**U**niversis presentes Literas inspecturis *Gisfredus de Vezano* Canonicus Cameracensis, Cameræ Domini Papæ Clericus, Apostolicæ sedis in Angliæ Nuncius salutem in Domino.

Noveritis nos Litteras apostolicas vera Bulla & integro filo bullatas recepisse in hæc verba. "*Martinus* Episcopus servus servorum Dei *Gisfredo* Cameræ nostræ Clerico salutem & Apostolicam Benedictionem. Cum super solutione annui census Mille marcarum Sterlingorum in quo Karissimus in Christo filius noster Rex Angliæ Illustris pro triennio præterito et etiam pro instanti Anno in proximo terminando nobis et Ecclesiæ Romanæ tenetur, tibi, nostro et ipsius Romanæ Ecclesiæ nomine faciendâ, sub certa forma eundem Regem per nostras Literas requiramus. Nos de discretionis tuæ industria plenarie confideutes, faciendi eidem Regi nostro & Ecclesiæ prefatæ nomine, refutationem plenariam de hujusmodi censu quatuor Annorum postquam de illo tibi nostro, & ipsius Ecclesiæ venimus fueris integre satisfactum, plenam tibi Auctoritate presentium concedimus facultatem. Dat. apud urbem Veterem Duodecimo Kalend. Septembris. Pontificatus nostri Anno primo. Cumque Serenissimus Dominus *Edwardus* Rex Angliæ Illustris vobis nomine sanctissimi Patris Domini *Martini* summi Pontificis & Romanæ Ecclesiæ pro annuo Censu mille Marcarum

Marcarum in quo idem Rex summo Pontifici et Ecclesie Romanæ tenetur quatuor Millia Marcarum sterlingorum per manus *Barontini Walteri, Richardi, Gudicionis, & Henrici de Podio de Societate Ricardorum de Luka*, pro quatuor Annis in premissis Literis Apostolicis comprehensis & terminatis in festo sancti Michaelis proximo præterito Currente Anno Domini Millesimo Ducentesimo Octogesimo primo **persolverit, et recognoscimus et confiteamur** de ipsis quatuor Millibus Marcarum nobis esse promissi nomine a dicto Domino Rege per **Manus dictorum Barontini, Ricardi et Henrici pro supradictis quatuor Annis integre satisfactum.** Nos concessa nobis per easdem Literas Apostolicas facultate facimus eidem Domino Regi nomine Domini nostri summi Pontificis & Romanæ Ecclesie Refutationem plenariâ de huiusmodi Censu prædictorum quatuor Annoꝝ de quibus præfata Litteræ Apostolicæ faciunt mentionem, et qui in dicto festo sancti Michaelis proximo præterito terminati fuisse noscuntur. In quorum omnium testimonium has Literas Patentes fecimus & sigillo nostro munivimus. Et Venerabiles Patres Domini *Godefridus Wigornensis & Willielmus Norwicensis* Episcopi, ac Magister *Ardicio Primicerius* Mediolan. Domini Papæ Capellanus & in Anglia Nuncius, qui dictas Literas Apostolicas viderunt, & recognitioni, ac confessioni nec non refutationi premissis interfuerunt *sua sigilla presentibus apponi fecerunt, ad majoris roboris firmitatem.* Dat. London. sexto Idus Novembris Anno Domini supradicto.

Et Memorandum quod istæ duæ Literæ precedentes Liberatæ fuerunt *Thoma de Gunneis*, apud Cestriam die Sabbati proximo ante festum Apostolorum Petri & Pauli Anno &c. Decimo per manum *Johannis de Langeton*, in Garderoba Regis custodiendæ.

King Edward was very backwards to pay this Pension any more, so that Pope Martin the 4th. dying, Anno 1285. and Honorius the 4th. succeeding, sent Letters to the King, requesting him to pay 3. years arrears then due unto him, which he refused or neglected to do during his Papacy: whereupon Pope Nicholas his Successor in the 17. year of his reign, sent this Bull unto him, entred in the Clause Rolls, requiring him to pay the said 3. years arrears, and 2. years more since incurred, *intirely and freely*, that so he receiving it gratefully, might from thence deservedly commend his Munificence: Intimating thereby, that it was rather a voluntary bounty, then duty in this King to pay it, who thereupon issued a Warrant to his Treasurer for payment thereof, and to receive an acquittance for it, the Transcripe whereof I shall here present you with.

**NICHOLAUS** Episcopus Særvus Særvorum Dei, Charissimo in Christo Filio *Edwardo Regi Angliæ illustri*, salutem & Apostolicam Benedictionem. Clauſ. 17 E. 1. m. 4. Honorem tuum fili Charissime decere credimus, ac tui & Regni tui profectibus expedire, ut quod iuste debes Sacrosanctæ Romanæ Ecclesiæ, Matri tuæ, sic promptus exolvās, quod gratiam acquiras ex debito, & commendari mereatur Celsitudo Regia ex affectu. Cum igitur Census Annuus Mille Marcarum sterlingorum a te, sicut nosſi, eidem Romanæ Ecclesiæ debeatur, ac felicis recordationis Honorius Papa quartus, Prædecessor noster super Solutione ipsius Census, de tribus Annis debiti faciendâ a te sub certa forma tibi direxerit scripta sua, et nondum Camera sedis Apostolicæ de dicto Censu pro eisdem tribus Annis satisfactum existat, Serenitatem Regiam requirimus et rogamus attente, per Apostolica tibi scripta mandantes, quatenus Censum ipsum pro eisdem tribus Annis jam præteritis et etiam pro duobus sequentibus terminandis in proximo futuro Festo Beati Michaelis, dilecto filio Magistro Gisleredo Camera nostre Clerico in Angliâ commoranti, has tibi Literas præsentanti, nostro et Ecclesiæ prædictæ nomine facias integre et liberaliter assignari. Ita quod nos id gratum habentes Magnificentiâ tuam possimus exinde merito commendare. Dat. Romæ, apud Sanctum Petrum, iij. Kalend. Maii. Pontificatus nostri Anno primo.

Et memorandum quod die Veneris proxima post Festum Assumptionis Beatæ Mariæ, Anno Regni &c. Decimo septimo apud *Ledes*, liberata fuit ista *Bulla*, Magistro *Wilhelmo de Luda*, tunc custodi Garderobæ Domini Regis, in eadem Garderoba custodienda.

Upon receipt hereof, the King to gratifie this Pope, (of whose favour and assistance he was then to make extraordinary use, about his great affairs in *France* and *Gascoign*, as is evident by his Letters and Proxies to him and his Cardinals, entred in Rot. *Vasconia* Anno 17 E. 1. pars 2. m. 2. dorso) issued this Warrant to his Treasurer to pay these arrears.

Liberate 17 E.  
1. m. 2. intus.

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauo nostro Magistro *Giffredo de Vezano*, Domini Papæ Clerico, *Quinque Milla Marcas* per manus suas eidem Domino Papæ Liberandi. de Annis Regni nostri Duodecimo, Tertiodecimo, Quartodecimo, Quintodecimo, et Sextodecimo, videlicet de quolibet Anno *Mille Marcas*, de Anno Censu *Mille Marcas*, quem idem Dominus Papa percipit ad Scaccarium nostrum: Et recipiatis ad eodem Magistro *Giffredo* sufficientem quietanciam de pecunia supradicta. Teste Rege apud *Ledes*, Decimo octavo die *Augusti*.

\* Here, p. 301,  
302.

This is the very last demand and payment of this Annual Pension I can yet discover, by King *Edward* the 1. or any of his Successors; the contests between this King *Edward*, his Successors, Nobles, Parliaments, and Popes, growing so high concerning the title to *Scotland*, Provisions, First-fruits, and other Usurpations on the King, Crown, Kingdom, Church, people, that they would never pay this pretended, illegal Tribute any more; and when the Pope intended about 58. years after this, to demand it and the arrears thereof from King *Edward* the 3d. you have \* heard how he and his whole Parliament Anno 40 E. 3. resolved to withstand him therein with all their might, as being void and un-obligatory either to the King or Kingdom.

Now lest any Pontificians should conclude from these recited voluntary payments of it by some of our Kings now and then, that they admitted it a just right and duty, to which they were bound by King *Johns Charter*, the premises quite refute it, not one of our Kings paying it constantly, willingly, cordially, as a duty, but meerly as a Political bribe or gratuity, to get the quicker dispatch of their affairs they were then necessitated to transact at *Rome*, where nothing would succeed well without money, and Annual Pensions too, (of 50. 60. 100. Marks by the year, besides other gratuities) given and paid by our Kings as well to Cardinals and Popes Notaries, as to the Pope himself, without which our Kings themselves could hardly, and that with much expence and delay, obtain their justest suites. There are many presidents of such Annual Pensions given and paid to Cardinals, Notaries, Officers of Popes, in our Patent and Liberate Rolls, for the foresaid ends. I shall present you only with these few instead of many others.

Pat. 6. Edw. 1.  
mem. 24. intus.

**R**EX omnibus ad quos, &c. Salutem; Sciatis quod concessimus Venerabili Patri Domino *M. Sanctæ Mariæ* in Porticu *Diacono Cardinali* *Sexaginta Marcas* singulis Annis ad Scaccarium nostrum percipiendas, viz.) Unam medietatem ad Scaccarium nostrum *Pascha*, & aliam medietatem ad Scaccarium nostrum *Sancti Michaelis*, donec per nos eidem uberius provideatur. In cujus, &c. Teste Rege apud *Westmonasterium* Decimo Octavo die *Januarii*.

Liberate 13.  
Edw. 1. mem. 5.  
intus.

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauo nostro dilecto Clerico nostro Magistro *Angelo* Domini Papæ Notario *Decem Marcas* de Terminio *Pasche* Anno regni nostri 13. de annuo feodo suo viginti *Marcas* quod de nobis percipit ad Scaccarium nostrum. Teste Rege apud *Westmonasterium* Vicefimo Octavo die *Maii*.

REX



**R**EX eisdem salutem. Liberate de Thesauro nostro eidem *Angelo Triginta Marcas*, de Termino sancti *Michaelis* Anno Regni nostri *Hono. et Viginti Marcas* Anno regni nostri decimo, de annuo feodo suo *Triginti Marcas* tum quod de nobis percipit ad *Scaccarium* nostrum. Teste ut supra. Pat. 29. Edw. 1. mem. 6. intus.

**R**EX omnibus ad quos, &c. Salutem. Attendentes affectionis sinceritatem *& diligentia sollicitudinem* quas venerabilem Patrem *Lucam de Flisco sanctæ Mariæ* via lata diaconum Cardinalem Consanguineum & amicum nostrum *Carissimum* erga nos & negotiorum nostrorum expeditionem gerere nobimus et habere, quinquaginta *Marcas sterlingorum* annuatim per æquales portiones ad *Scaccarium* nostrum, videlicet in festis *Paschæ* et sancti *Michaelis* percipiendas duximus concedendas: In cujus, &c. Dat. apud *Donyas* Decimo quarto die *Octobris*. Pat. 30. Edw. 1. mem. 7. intus.

Per breve de privato sigillo.

Consimiles Literas habet venerabilis Pater *Dominus Petrus de Piperna sanctæ Mariæ novæ* Diaconus Cardinalis, Amicus Regis Karissimus, de quinquaginta *Marcis sterlingorum* annuatim percipiendis ad *Scaccarium prædictum* in festis predictis. Teste ut supra.

Per breve de privato sigillo.

Consimiles Literas habet venerabilis Pater *Dominus Willielmus de Pergamo sancti Nicolai in carcere Tulliano* Diaconus Cardinalis Amicus noster Karissimus, de Quinquaginta *marcis sterlingorum* annuatim percipiendis ad *Scaccarium prædictum* in festis prædictis. Teste ut supra.

Per breve de privato sigillo.

Consimiles Litteras habet Venerabilis Pater *Franciscus sanctæ Mariæ in Cosmodis* Diaconus Cardinalis et amicus Regis Karissimus de Quinquaginta *Marcis sterlingorum* annuatim percipiendis ad *Scaccarium prædictum* in festis prædictis. Teste ut supra.

Per breve de privato sigillo.

**R**EX omnibus ad quos, &c. *Qui sincera Affectionis fervore, & gratuita benevolentia studio nostris utilitatibus procurandis invigilant & insistant, dignum duximus & naturali consonum esse novimus equitati, ut eis mutua vicissitudinis beneficia rependamus.* Attendentes igitur venerabilis patris Domini *Gentilis*, titulo sancti *Martini in montibus* Presbyteri Cardinalis, amici nostri Charissimi *circumspectam industriam*, et sollicitudinem operosam quas in nostris negotiis in sancta Romana Curia promovendis hactenus adhibuit, eumque adhibiturum speramus Deo propitio in futurum, pensionem annuam Quinquaginta *Marcarum sterlingorum* ad *Scaccarium* nostrum percipiendam, ad duos Anni Terminos, videlicet in festis *Paschæ* et sancti *Michaelis* per æquales portiones sibi durimus tenore præsentium concedendam; In cujus; &c. Teste Rege apud *Odynham* Vndecimo die *Januarii*. Pat. 31. Edw. 1. mem. 41. intus. De pensione concessa Cardinali.

*Nota.*

In all these Pensions and Annuities, I shall desire the Readers to observe, 1. That they are granted out of the Kings Eschequer only; payable half yearly at the feasts of *Easter & Michaelmas*; just as King *Johns* pension of a thousand Marks by the year to the Pope was, 2ly. That the warrants for payment of the one & other run in the same form. 3ly. That the sole motive or ground of our Kings granting and paying these pensions, was only to get the easier dispatch of their businesses in the Court of Rome by the assistance of these their Pensioners, which otherwise (for Rome and the Popes credit) they could not obtain, were their suits never so reasonable. And this was the sole reason why any of our Kings paid this annuity, first granted by King *John*, at any time to any Pope, even to procure a speedy auspicious answer, or else assistance from him in their

their affairs with forreign Princes, or relating to their own Rebellious Prelates, Subjects, or complaints against the Popes and his Legates intollerable Usurpations, Exactions on their Crowns, or Subjects; Not that they ever reputed King *Johns* Charters valid, or obligatory to him or them in the least degree, they protesting, resolving the contrary, as the premises demonstrate.

Now to evidence this Charter and Rent yet more fully to be null in Law beyond contradiction, I shall desire the Popes learnedest Advocates pleading for their validity to take notice of these particulars:

\* *Surius Concil*  
Tom. 2. p. 865,  
866.

1. That the whole 8. *Council of Toledo* in Spain under King *Recesvimb*, and this King himself about Anno 660. decreed, That not only the antient Crown-lands of the kingdom, but whatever Lands and Revenues their Kings acquired, *qua pro solo consistat eos imperii percipisse fastigio*, should not descend to their sons, but to the Successor of the Realm; and not be alienated from the crown, nor subjected to the Kings person, but Regal power; *Regem terrenum jura faciunt, non persona, quia non constat sui meipocritate, sed sublimitatis honore. Qua ergo honori debentur, honori deserviant, & quæ Reges accumulunt Regno relinquunt, ut quia eos regni gloria decorat, ipsi quoque regni gloriam non extenuent, sed exornent*, by enlarging, not extenuating or alienating the Revenues thereof; which this Council enjoyned their succeeding Kings by Oath to observe.

2. That it is the general received Resolution of the learnedest Doctors and Professors of the Civil Law, That no Emperor or King elective or hereditary, can alienate or subject the Royalties of his Crown, kingdom to any other person whatsoever, (especially to a forreign Prince or Potentate) without the general consent of his Nobles, Barons, Subjects; they being in truth but Trustees, not Proprietors of all their Crown-lands, Rents, Revenues, for the Defence, Government and Benefit of their kingdoms, not absolute Inheritors of them; and the alienation thereof a direct breach both of their Oaths, Trusts; and their Supream Sovereign power, essential to, inseparable from their Regalities: This they resolve in the cases of *Constantine*, *Charles the Great*, *Pepins*, and *Othoes* pretended Donations of *Rome* and *Italy* to the Pope and his Successors, the same in substance with King *Johns*.

(a) *Lucas de Penna*, a most eminent Professor of the Civil Law, resolves, *Imperii Regalia sunt inalienabilia*; and although the Emperor should swear, that he would not revoke such Royalties as were alienated to the prejudice of his Crown and dignity, possit tamen ea, non obstante Juramento revocare; because the Emperor at his Coronation swears, *Jura regni sui et honorem Coronæ illibata servare*.

From whence he (and [b] others) inferre, That by vertue of this Oath, the Emperors are strictly obliged in duty both to God and to the Empire, to take unto themselves not only those fair and large Territories which the Pope hath either by fraud or force invaded, decking himself with the plumes of their Eagle; but especially they ought to resume that Dominion and Sovereignty of Authority in those very Lands which the Pope now challengeth as his own. For this Sovereignty being the most proper and essential Privilege belonging to any Imperial Crown; by vertue of this their sacred Oath, they ought utterly to refuse (as they may) that other coacted Oath whereby they are most injuriously tied to permit the Pope (that man of sinne) quietly to enjoy their Imperial Possessions, Rights, Royalties, and tread both themselves and their Crowns under feet. The Romish(c) Gelders of all passages in Books that make against their Roman Pontif, or Religion, have gelt this masculine passage (of no lesse then 178. lines in folio) out of *Penna*, which comes home to King *Johns* case.

(d) *Baldus Perusinus* a learned Civilian, writing of the pretended Donation of *Constantine* to the Pope, delivers this as his own and other Doctors resolutions therein. *They determin, Hanc donationem quoad expropriationem territorii, Dignitatis et Jurisdictionis, non valere, nec possibilem esse. The commodities, profits, and profitable Dominion may be granted, salva semper ab Imperio recognitione et fide. For to say, that the Emperor could by this donation mutilare Imperium, and cut off the Members thereof, est species fatuitatis; it being never his intention: nor*

yet

a In Cod. De  
omni agro de-  
fert. l. Quicun-  
que desertum, f.  
185, 186. Pa-  
risiis 1509.  
b Dr. Craken-  
tho. de Defence  
of Constantine  
cap. 8. p. 160.  
167.

c Index Expur-  
gat. juxta Con-  
cil. Trident.  
Decretum Phil.  
2. Regis Ca-  
tholico jussu  
concinatus.

Anno 1571.

d In Proemio  
de feud. n. 32, 33

yes King John, as the Saving in the Charter fully demonstrateth.

(a) Fr. Arctinnus a Grand Doctor of the Civil Law, not only assents unto, but highly applauds the judgement of Baldus herein; *Eleganter tradit Baldus, quod Imperator non potest dare quoniam Imperii, neither a third, nor a fourth part, nor half of his Empire*; whereby Baldus means, That the Empire being an intire and universal power, the Emperor by giving ought, ceaseth not to be the Universal Lord of all belonging to the Empire.

(b) Franciscus Vargas layes down these 2. Positions, 1. *Suprema Principis potestas est prorsus inalienabilis.* 2. *Impossibile est Imperatorem facere aliquem vel parem sibi, vel superiorem*; citing Baldus, with divers other Lawyers concurring with him herein: His reason is, *Quia Lex Regia contradicit*; and that it is inconsistent with Regality: Therefore King John could not alienate his Regality, nor make the Pope his superiour in his own Realms.

Didacus Conarruvius writing of the Supream Sovereignty belonging to a King or Emperour, resolves; (c) *Nullo modo alienari potest, though in giving Lands, Cities or Territories, the King use never so ample and abundant words in his charter, Because this Sovereignty is essential to Regal Majesty.* He and Vargas citing *Gulielmum Benedicium, Carolus Degraffatus, and Felinus* concurring with them herein.

Boetius Epon. professedly, and at large discusseth this point, and thus resolves it; (d) The Donation of Constantine did no way concern the alienating or giving up of the Roman Empire; but only the alienating of all the places in Italy, and in the whole West. Constantine did not Abdicate his Empire, or give it to the Pope *ne per Occidentem quidem*, no not in the West, nor in Italy, nor in the very City of Rome; he honoured the Pope as much as he could, *citra imperium vel abdicacionem, vel alienacionem nullo modo*, without either abdicating, or any way alienating the Empire. He gave to the Pope a certain right of Jurisdiction, and Rule in the Western Regions, *Imperio Romano inferius atque minus*, but inferiour and lesse then Imperial Authority. He gave to the Pope *Imperium honorarium duntaxat et secundarium, sed minime supremum*, an honourable and secondary Government, but not the Supream. That supream Authority *in solidum penes Constantinum remansit etiam in Occidente.* And in his Commentary, which for the honour and credit of Constantines Donation he hath made upon it, he sets this down with a Memorandum, *Notabis hinc, That the Empire or Sovereignty in Italy and in the West, was not transferred by Constantine to the Pope, and very often he repeats the like.*

Albericus de Rosace, a famous Civilian, is most punctual in this particular. (g) Let us see (saith he) whether Constantines Donation could be of force to the prejudice of his Successors? Accursius holds it could not: so doth John de Parisiis, Because none being deputed to an Office, may doe ought against his own Office. But it is against the Office deputed to the Emperour, to impair his Empire, or to cut and take away any one part from it; For by the same reason that he may cut away one part, he may cut away also another, and so may his Successors; and so the Empire should at last be brought to nothing and utterly destroyed, which is against the Publique good, and the end why the Empire is ordained. *Ex quo verè credo, Whereupon I do truly believe, that the aforesaid Donation De Jure, cannot be of force to prejudice the Empire, or the Successors.* He adds, (h) That *prescriptio dat utile Dominium Ecclesie, (prestitis tamen Tributis & Censibus Imperatorum) Directum non tollit. Contra Principem non nisi quoad utile Dominium prescribitur; because the Pope in using this Dominion, doth it as the Emperours Deputy or Minister, and in the Emperours name, and so the Sovereignty still rests in the Emperour, against which there is no prescription. As for prescription by the Canon Law, that is least available for the Pope: For by the Canon Law there is required to a valid prescription, TITULUS, & BONA FIDES; Both which (in this case of Constantines Donation, and so in King Johns too) he saith, seem to be wanting, for there is a Title pretended, where there is no Title at all, quia datus per eum quid dare non potuit, and because the alienation is made contrary to Law, as we have shewed:*

Bona

an Rubr. ff. de Verborum obli-  
gac.

b De Pontificis Potestate Axioma.

c Pract. Quæst. c. 4. nu. 1.

d Boetius Epon Hæc, quæst. qu. 3. nu. 43.

e Ibid. quæst. 5. nu. 19.

f Ibid. num. 27.

\* Glossa in cap. Constantinus, post. 1. qu. 5. nu. 211.

g De Quadræni præscript. Bene à Zenonii nu. 4. f. 111. col. 4.

h De Juridicis; Jud: lex finali S. per Iniquum n. 4. f. 148.



Bona fides also is here wanting, because the Pope and his Successors knew, *Res esse alienas, hoc est Imperii*. Thus Albericus most clearly resolves, whose words and reasons extend as fully to King John's Charter, as to Constantine's pretended Donation to the Pope.

a Monarchiz.  
pars 1. c. 70, 71  
p. 295, 296,  
297, 298, 299.

[a] Antonius Rosellus, (noble both for his birth and learning in the Civil Law, and other Literature,) though he defends the Donations made to Popes by Constantine, Charles, Lewis and Otho; yet after long debate, he concludes thus: *Firmiter teneo, That as to those lands and territories which the Pope hath from antient times possessed by virtue of those gifts, they are good for the possession, profits, & utile Dominium, being therein the Imperial right is not taken away, SED DIRECTUM IMPERIUM EST PENE CAESAREM. Directum Imperium est in omnibus Caesaris, irremovibile, vel inalienabile; Habet ergo Papa executionem potestatis, in the Territories given him, but he hath not the Sovereign power over them, that belongs to the Emperor; who in all temporal goods and possessions is the Sovereign Prince; For as we daily see the Emperor gives Dukedoms, Earldoms, or Kingdoms, et tamen retinet in directo Dominio ipsam Jurisdictionem et Jus Imperii in ipsis bonis, aut commissis; even so in those gifts given by the Emperors to the Church or Pope IUS IMPERII et Jurisdictionem retinuit, et retinet, quamvis utile Dominium ejus, et executionem potestatis Pontifici commisit.* He subjoyns, *The Donation to the Pope is good, quoad proprietatem & dominium particulare, sed non quoad Jurisdictionem totalem & Jus Imperii. Although the Pope be capable of Imperial right quoad subsidium, non tamen est capax principaliter, & ideo impossibile est per viam prescriptionis. Nay it is impossible, that in the same person should subsist the Imperial Authority and the Priesthood; & ideo impossibile est per viam prescriptionis.* He further resolves, *If there happen a controversie betwixt the Pope and the Prince concerning any meer temporal matter, I think the Emperour himself ought to be Judge herein; seeing in Temporal matters he is above all, even the Pope himself; & ipse est Judex suae causae, the Emperour is Judge in his own cause, as the Law teacheth.* (Therefore King John, his Successors and Parliaments are meet Judges in the case of England, by like reason, who have adjudged this Kings Charter voyd.) He proceeds one step further.

Whereas the Popes to make sure that Authority which they use in the Patrimony of St. Peter, cause the Emperours to swear, that he will not exercise that Imperial Authority which he hath in those Lands, but permit the Popes to enjoy the same as they have used, (tying the Emperours by this Oath from the exercise of any Imperial Jurisdiction in those Territories) this learned Lawyer teacheth; *That Emperours indeed after they have once taken this Oath, cannot intermeddle in those Lands, but ought by virtue of their Oath, leave the Jurisdiction therein to the Pope; But withall he adds, that seeing the Emperour retaineth still the direct dominion in those Lands, which dominion he cannot possibly passe away to the Pope, his Successors need not to take that Oath, and not taking it (saith he) they may actually use their own Imperial Rights, and Jurisdiction in the same, and it were better they would do so.*

b De Jure Belli  
& Pacis l. 2. cap  
6. sect. 2. to 12  
&c.  
c Belluga in pr.  
spec. in rub. 8.  
p. 3, & 4. Roch.  
de Curte de  
consuet. q. 5.  
col. 6. Tom. 1.  
& alii allegat.  
a Vasq. lib. 1.  
cap. 1.

(b) Hugo Grotius, (one of the learnedest, most judicious Lawyers, Scholars of this later age) positively concludes. *Rex partem populi alienare non potest, nisi etiam pars de qua alienanda agitur consentiat; accedente populi consensu libero, alienari posse etiam a rege, quid obstat non video.* (c) *Quare subscribere non possumus Jurisconsultis, qui de non alienandis Imperii partibus adjuvant exceptiones duas, de publica utilitate, & de necessitate, nisi hoc sensu, ut ubi est eadem utilitas communis, & corporis & partis, facili etiam ex silentio etiam non longi temporis, consensus & populi & partis intervenisse videatur, facilius vero si etiam necessitas appareat. At ubi manifesta est in contrarium voluntas, aut corporis aut partis, nihil altum debet intelligi. Sub alienatione merito comprehenditur & infeudatio, sub onere. Quare videmus a pluribus populis irritas habitas ut alienationes, ita infeudationes Regnorum quas populis inconsultis Reges fecerant. Populum autem consensisse intelligimus, sive totus coit, quod olim apud Germanos & Gallos fieri solebat, sive per Legatos partium integrantium mandato sufficiente instructos: Nam facimus quod & per alium facimus.*

(d) Sed

(d) Sed nec pignori dari pars Imperii poterit, nisi consensu simili, non ea tantum de causa quod ex pignoris datione sequi alienatio soleat, sed quod et Rex teneatur populo ad exercendum per se summum Imperium, et populus partibus suis ad conservandum hoc exercitum in sua integritate, cujus rei gratia in societatem civilem coitum est. (d) Patrimonium quoque populi, cujus fructus destinati sunt ad sustentanda Reipublicæ, aut Regiæ dignitatis onera, a Regibus alienari nec in totum nec in partem potest: Nam in hoc jus majus fructuario non habent. Nec admitto distinctionem, si res modicum videat, quia quod meum non est, ejus nec exiguam partem alienare mihi jus est, sed in rebus modicis quam in magnis consensus populi ex scientia, et ex silentio facilius præsumitur. Existimat (f) Barclaius, Si Rex regnum alienet, aut alii subiciat, amitti ab eo regnum. Ego hic subsisto. Nam talis actus si regnum electione aut successoria lege deferatur, Nullus est; quæ autem nulla sunt, nullum habent Juris effectum. Unde & de usufructuario, cui Regem talem similem diximus, verior mihi videtur Jurisconsultorum sententia, si extraneus Jus suum cedat, nihil eum agere. Et quod dicitur ad Dominum proprietatis reverti usufructum, intelligendum legitimo tempore. Si tamen Rex re ipsa eam traderet regnum, aut subicere molitur, quin ei resisti in hoc possit, non dubito. In fine, he resolves thus, (g) That the contracts of Kings prejudicial to their kingdoms, binde neither their Successors nor kingdoms, but are void. (h) Apud Sapientes cassa habebantur, quæ neque dari, neque accipi salva republica poterant. Si quo casu contractus incipiat vergere non ad damnum modo aliquod, sed ad perniciem publicam, ita ut ab initio contractus in extensione ad illum casum censendus fuisset injustus & illicitus; tunc non tantum revocari eum contractum posse, quam declarari eum non ultra obligare, quasi factum sub conditione sine qua juxta fieri non potuit. Illud quoque a multis (i) traditum, beneficiorum Principum quæ liberaliter sunt concessa semper posse revocari, sine distinctione transmittendum non est; i. e. nisi quod subditos attinet ad pœnam, aut ob utilitatem publicam, Contractibus vero eorum qui sine Jure Imperium invaserunt, (the case of King John as to the Pope) non tenebuntur populi aut veri Reges, nam hi jus obligandi populum non habuerunt. And in his *Adnotata* he recites these examples of revocations of such gifts made by the Roman and Græcian Emperors; and Kings of France, Arragon, and Poland. Laudat & applicat, Mariana, ad immensam munificentiam Friderici Regis Neopolitani xxiv. 16 à Nerone donata etiam ab emptoribus repetit Galba relicta decima. Tacitus *Historiarum* i. & Plutarchus. Pertinax etiam à libertis ea exegit, quæ sub specie venditionis Commodi principi lucrifecerant. Macedo Imperator repetit quæ Michael Imperator elargitus fuerat. Zonaras de eo. Communi consensu placuit, ut qui pecunias multas nulla probabili ex causa accepissent, partim totas, partim dimidium redderent. Vide eundem Isacio Comneno de donationibus Ludovici xi. Vide Serranum Carolo 8. de ejusdem donationibus etiam quæ Ecclesiis facta non servatis Philippum Cominæum lib. 9. Marianam. vero de donationibus quas Arragoniæ Rex Ramirus fecerat, rescissis, Libro 10. cap. 16 de Isabellæ donationibus rescissis per ipsam 272. Cromerum de Casimiri Regis Poloniæ testamento partim probato, partim improbo xii. So that by Grotius his own Resolution, with the resolves of the Historians, Emperors, Kings, and near 20. famous Civilians cited by him in the Margin, King John's Charter and Pension must needs be void in Law to all intents, against himself, his Successors, kingdoms, their reasons, and resolutions extending punctually thereunto.

\* Francis the 1. King of France being taken prisoner in the battel of Pavia by the Emperor Charles the 5th. to procure his Liberty Anno 1525. by Articles under his hand and Seal ratified by his Corporal Oath, promised to consign and deliver up unto the Emperor the Duchie of Burgundy, for his ransom: Whereupon being enlarged, the Emperor pressing him to perform his Articles and Oath, he returned this Answer, to which he adhered; That it was not in the power of

\* Smith de Repub. Angl. c. 9. Buch. in Balio. lo. Froissard. l. 1. c. 214. & 246. Monstrel Hist. c. 22. & c. Guic. l. 16. d'Alberic. in c. intellectos de jurejur. Bart. in l. prohibens plane D. quod vi. Corset In tract. de excell. Regis q. 4. Loazes alla Vasq. c. 5. Natat conf. 367. Bonit. Rug. conf. 49. u. 43. e De Jure Belli & Pacis l. 1. c. 4. sect. 10. p. 89. fol. 4. c. 16.

g De Jure Belli l. 2. c. 13. Sect. 12, 13, 14. h Tacitus hist. l. 3.

i Curt. jun. conf. 138. n. 4. conf. 157. n. 18. Cravetta de autem, 2 p. 1. partis primæ n. 28. Bell. in spec. princ. rubr. 26. Ant. Gabr. lib. 1 tit. de jure quæst. non tollendo concl. 6. n. 20. & concl. 7 vide citatos per Reinkingium, libr. 11. class. 11. cap. 8. num. 26.

\* The General Hist. of France p. 576, 577, 578 Grimston's Imperial History, p. 646, 647.

a French King to bind himself to the alienation of any Lands, Towns or Territories belonging to the Crown, without the consent of the General Estates of France, and of his Sovereign Courts and Officers, in whose hands the Authority of the whole Realm remained: And that he had no power to release his Right to any of the territories belonging to the Crown of France, without his Kingdoms and Parliaments consents; no nor to purchase his own freedom and ransom thereby; wherein all the Civilians of France concurred with him. Much lesse then could King John surrender and alienate both his Kingdoms to the Pope without any consideration at all.

I shall conclude with the Authority of that most famous Grand Lawyer and Statesman John Bodin, in his Book of *Commonwealth*, translated into most Languages; where he thus resolves at large, with abundance of Reason and ingenuity, against the power of Kings or Republiques to alienate the publike Revenues, discovering the manifold mischiefs, frauds ensuing thereupon.

Bodin in his  
Common-  
wealth, lib. 6.  
p. 650, 651,  
652, 653.

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OF the *Regal Revenues*, some are publique, some are private; the last may be sold and made away, the first never. And to the end Princes should not be forced to overcharge their Subjects with Imposts, or to seek any unlawfull means to forfeit their Goods, All Monarchs and States have held it for a generall and undoubted Law, That the publique Revenues should be holy, sacred, and inalienable, either by Contract or Prescription. In like sort Kings (especially in this Realm of France) granting their Letters Patents for the re-union of Crown Lands, declare, That they have taken an Oath coming to the Crown, in no sort to sell or make away the Revenues. And although it were duly and directly made away, were it for ever, yet is it alwayes subject to be redeemed, and in such sort as the Prescription of an hundred years, which gives a just title to the possessor, doth not touch the Revenues of the Crown: The Edicts, Decrees, and Ordinances of this Realm are notorious, not only against private men, but even against Princes of the Blood, who have been put from the division of the Revenues, and the Prescription of an hundred years: And this is not peculiar to this Realm alone, but common to the Kings of England, Spain, Poland, and Hungary, who are accustomed to swear not to alienate the Revenues of the Crown. The which is also observed in Popular and Aristocratical States; and even at Venice the Law allows no Prescription, (the which many would limit to six-score years) nor yet the Cantons of the Swissers. For King Henry 2. having requested the Seignior of Lucerne to engage themselves for a certain sum of money, Hugo the chief Magistrate made answer to the Ambassador, That both the Senate and Commons of Lucerne had sworn never to pawn nor engage their Lands. We read also that the same Ordinances were religiously observed in the two most goodly Common-weals that ever were, Athens and Rome, wherein two Great Personages Themistocles and Cato the Censor, caused all the publique Revenues to be seized on, the which had through tract of time, and sufferance of Magistrates, been usurped by private men; saying in their Orations, Nec mortales contra Deum immortalem, nec privatos contra Rempublicam prescribere posse: That mortall men could never prescribe against the immortall God, nor private men against the Common-weal. And therefore the Court of Parliament upon a civil request obtained by the Kings Proctor General, against a Decree made in favour of the Successors of Felix of Nogaret, to whom King Philip the fair 260. years before had given the Lands and Seignior of Calvillon, for his virtues and well deserving of the Common-weale, whereby it was revoked unto the Council, shewing thereby, That Prescription hath no place when there is any question of the Revenues of the Crown. And the Court of Parliament at Rouen, by a sentence given the 14. February 1511. betwixt the Kings Proctor, and the Religious of St. Omer, adjudging



adjudging the possession of certain goods unto the King, allowing the Religious to relieve themselves by some other means, and to prove it duely by way of Inquest; and for cause; which words (and for cause) are not to be understood for the poor subjects of the Country only, but generally for all. And oftentimes the Treaties made betwixt Princes, have no other difficulties but for the preservation of the Revenues, the which Princes cannot alienate to the prejudice of the publique. Henry the 8. King of England, in a Treaty made with the Pope, and Potentates of Italy, in the year 1527. caused this clause to be added, That they might not give away any thing of the Crown of France, for the redeeming of King Francis, and upon this point the breach of the Treaty of Madrid was grounded; for that the antient custome of this Realm, conformable to the Edicts or Ordinances of other Nations, requirer the consent of the three Estates, the which is observed in Poland by a Law made by Alexander King of Poland, according to the disposition of the Common Law, unless the sale were made at such time as the Enemy had invaded the Country; and that the forme be observed from point to point, as in the alienation of Pupils goods, (the Common-weale being alwayes regarded as a Pupil) and if there be any thing omitted, it is all of no force, or at least it is subject to rescission, without restitution unto the Purchaser of the thing purchased: Neither can the Prince challenge that unto himself which belongs unto the publique, no more then a Husband can his Wives Dowry, wherein the Prince hath lesse right; for the Husband may abuse the fruits of his Wives Dowry at his pleasure, but a Prince may well use, but not abuse the fruits of a publique Dowry: As the Citizens that were in society with the Athenians complained, That the publique money was to be put in Apolloses Treasury, and not to be wasted by the Athenians. Our Kings have and do acknowledge, that the propriety of the Crown Lands is not the Princes; for King Charles the 5. and 7. would not have the Crown Lands pawned, unless the Parliament at the instance of the Kings Proctor had so decreed, as we may see in the antient Registers of the Court of Parliament, and Chamber of Accounts: And the reason is, for that the Revenues belong unto the Common-weale, as wise Princes have alwayes acknowledged. And when as K. Lewis the 8. dyed, (having given much by his Testament to poor Widdows and Orphans) he commanded all his Jewells and moveables to be sold, to perform his Legacies, least that any thing belonging to the Crown should be sold, as having no Interest in it. And for this cause Pertinax the Roman Emperor caused his name, being written upon the publique Lands, to be rased out, saying, That it was the very Inheritance of the Common-weale, and not the Emperors, although they enjoy the Rents for the maintenance of their houses and the Common-weale. And we do also read that Antoninus Pius lived of his own Inheritance, applying nothing that belonged to the publique to his private use. Whom K. Lewis the 12. (called the Father of his Country) doth seem to imitate, who would not mingle his Patrimony and Revenues with that of the publique, erecting the Chamber of Blois for his Lands at Blois, Couffy, and Monfort; and yet many have erroneously confounded the publique with the Princes private Lands. Neither is it lawfull for Sovereign Princes to abuse the fruits and Revenues of the Crown Lands, although the Common-weale be in quiet, and free from all trouble, for that they have the use only, and ought (the Common-weale and their house being maintained) to keep the surplusage for publique necessity. Although that Pericles said to the Ambassadors of the Confederates, That they had no Interest in the imployment of the Treasure, so as they were maintained in peace; for it was contained in the Treaty of

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Alliance, that the money which should be raised in the time of peace, should be guarded in Apolloes Temple, and that it should not be employed but by a common consent. But there is great difference between the Treasury or Exchequer in a Monarchy and in popular States; for a Prince may have a Treasury of his private Patrimony, the which was called *Fiscus* by the Antients, and that of the publique Revenues *Aerarium*; the one being divided from the other by the ancient Laws, the which can have no place in a popular or Aristocratical Estate. Yet there never wanted Flatterers to perswade Princes to sell their Revenues of the Crown, to make a great benefit; the which is a Tyrannical Opinion, and the ruine of a Common-weale. For it is well known, that the publique Revenues consist chiefly in that which Dukes, Marquesses, Earles, and Barons did sometimes possesse, the which either by Succession, Dowry, or by Confiscation have come unto the State, in Lordships, Coppy-holds, in Fees, Alienations, Sales, Seisures, Rents, Amercements, Rights, Confiscations, and other Regalities, the which are not subject to Imposts and ordinary Charges, and oftentimes are gotten by them which are free from all Charges. Moreover, Commissioners granted to sell the publique Revenues for the making of money speedily, allow it to be sold for Ten Years purchase, when as private Lands in Fee with Justice, are sold for Thirty Years purchase, and those that have Dignities at Fifty Years and more; so as some with the purchase of the publique Lands, reap in one year more profit by the Jurisdiction, then they paid for the Land. Others have paid nothing at all, taking the Valuation of the Revenue by Extracts from the Chamber of Accounts, given in by the receivers in Ten Years, who oftentimes have not received any thing, for that the profits of inferiour Justice is made in the chief and Regal Court. As for Sales the purchaser hath more profit then the Interest of the money which they have paid can amount unto; As also the receivers of the Revenues are not accustomed to give any account of Casualties, but for a small part. And in Farming out the Crown Lands the Farmers are liable to Subsidies, and are charged according to their abilities.

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There are infinite more abuses which the Common-wealth sustains by Sales of their Revenues; but the greatest is, that the money which is made is not put out to Rent, (like to those that think to be good husbands) but is most commonly wasted and given unto them that have least deserved; and so for want of money to redeem this Land, the Common-weale falls to decay, then do they also sell the Commons, whereby the poor are relieved. *It were more fit to sell the waste Lands of the Common-weale, the which no man will hire, and brings no benefit to the Common-weale, to the end the Treasury may be enriched, and that the Citizens may profit by the tilling thereof: But if they may have a Farmer it is not lawfull to sell it: Although that Aristotle commends them of Constantinople, who sold their Lands for a continual Rent, the which is a meer Alienation, and money taken before, diminisheth the Rent; the which was expressly defended by an Edict made by Charles the Ninth. And although that afterwards he made another Edict for the renting out of waste Lands, and paying of Fines, by the perswasion of such as sought to make money; For the Parliament of Paris upon the Verification of the said Edict, decreed, That the Rents should not be redeemed, and that there should be no Fine pay'd at the beginning; and for that the Commissioners for this Sale did sue unto the King that it might be lawfull to give money at the entry: The Court (all the Chambers being assembled) decreed, That the purchasers might not give above a third of the sum at the entry, in regard of the value of the Lands; the which third part should be received by the receivers of the Revenues, a part to be employ-*

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employed to redeem the revenues that are sold imposing a Quadruple penalty to be Levied as well upon Receivers, as those that had gotten any assignation of the said Moneyes. And it is not here needful to relate what losses the King and Common weal have sustayned by such Alienation of the Waste Lands. King Francis the second coming to the Crown, Commanded his Protectors and Magistrates to redeem the publique Revenues from private occupiers, wherein he Complained, that the Crown Lands and Revenues were so dismembred and wasted; as that which remained did not suffice for the charges that were layd upon them. But our King hath far greater cause to Complaine now, when as there scarce remaines any thing that is to be sold. In the general Accounts of the Treasure made in January, in the year 1572. there was no receipt made of any Revenues, although there was six and Thirty Thousand Crowns in the Receipt. When as King Francis died, as it appeareth by an Account of the Treasure made in the year 1569. and by the same Est as the Alienation of the revenues, Impositions, and Subsidies amounted to Fourteen Millions Nine Hundred sixty and one Thousand Four Hundred and seventy Livres fifteen Soutz and eighty deniers; not comprehending Twelve Hundred Thousand Livres, for the fourth and half fourth, and Four Hundred and fifty Thousand Livres upon the strike of Salt, the which the Countrey Guienne redeemed in the years 1549. and 1553. Whereby it plainly appears that the Kings Revenues are almost all engaged and made away, for fifteen or sixteen Millions at the most, the which is worth above Fifty Millions, for that Earldoms, Barones and other seignories have not been sold for above nine years purchase: and if it were redeemed and let to Farme it would amount yearly to almost Three Millions, the which would suffice to maintaine the Kings house in state, and to pay most of the officers their wages, not meddling with any of the other ordinary or extraordinary charges. And if we may compare a smal Kingdom with a greater, the revenues of the Crown of England comprehending the Land, subsidies, Taxes, Customs, Imposts and all other charges amount to little more then sixscore and ten Thousand pounds sterling a year, having a good part of the temporal Lands of the Church annexed to it; and yet the Queen doth maintaine her Court, and the estate of her Realm very Royally, and redeemed the Revenues (not selling any.)

See Bodin in his Common-wealth, Lib. 6. p. 654, 655.

3dly: As all these Civilians, States, Kingdoms, Statesmen abroad, so our own Parliaments, Lawes, Judges, Lawyers at home from age to age, have unanimously resolved, That the Kings of England cannot give, grant, alienate, sell, mortgage their kingdoms, nor the Manors, Lands, Rents, Revenues, Forts, ancient Jewels, Ships, Magazines belonging to the Crown, sealed on them in trust for the maintenance of their Government, the safety of the kingdom, and ease of the people from publike Taxes, without common consent of their Parliaments, Lords, Subjects; and that if any alienations be made of them they may and ought to be resumed; as not only void in Law, but contrary both to the Oath; and duty of those Kings who alienated them.

1. This is most apparent, by the description of our Kings Office used at their Coronations (the substance whereof still remaineth in the Oath yet taken) thus expressed in the Lawes of King Edward the Confessor, Lex 17. (a) Moreover, The King by his Right, and by his Office, ought to defend and conserve fully and wholly in all amplenesse, **WITHTHOUT DISMINUTION**, all the Lands, Honors, Dignities, Rights and Liberties of the Crown of his kingdom: And further to reduce into their pristine state all such things as have been disperfed, wasted and lost which appertain to his kingdom. Therefore this Surrender and Charter of King John was expressly against his Office; Duty of a King; and he and his Successors might and ought in justice to recall it, as voyd, prejudicial, and dishonorable.

(a) Lambard's Archaion, Fox Acts & Monum. Vol. 1. p. 214. Bp. Bilson's true Difference &c. part. 3. p. 494.



<sup>a</sup>Chronicon  
Johan. Bromp-  
ton col. 1046,  
1047.  
<sup>b</sup>Historia Ang.  
l. 2. c. 2.

\* See here, p.  
297, 298, 299.

2ly. By the several Acts of Resumption in all ages of lands given or alienated from the Crown by our Kings. The first I shall mention, is that of King *Henry* the 2. thus related in (<sup>a</sup>) *Brompton*, (<sup>b</sup>) *Nubrigenfis*, and others. *Anno Dom: 1155.* *Quomodo Dominica Regis redintegranur.* Considerans autem Rex (*Henricus secundus*) quod Regii redditus breves essent, qui avito tempore uberes fuerant, eo quod Regia Dominica per molliam Regis *Stephani* ad alios multosq; dominos majori ex parte migrasset, præcepit ea cum omni integritate, a quibuscumq; detentoribus resignari, et in jus pristinum revocari. Et hi quidem qui regis oppidis seu vicis hactenus incliti fuerant; Chartas quas a Rege *Stephano* vel extorserunt, vel obsequiis emerant, quibus tuti forent protulerunt: sed quoniam Chartæ inbaloris Iuri legitimi Principis præjudicium facere minime debuerunt, eisdem Instrumentis esse tuti minime potuerunt. So *Nubrigenfis*; or as *Brompton*. Quidem verò in dies Chartas Regis *Stephani* protulerant: Quibus à Rege responsum est, Quod Chartæ Inbaloris præjudicium legitimo Principi minime facere debeant. (The case of *K. Johns* Charters in relation to his Successors.) Itaque primo indignati, deinde conterriti, et contristati ægre quidem, sed tamen integre Usurpata, et diu tanquam solido jure detenta resignarunt. Cumque in cunctis Regni provinciis, omnes usque ad unum (de quo post pauca dicitur,) voluntati Regis parissent, Rex transhumbranas Provincias adiit. Comitumque *Albemarlensem* *Gulielmum*, qui ibidem sub *Stephano* Rex verior fuerat, de re consimili, eodemque, & ceteros pondere authoritatis convenit. Ille diu bastans multumque astuans, tandem corde saurins, potestatis succubuit, et quæcumque ex Regio dominio pluribus jam annis possederat, cum ingenti anxietate resignavit, maxime famosum illud, et nobile Castrum quod dicitur *Scarceburgh*, quod idem Comes in *Eboracensi* provincia super rupis planiciem & intrinsecus Insaniam angustissimè fabricavit. In eadem ergo Provincia Rebus ad votum gestis, Rex ad superiora Angliæ remeans, solum *Hugonem* de *Mortuo Mari* virum fortem, & nobilem rebellem invenit, Castrum Regium de *Brugenorth* retinendo. Qui cum iuberetur propriis esse contentus, & reddere qua de jure regio possidebat pertinacissime rennit, & se ad resistendum modis quibus potuit præparavit. Rex vero Exercitum celeriter congregato, *Brigiam* obsedit, & post tempus modicum fortiter oppugnatum in deditionem recepit, & dicto Comiti, cuius cor paulo ante quasi cor Leonis fuerat, humiliato & supplici veniam largitus est. After which to compleat this resumption, Item repetiit a Rege *Scotozum Northumbriam*, Regi quoque *Scotozum*, qui boziales Angliæ regiones, scilicet *Northumbriam*, *Cumberlandiam*, et *Westmezlandiam* nomine dictæ Imperatricis et hæredis ejus olim ad *David* Regem *Scotozum* adquisitas tanquam jus proprium possidebat, mandare curavit, regem Angliæ non debere tanta regni sui parte fraudari, justumque est reddi quod fuit suo nomine adquisitum. Ille vero Rex *Scotiæ* Regem Angliæ in hac parte prudenter prævalere, Considerans, prænominatos fines cum integritate restituit, repetenti et ab eo vicissim Comitatum *Huntingdoniæ*, pisco sibi Jure competentem recepit.

<sup>c</sup>Chron. Johan.  
Brompton, col.  
1159. *Nubri-*  
*genfis* Hist. l. 5.  
c. 1. *Grafton*, p.  
90. 149.  
<sup>d</sup>Mat. Paris,  
Hist. Angl. p.  
306, 308.  
Speed, p. 597.  
*Daniel*, p. 78,  
80, 89, 113.  
*Grafton*, p. 401

By his Example (<sup>c</sup>) King *Richard* the First, selling and demising much of his Crown-lands to raise monies towards his Voyage to the Holy Land, upon his return thence *Anno Dom. 1193.* by perswasions and intreaties rather than force, resumed and got surrenders of them again, as void in Law, and prejudicial to the Crown. (<sup>c</sup>) Illi autem emptores max: Regio metu attoniti, nulla habita questione de sorte non percepta omnia resignarunt. *Dunolmensis* etiam Episcopus qui Comitatum *Northumbriæ* gradui summa comparatum per aliquot annos possideret, resignando, desinens esse Comes, in simplicem Episcopum rediit, ut prius. Nec in hac parte præ cæteris privilegium habuit. *Anno Dom: 1224.* All the (<sup>d</sup>) Nobles and others of England, who had any of King *Henry* the 3d. his Castles and Lands, were enjoined to surrender them up to him by the Pope and Bishops, under pain of Excommunication. *Saluberrimo* usq; consilio venerunt apud *Northamptonam* ad Regem universi, & a Comite *Cestrensi* incipientes, reddiderunt singuli Castella & Municipia, honores & custodias Regi qua ad Coronam spectare videbantur. So in 1 R. 2. rot. Parl. n. 48. 10 R.

2. c. 1.

2. c. 1. 1 H. 4. rot. Parl. nu. 100. 6 H. 4. rot. Parl. n. 14. 8 H. 4. rot. Parl. nu. 29. 32. 1 H. 5. rot. Parl. n. 9. 1 H. 5. c. 3. 26 H. 6. rot. Parl. n. 54. 29 H. 6. n. 17. 31 H. 6. c. 7. 35 H. 6. n. 47. 4 E. 4. rot. Parl. n. 39, 40. 7 E. 4. rot. Parl. n. 8. 8 E. 4. rot. Parl. n. 26. 13 E. 4. rot. Parl. n. 6. *There are several resumptions and revocations made by Acts of Parliament, of the Grants of our Kings, of the Lands and Revenues of the Crown, to the publique prejudice, and restitution of them made to the Crown, for the better support thereof, and ease of the people in their publique Taxes, as being not valid nor obligatory to those Kings who made them, much lesse to their Successors, especially when made by those who (though Kings de facto) had no just Title to the Crown. Therefore King Johns Charters upon this account might more justly be declared void, and repealed (if ever valid) then any others repealed by these Acts, which conveyed not the whole Kingdoms of England and Ireland, but only some parcels of the Crown Lands and Revenues, still held of our Kings by rents and services, as supreme Lords.*

3ly. By this resolution of (f.) *Matthew Paris* himself, and the Lawyers of England, Anno Dom. 1251. in the case of King Henry the 3d. his secret mortgage of his Realm to the Pope, for monies borrowed of him in his Wars, and disbursed therein by the Pope, which they declared to be null, void, and blasted at least by Gods divine Judgement: *Ipsa quoque tempore Rex secus quam deceret aut expediret, se, suumque Regnum sub poena exheredationis, quod tamen facere nec potuit, nec debuit, Dom: Papæ obligavit, ad solutionem totius thesauri, quam in expeditione sui belli pro ipso Rege foret expositurus.* Unde Papa nulla gerens super Anglia viscera pietatis, large, imò prodigaliter, multo pecuniam ab Italicis Usurariis (quos Mercatores vocant) accepit. Quam ipsomet Papa extorquebat, & mulgente a Rege, Anglia ultima servitutis pedissequa, solvere cogebatur. Sed iusto Dei iudicio tota illa innumerabilis pecunia, rapta & praedata, penitus nullum vel Papa vel Regi commodum suscitavit. If this King could not mortgage his kingdom to the Pope for monies lent, much lesse could King John surrender his kingdoms of England and Ireland to the Pope and his Successors, and resume them under an annual Rent, without any consideration.

4ly. The (1) Title of the Crown and kingdom of France being devolved by meer right upon King Edward the 3d: there grew some fears and jealousies in the Nobility and Commons of England, that they should be put in subjection to the Crown and Realm of France, against Law, and their antient privileges: to prevent which, the King and Parliament in the 14 of Edward the 3d. Statute 4. passed a special Act, printed in our Statutes at large, declaring, *That the Realm of England never was, nor ought to be in subjection, nor in the obeysance of the Kings of France, nor of the Realm of France. And then Enacted, That the King of England or his Heirs, by colour of his or their Titles to the Crown, Seal, Arms and Title of the King of France, should not in any time to come put the Realm of England, or people of the same, of what estate or condition soever they be, in subjection or obeysance of him, nor his heirs or successors, AS KINGS OF FRANCE: nor be subject nor obedient, but shall be free and quit of all manner of subjection and obeysance, as they were wont to be, in the times of his Progenitors Kings of England FOR EVER.* If the Kings of England themselves could not thus put the Realm, or all or any one of their English subjects in subjection and obeysance to the kingdom and Crown of France, as they were Kings of France, when rightfull Kings both of France and England, as this Act declares and resolves, much lesse then could King John, without their assent, subject both himself, his Crown, kingdoms of England and Ireland, and all his Successors to the Pope, under Homage and an Annual Tribute, he having not the least colour of Title or Right to either, and to whom they were not formerly subject, as the English were to King Edward before the Crown of France descended to him, being their lawfull King.

5ly. In the Parliament of 2 E 3. The excessive Dowry of Queen Isabel, the Kings Mother, was by common consent of Parliament resumed into the Kings hands, as prejudicial to the King, kingdom, and not settled by Parliament, and she reduced to an annual pension of One thousand pounds by the year in lieu thereof; or 3000. Marks; as Henry

a Hist. Angliz; p. 868.

b See Walsingham, Holinshed Speed, Daniel; An: 14 E. 3. & the Parliament Rolls.

Noti;

c Walsingham; Hist. p. 112. Speeds History; p. 688. Daniels Hist. p. 210. Henry de Knyghton de Eventibus Angliz, l. 8. cöl. 2556: de

*de Kuyghsan stories; No Joyntures of our Queens being irrevocable in Law, unless confirmed by Parliament, (a) as most have been.*

<sup>a</sup> See An Exact  
Abridgement of  
the Records of  
the Tower, p.  
437, 433, 439,  
443, 444, 471,  
473, 510, 565,  
566, 568, 569,  
654, 655, 683,

6ly. All the Commons of England in their Petition, with the King, Lords, Commons, and whole Parliament of 16 R. 2. in c. 5. of Præmunire, declare and resolve, **That the Crown and Kingdom of England hath been so free at all times, that it hath been in subjection to no Realm, or foreign power, but immediately subject to God, and to none other.** Which by Popes Provisions and suites in the Court of Rome for Benefices and other particulars (restrained in this Act under the penalty of a Præmunire) should in all things touching the Regality thereof be submitted to the Bishop of Rome, and the Lawes and Statutes of the Realm be by him defeated, and frustrated at his will, to the destruction of the King, his Sovereignty, Crown, Regality, and of all his Realm; in defence whereof in all points, they would live and die, against the Popes usurpation thereon, restrained, highly punished by this Law. If then the Resolution of this whole Parliament, King & kingdom be true, King John subjecting and resignation of his Crown, kingdoms to the Pope and his successors, and Homage to them as their Vassal and Feudary by this Charter, must needs be voyd, null, as being most destructive to his Sovereignty, Crown, Regality, and both Realms of England and Ireland; and the ground of all Papal Encroachments complained of in this Statute of King Richard.

<sup>b</sup> 21 E. 3. 39.  
24 E. 3. 42.  
Fitzh. Qu. Impedit 35, 53, 54  
115, 118, 189,  
Presentment al  
Esclisse 11. Li-  
very 23. 1 H. 5  
Executors, 1. 8.  
34 H. 6. 34-  
35 H. 6. Fitzh.  
Devise 5. Plow-  
den f. 245, 251.  
256. 21 E. 4. f.  
45. b. Cook 3  
Rep. f. 97. 11 In-  
stit. f. 15. b. 16. a.  
c Halls Chro-  
nicle f. 10. 15.  
Daniel f. 122,  
138, 138.

<sup>d</sup> Fox Acts and  
Monuments,  
Vol. 3. p. 13. 16.  
17.

<sup>e</sup> 1 E. 3. c. 3.  
5 R. 2. c. 6.  
See Brooks A-  
bridgment, &  
Athes Tables,  
tit. Dureffe.  
f Galfrid. Mon-  
mucous Hist.  
Regis Brit. 1. 10  
c. 10, 11, 12, 13,  
14.

7ly. It is often adjudged, resolved in our (b) Law-Books, (c) Histories, and the Statutes of 16 R. 2. c. 1. 4. 1 H. 6. c. 5. 1 H. 6. rot. Parl. n. 18. 21 R. 2. c. 9. 7 H. 4. 6. 25 H. 8. c. 22. 26 H. 8. c. 13. 35 H. 8. c. 1. 1 Maria, c. 1. & Parl. 2. c. 1. 2. 1 Eliz: c. 13. 13 Eliz: c. 1. 1 Jac. c. 1. "That the Kings of England can neither by their Charters nor last Wills, alter, change, entayl the hereditary descent and succession of the Crown of England, or disinherit the heir thereof, without the general consent of the whole Nation by special Acts of Parliament; nor yet demise, grant, sell, alien or pledge the ancient Jewels, goods, lands, rents, revenues, ships, forts, or ammunition of the kingdom, without particular Acts of Parliament enabling them; That all the Lands purchased by our Kings to them and their heirs, either in Gavelkind, Burrough English, or other Tenure, shall not descend to the Kings younger sons; nor the Crown and Crown-lands (where there are two daughters) descend to, or be divided between both, as in cases of common persons; but all Lands and possessions whereof the King is seised in *his Corona*, shall *secundum jus Corona*, attend upon and follow the Crown (as all Wards, presentations, and debts to the Crown, in the deceased Kings life-time, do likewise follow, and not go to the Kings Executors) and shall all descend, come to him or her alone to whom the Crown descends, for the better support of the King, kingdom, and ease of the people from unnecessary Aydes;" (As was resolved in the cases of (d) Queen Mary, Queen Jane, and Queen Elizabeth, against the Will of King Edward the sixth, setting the Crown on Queen Jane, contrary to the Common Law, and two Acts of Parliament, whereupon it was adjudged void, though ratified under the Great Seal of England, and by the subscription of all the Privy Council, Nobles, and Judges, except Hales) Therefore, *a fortiori*, our Lawes must null these Alienations of King John, and Pension to the Pope, as void and illegal to all intents, being never ratified by common consent in Parliament, but oft protested against therein as invalid, as the premises demonstrate.

8ly. It is declared, adjudged by (e) several Acts of Parliament, and all our Law-books, **That Feoffments or Obligations made by menaces, force and Dureffe, are voydable, and not obligatory in point of Law.** To instance in particulars of greatest publike concernment. In the Grand Parliamentary Council about the year of Christ 536. under our famous (f) British King Arthwr, wherein were sundry Kings, Princes, Dukes, Earls, Nobles, Archbishops and Bishops present; this King receiving a Letter from the Roman Senate, and their Procurator Lucius Tiberius, exalting the payment of the annual Tribute due to the Roman Senate and State from the Britons, which the Roman Emperor Julius Caesar reserved and commanded them annually to pay to the Romans upon their conquest of them: The Letter being read before the King and this Great



Great Council, they all unanimously adjudged: That this Tribute was exacted *ex irrationabili causa*, because it was exacted by *Julius Cesar*, who, invited by the divisions of the old Britons, arrived in Britain, and by force and violence subjected it to their power, shaken with domestick commotions. Now for that they obtained it in this manner by force, *Electigal ex ea injuste ceperunt; Nihil enim quod vi et violentia acquiritur, iuste ab ullo possidetur, qui violentiam intulit. Irrationabilem ergo causam præten- dit, quambis Iure sibi tributarios arbitrat.* Whereupon they all peremptorily resolved not to pay to quod intantum est, being thus extorted by force. The very case of the Rent, Pension, annual Tribute and Surrender of King *John*, extorted from him both by force and fraud. 2dly. Upon this very ground, King (a) *Harold* receiving a Message from *William the Conquerour* before he actually invaded England, That according to his covenant with, and Oath made to him whiles in Normandy, that the Realm of England should remain unto him after the death of *Edward the Confessor*, he would deliver him the possession thereof, to avoid effusion of Christian blood; returned this answer to him, That he made this Oath through force and fear of death, whiles under his power in Normandy: That a forced Oath is not to be kept. For if an Oath which a Virgin had knowingly made concerning her body in her fathers house, without her parents assent, was revocable and void: much more the Oath which he being under the Scepter of the King, had made without his knowledge, by compulsion, ought to be nulled and made void. Moreover he affirmed, *Nimis præsumptuosum fuisse, quod absque generali consensu Regni hære- ditatem vobis iuraverat alienandam.* That King *Edward* being then living, he could neither give away the kingdom in possession or reversion to him or any other, without the Kings consent, *ETSINE POPULI CONSENSU, SENATUS DECRETO* super Regnum Angliæ mulierem extraneam inconsultis Principibus me non debere, nec sine grandi injuria posse adducere, nobis. That however he and *Edward* had tampered for the Kingdom, yet *Edward* himself coming in by Election, not by any title of Inheritance, his promise (that he should enjoy it after him) was of no validity; for how could he give that, wherein he was not interested? All which Allegations militate most strongly against the validity of King *Johns* Charter, Pension, and Oath of Homage to the Pope, gotten by meer force, from one who had no right to grant, or alienate his kingdoms, or prejudice his Successors. 3ly. The *Barons* having by force of arms extorted the Confirmation of the Great Charter from King *John*, Pope *Innocent* the 3d. himself upon King *Johns* complaint unto him against this force, repealed and nulled the Great Charter of their Liberties by his Bull, upon the account of force and fraud, *Videns se omni consilio & auxilio destitutum, quicquid illi ausus fuisset potere, non est ausus ipse negare.* Unde compulsus est per vim et metum, qui cadere poterat in virum etiam constantissimum, compositionem inter cum ipsis, non solum vilem et turpem, verum etiam illicitam et iniquam; in nimiam derogationem ac diminutionem sui juris pariter et honoris, &c. Nos tantæ malignitatis audaciam dissimulare nolentes in Apostolicæ sedis contemptum; Regalis juris dispendium, Anglicanæ gentis opprobrium, &c. nisi per auctoritatem nostram revocarentur omnia, quæ a tanto Principe Cruce signato taliter sunt extorta; et ipso volente ea servare, ex parte Dei omnipotentis Patris et Filii et Spiritus sancti, auctoritate quoque Apostolorum ejus Petri et Pauli ac nostra, de communi fratrum nostrorum consilio, compositionem hujusmodi reprobamus penitus et damnamus, sub intimatione Anathematis; prohibentes ne dictus Rex eas observari præsumat, aut Barones cum complicibus suis ipsam extgant observari; tam sanctam quam obligationes, & cautiones quacumque pro ipso vel de ipsa sunt factæ, irritantes penitus et cassantes, ut nullo unquam tempore aliquam habeant firmitatem. Therefore from this Popes own resolution against the Great Charter, within two years after King *Johns* most detestable Charter to himself of his kingdoms surrender, homage, and annual

a Ingulphi Hist. Mat. Paris, Mat. Westm. Huntingdon, Howden, Walsingham, Ypodigm. Brompton, Higden, Polychronicon, Fabian, Knighton, Holinshed, Daniel, Stow, Graffen, Sir Jo. Heywood and others in the Life of K. Harold. Radolphus de D. certo Abbreviationes Chronicon col. 431. Eadmerus Hist. Novor. l. i. p. 5. &c.

b Mat. Paris, p. 243, to 249. Speeds History:

c Mat. Paris, Hist. p. 256, 257.

\* See Cooks 2  
Instit. the Pre-  
face. Mar. Pa-  
ris, p. 305, 306,  
311, 312, 314,  
324, 325, 375,  
to 385, 390,  
391, 416, 420,  
421, 451, 452,  
624, 879.

a Cod. de Trans-  
actionibus l. In-  
terpositas, Ho-  
norius & The-  
odosius Cod. de  
iis quæ vi &  
metu gesta sunt  
l. Vendituras

b Abbas Usper-  
genf. Chron.  
Ann. 1111,  
1112. p. 255,  
256. Alb. Sta-  
dius & Naucke-  
rus, An. 1112.

\* Mar. Westm.  
Anno 1301. p.  
421, 422.

annual pension, made with greater evidences of external and internal force, fear, (besides apparent fraud) more injurious to the Kings Crown, opprobrious to the English Nation, then his Grand Charter to the Barons thus nulled, repealed, as never to be observed by the King or Barons, must much more then be void, and the observation thereof to be never exacted by the Pope or his complices. Upon this Account the \* Great Charter was afterwards reconfirmed by New Oathes, and several Parliaments, without any force or fear upon our Kings, to take away all disputes concerning its validity. 4ly. Judgements, Acts of Parliament themselves when obtained by force, fear, fraud, circumvention, derogatory to the Kings Prerogative, and Rights of the Crown, have been totally repealed, nulled, and declared void by subsequent Parliaments for these very reasons; witness the Parliament of 15 E. 3. reversed by 15 E. 3. Stat. 2. in the print, but in truth by 17 E. 3. rot. parl. nu. 3. the Parliament of 10 R. 2. reversed by 11 R. 2. c. 3. & rot. Parl. nu. 70. 113. & 21 R. 2. repealed by 1 H. 4. c. 3. the Parliaments of 38 & 39 H. 6. & 17 E. 4. c. 7. 1 Rich. 3. reversed by 1 H. 7. c. 1. Therefore much more ought King Johns forced Charters to be null and voyd upon this account, by the Fundamental Lawes of England, wherewith the Civil Law accords, it being a principle in that Law ratified by a perpetual Edict, (a) *Interpositas metu transactiones ratas non haberi.* And the Emperors Honorius and Theodosius in their Code of Lawes, command, *Thas those Sales, Donations and Transactions shall be void, quæ per potentiam extorta sunt, which are extorted by power,* as King Johns Charter was;

5. Pope Paschal the 2. being in the Army of the Emperor Henry the 5th. almost in nature of a prisoner, about Investitures per *Annulum & Baculum*, of which he endeavoured to deprive the Emperor, after many contestations about them, did resign up the right of Investitures to the Emperor when he crowned and anointed him, *Dato sibi in presenti per manum Apostolico sub testimonio assistentis Ecclesie, privilegio investitura Ecclesiastica, juxta quod miris que predecessorum placuerat, & permancere consueverat, cuius inbulsum stabilitatem Dominus Papa mox sub Anathemate confirmavit:* Whereupon they all sang *Gloria in excelsis*, &c. supposing all schismes and scandals utterly abolished thereby out of Christs kingdom. After which the Pope with all his Bishops, Cardinals, Clerks, as well great as small, *prospere Imperatori imprecantibus, & nimio amoris vinculo cum aliquandiu deducensibus per Longobardiam ad Alpes, inde ad terras Germanicas feliciter est reversus.* The very next year this Pope calling a Council of Bishops to Lateran, Gerhard Bishop of Engolism read the Popes Writing made to the Emperor before all the Council; *Privilegium illud, quod non est Privilegium, sed verè dici debet PRAVILEGIUM pro liberatorum capitulorum Ecclesie, a Domino Paschali Papa, per violentiam Regis Henrici extortum.* And upon this pretext, that it was extorted by force, they all passed this sentence upon it; *Omnes hoc in sancto Concilio congregati canonica censura, et auctoritate Ecclesiastica iudicio sancti Spiritus denunciabimus, et irritum esse iudicamus; et omnino ne quid auctoritatis et efficacitatis habeat penitus ecommunicamus; et clamabant omnes Amen, Amen.* 6ly. After him,

\* Pope Boniface the 8. Ann. 1301. in his Bull to K. Edw. the 1. (relating some things done by the Kings of Scotland, which seemed prejudicial to their Rights, whereof the King of England took advantage to prove his Sovereign Dominion over Scotland) resolved; *Et licet contra morem solitum aliqua fuerint hactenus in prejudicium, et tamen utpote per vim et metum, quæ cadere poterunt in constantem, illicita, nequaquam debent de jure subsistere, aut in eiusdem Regni præiudicium redundare.* If then Pope Paschal the 2. and the whole Lateran Council adjudged his Charter or Bull of Priviledge, surrendring up to the Emperor only his antient, just right of Investitures, to be null, void, and of no efficacy at all, because extorted from the Pope by violence of the Emperor, notwithstanding his confirmation of the irrepealeable efficacy thereof with an Anathema, his, and all his Bishops, Cardinals, and Clergyes approbations thereof, prayers for the Emperor, and great expressions of love and loyalty to him when and immediately after it was made, but the very year before. And if by Pope Boniface his resolution, things done through force or fear ought not to stand in Law, or be prejudicial to the Realm of Scotland, All Popes and their Advocates, unlesse strangely intoxicated or blinded with partiality, must now at last acknowledge, that King Johns Charter extorted from him, with greater force, violence, fear, then that from Pope Paschal, detestable to all the world, dishonourable

dishonourable to the King, destructive to the Crown and its Regalities, prejudicial to the whole Kingdom, and so frequently condemned, abominated in all ages; and the Annual Pension, Oblation granted in it, was originally null, void, unobligatory in it self both to King *John*, his Successors and Kingdoms, for all the premised reasons and Authorities.

I have thus largely insisted on the proof of this Charters nullity for 2. reasons. 1. Because Popes and their Parasites have so much vaunted of, and insisted on it in former and late times, as intitling the Pope to the supreme Dominion and Sovereignty of *England* and *Ireland*, and the Annual Pension of one Thousand Marks, as the grandest evidence of our Kings and Kingdoms vassalage to the Church of *Rome*. 2ly. Because it was the principal ground, occasion, introduction to all subsequent intollerable Usurpations, Enchroachments, Exactions of Popes upon our Kings, Kingdoms, Churches, Rights, Priviledges, Properties; the subverting, nulling whereof, will null and invalid all other Usurpations founded on, or springing from it. Which considerations may justly excuse my prolixity in discussing its invalidity, and depressing somewhat therein from my Chronological order.

I now return to my Historical method, from the time of this Charters sealing.

The Pope and his Legate *Nicholas* having by this Charter in a manner dethroned King *John* of his Regal Dignity; Authority, and made themselves more then Kings, Lords both of *England* and *Ireland* in their own apprehensions, began forthwith to play *R E X*, to shew themselves professed Tyrants, usurping the sovereign Authority both in Church and State, presenting to all Bishopricks, Abbies, Spiritual Promotions, and Benefices then void, without the Patrons consent, by way of *Provision* and *Collation*, (which they oft attempted, but never could effect till now) to the prejudice of the Crown; and intravelling of the Church of *England*, not vouchsafing to consult either with the King himself, the Archbishop or Bishops concerning their disposal: Thus storied by *Matthew Paris*.

An.Dom.1123

**E**odem tempore *Innocentius* Papa, *Nicholas* Apostolicę sedis Legato, Literas sub hac forma direxit. Cum non possit Ecclesię Domini melius provideri, quam si eis Pastores præfiantur idonei, qui non tam præsumant quam prodesse; fraternitati tuę, de quę plenam fiduciam obtinemus, per Apostolica scripta mandamus: quatenus Episcopatus et Abbatis Anglię nunc vacantes, factas cum tuo consilio de personis idoneis per electionem vel postulationem Canonicam ordinari; qui non solum vita, sed et scientia sint præclari, verum etiam Regi fideles et Regno utiles, nec non ad auxilium et concilium efficaces, assensu Regio requisito. (Now inserted only to court the King out of his right, rather then to preserve it, as the sequel proved.) Cum ergo vacantium Ecclesiarum Capitulis, nostris Literis demus in mandatis, ut tuo consilio adquiescant; tu Dominum habens præ oculis, consulas super his viros probidos et honestos, qui plene noverint merita personarum; ne te cuiusquam astutia circumvenire contingat. Si qui vero contradictores fuerint vel rebelles, tu eos per Censuram Ecclesiasticam, appellatione remota, compellas. Datum Laterani Calendis Novembriis, Pontificatus nostri Anno Decimo Sexto, Legatus vero cum huiusmodi authenticum à Domino Papa accepisset, factus de Rege Tyrannus, spreto Archiepiscopi et Episcoporum Regni consilio, cum Clericis Regis et Ministris ad vacantes accedens Ecclesias, ordinationes earum, secundum antiquum Anglię abusum, de personis minus idoneis celebrare præsumpsit. Nonnullos vero diversis ordinis, pro gravamine manifesto ad audientiam summi Pontificis appellantes, sed suspensos ad Curiam Romanam destinavit. Quibus adeo se inhumanum exhibuit, quod de rebus propriis, nec quidem denarium unum ad expensas itineris portare permisit. Parochiales insuper Ecclesias in locis diversis vacantes, Clericis suis distribuit, Patronorum consensu minime requisito. Unde multo-

Mat.Paris Hist. Angl. p. 237, 238.

\* This clause was formerly inserted into all the Kings Concessions, or Licenses to elect.

U u

cum



rum indignationem, et multorum maledictionem pro benedictione promeruit : dum iusticiam in injuriam, iudicium in p[re]iudicium commutabit.

This was the very original of *Popes Provisions*, and disposals of Bishopricks, Abbies, with all sorts of spiritual Promotions and Benefices in *England*, ( \* formerly attempted, resisted, but not obtained till now ) no Pope presuming to conferre any Bishoprick, Benchce, or Prebendary, in \* *France* or *England*, *Usque ad tempora Domini Innocentii 3. qui primus assumpsit sibi ius istud in tempore suo* ; as the *French* Agent remonstrated to Pope *Innocent* the 4th. These Provisions after this Legate had thus once introduced with an high Tyrannical power, by pretext of Pope *Innocents* Bull, soon over-flowed the whole Church of *England* ( and *France* too ) like a general deluge; for many succeeding ages, notwithstanding all oppositions and bootlesse complaints against them. Which the Archbishop & Bishops fore-seeing, (though the chief instruments to dethrone their lawfull indulgent King, and set up these Romish Tyrants in his Throne) to obviate this intollerable Papal innovation, and crush this Crocodile in the shell, perceiving withall the Legate more ready to gratifie the King and his Clerks in the disposal of Bishopricks & Ecclesiastical preferments, then themselves or their Confederates, meeting together at *Dunstaple*, drew up an Appeal against his proceedings, which he slighting, and sending to *Rome* by *Pandulphus*, together with *K. Johns* Charter, so highly magnified the King, and made such complaints to the Pope against the Archbishop and Bishops, as frustrated their Appeal, witness this relation.

An Dom. 1214  
Mat. Paris Hist.  
Angl. p. 238.

**D**Einde post octavas Epiphaniæ conveniunt apud *Dunstapliam* *Stephanus Cantuariensis* Archiepiscopus, cum suis Suffraganeis, ut de negotiis Ecclesiæ Anglicanæ tractarent ibidem. Molestè enim supra modum ferebant, quod Legatus supradictus, ut prædiximus, illis inconsultis, Regis favens voluntatibus, in Ecclesiis vacantibus Prælatos minus sufficientes posuerat, intrusione magis quam electione Canonica. Tandem cum hinc inde varia sorte tractassent, Archiepiscopus Cantuariensis duos Clericos, apud *Burtonam* super flumen *Trente*, ubi tunc Legatus erat, misit, qui eadem ex parte Domini Cantuariensis interposita appellatione prohibuerunt, ne contra dignitatem suam, ad quam ordinatio Ecclesiarum suarum Diocæsis de jure spectabat, Prælatos in Ecclesiis vacantibus instituere præsumeret. Legatus autem appellationi factæ non deferens, misit assensu Regio *Pandulphum* jam sæpe dictum, ad Curiam Romanam, ut Archiepiscopi et Episcoporum propositum irritaret. Quo cum pervenisset, famam Archiepiscopi Cantuariensis in conspectu summi Pontificis non mediocriter denigravit: Regemq; Anglorum tantis ibidem extulit laudum præconiis; offerens se Regem tam humilem tamque modestum eatenus non vidisse, ut in oculis Domini Papæ idem Rex gratiam admirabilem obtineret. Restitit autem *Pandulpho* ibidem Magister *Simon de Langetuna*, frater Archiepiscopi Cantuariensis. Sed quoniam Charta Regis auro Bullata, Domino Papæ de subiectione et Tributo Regni Angliæ et Hybernæ a prædicto *Pandulpho* nuper delata fuerat, Magister *Simon* in suis contradictionibus non potuit exaudiri. Asserebat præterea *Pandulphus* memoratus, in præsentia Domini Papæ, Archiepiscopum et Episcopos in exactione, et ablatozorum restitutione tempore Interdicti, nimis esse rigidos et avaros, quodque ipsum Regem et Regni Libertates plus æquo deprimebant. Et sic propositum Archiepiscopi & Episcoporum ad tempus accepit dilationem. A just reward for their former compliances with the Pope, against their most humble and modest King, thus highly applauded by *Pandulphus*, though most untruly aspersed by the Bishops and our Monkish Historians.

Nota.

Upon *Pandulphus* his information of the extraordinary covetousnesse and unreasonable of the Bishops, touching the Kings satisfaction of all their particular damages, beyond the rates of Justice or Conscience, before the Interdict released; and at the earnest solicitation of the Kings Ambassadors and Procurators, sent to the Pope to reduce the Bishops damages to certainty; and the Kings caution both by

by his Oath and Parent to pay them, that so the Interdict might be released: The Pope upon hearing all parties, made this agreement between them; which he sent to his Legate, with orders to release the Interdict, the more to ingratiate himself with the King, Nobles, and Commons of the Realm, now become his Vassals.

**C**irca dies istos Papa Innocentius, Nicholao Tusculanensi Episcopo, pro relaxatione Interdicti, scripsit in hæc verba.

An. Dom. 1214  
Clauſ. 16 Jo-  
hannis R. gis;

par. 1. memb. 2. doſo. The Clause Roll differs in some particulars from the print in Matthew Paris.

**I**NNOCENTIUS Episcopus, &c. Venerabilis frater noster Johannes Nor-  
thanhumbria, & Nobiles viri Thomas de Huntingdon, & Adam Nuncii, Cha-  
rissimi in Christo filii nostri Johannis Regis Anglie Illustris, ex una parte, necnon  
Magister Stephanus de Langetuna, A. & G. Clerici, Nuncii Venerabilis fratris nostri  
Stephani Cantuariensis Archiepiscopi, ex altera parte, nuper in presentia nostra con-  
stituti, asseruere concorditer & constanter, quod pro vitando grandium rerum  
dispendio, et gravi periculo animarum, expediebat quam plurimum,  
tam Regno, quam Sacerdotio, ut sine dilatione relaxetur senten-  
tia Interdicti. Unde nos pro affectu paterno, solliciti in Anglia in-  
tendentes ad salutem et utilitatem communem, super his quæ pacis  
sunt, tunc inde cum illis tractauimus diligenter, et tandem ipsis  
adquiescentibus, formam inuenimus et statuimus infra scriptam:  
Sane præfatus Rex tantam pecuniam \* Archiepiscopo Cantuarien-  
si, Londinensi et Eliensi Episcopis, vel aliis quos ad hoc assignare  
voluerint, faciat assignari: computatis his quæ idem Rex noscitur  
persoluisse, quod summa Quadraginta Millia Marcarum implevit.  
Quibus \* solitis, & cautione præstita inferius annotata, protinus sublato cuiuslibet  
conditionis et appellationis obstaculo, relaxes sententiam Inter-  
dicti. Ac deinde singulis Annis, duodecim Millia Marcarum, in duobus terminis, in  
commemoratione videlicet omnium Sanctorum, sex Millia Marcarum, & totidem in Festo  
Dominicæ Ascensionis, apud Ecclesiam Sancti Pauli Londinensium eisdem faciat exhiberi,  
donec tota summa fuerit persoluta: \* Quæ nobis Taxarint per Inquisitionem & mandato  
nostro perinde faciendam: Et ad hoc fideliter exequendum obligabit se  
\* ipsum, ipse Rex per proprium iuramentum, et per Literas Paten-  
tes, suo sigillo \* communitas, necnon per fideiussionem Wintonen-  
sis et Norwicensis Episc. \* Cestrensis, et Wintonensis Episc.  
et Willielmi Hareeschalli, Comitum, ita quod tam Hæredes ipsius  
Regis, quam successores eorum tenebuntur asstricti. Quocirca nostra  
per Apostolica tibi scripta præcipienda mandamus, quatenus secundum formam præscrip-  
tam procedere non postponas, nisi de mera & libera voluntate partes aliter duxerint compo-  
nendum. Datum Laterani.

Mat. Paris Hist  
Angl. p. 239.

\* His quibus  
facta est restitu-  
tio in manus fe-  
cit assignari. See  
the Clause Roll

\* Salutis,

\* Omitted in  
Mat. Paris.

\* idem se.  
\* munitas.

\* Cestrie &  
Wintonie,  
Comitatus

The Charter Roll thus differs from Matthew Paris: Cestrie & Wintonia Comitum,  
& W. Briwere, & W. Marr. Com. de Pembrock, si in Anglia fuerit, & Com. de  
Ferrariis, vel de Arundell. Et si absens fuerit dictus Marr. ita quod tam Hæredes  
ipsius Regis, quam successores eorum pari obligatione tenebuntur asstricti. Quo-  
circa mandamus quatenus secundum præscriptam formam procedere non postponas,  
nisi forte in aliam formam partes conuenerint de mera & libera voluntate: Et si quid  
fuerit attemptatum circa personam dicti Regis occasione Juramenti præstiti Archi-  
episcopo ab eodem Rege in Pasch. præter formam mandati nostri, acceptata forma  
ista denuncies illud penitus non valere.

The King receiving from his Agents the Popes Letters and Agreement touching  
the release of the Interdict, whiles he was demolishing the Castle of Malesin in  
France, which he had newly taken, dispatched Letters to William Earl Marshall, all  
the Barons, Knights, and Subjects of England in general, and to several Corporati-  
ons in special, to inform them thereof, and to give their uttermost assistance for the

speedy discharge of the Interdict, which had so long continued on the whole Realm, which I shall here insert out of the Records, being not extant in our Historians.

Claus. 15 Joh.  
Regis, pars 1.  
m. 1. dorso.

**R**EX dilecto & fideli suo *W. Comiti Marisc.* salutem. Sciatis quod sani Dei gratia & incolumes apud *Rupellam*, applicuimus die Sabbati proxima, &c. Dum adhuc moram fecissemus circa Castrum illud funditus prosterendum, venit ad nos a Curia Romana *Willielmus* de Sancto Andreno, afferens nobis *Literas Domini Papae* de forma Interdicti relaxandi in Anglia, quas *Venerabili Patri* nostro *Domino P. Wintoniensi Episcopo* destinavimus, unde vobis mandamus rogantes, quatenus ad negotium illud exequendum ad honorem Dei & nostrum & vestrum, consilium & auxilium efficaciter impendatis, & faciatis super negotio isto quod *Dominus Wintoniensis Episcopus, Justiciarius noster* vobis dicet, ad fidem et commodum nostrum, ut honorem inde habeamus et Regni nostri status in melius commutetur, unde merito vobis ad perpetuam teneamus gratiarum actiones. Teste meipso apud *Rupellam*, Octavo die Martii.

Eodem modo scribitur omnibus Comitibus, Baronibus, & Magnatibus Anglia.  
Data eadem.

Pat. 15 Johan.  
Regis, pars 1.  
m. 9. inius.

**R**EX Baronibus, Militibus, & omnibus fidelibus suis totius Anglia, salutem. Sciatis quod die Martii proxima ante mediam quadragesimam suscepimus *Literas Domini Papae* in partibus *Pictaviae* de forma relaxationis Interdicti Angliae, quas destinavimus *Venerabili Patri Domino P. Wintoniensi Episcopo, Justiciario nostro*: Et vos rogamus attentius tanquam dilectos & fideles nostros, de quorum dilectione & fidelitate plene confidimus, quatenus secundum quod idem Episcopus vobis dicet, consilium et auxilium vestrum ad honorem nostrum et vestrum, et statum Regni nostri in melius commutandum efficaciter super hoc apponatis, ut vobis inde ad uberes teneamus gratiarum actiones, & ut dilectio quam hactenus erga vos habuistis in hoc merito debeat commendari. Unicuique vestrum si fieri posset *Literas* nostras super hoc transmissimus, sed ut negotium istud quod & nobis & vobis ad commodum cederet & honorem, cum majori expedirent festinatione, has *Literas* nostras Patentes vobis omnibus decrevimus destinare. Teste meipso apud *Rupellam*, Sexto die Martii, Anno Regni nostri Decimo Quinto.

Pat. 15 Johan.  
Regis, m. 9.

**R**EX probis hominibus suis *Cantuarie* salutem. Sciatis nos & fideles nostros quos nobiscum adduximus, in *Pictavia* sanos esse & incolumes, &c. Recepimus & ibi suscepimus per manum fratris *Willielmi* de Sancto Andreno, *Literas Domini Papae* de forma relaxationis Interdicti in Anglia, quas destinavimus *Venerabili Patri* nostro *Domino P. Wintoniensi Episcopo, Justiciario nostro*. Et vos rogamus attentius quatenus secundum quod idem Episcopus vobis scire faciet ad Interdictum illud relaxandum, in praestito nobis subsidium efficaciter impendatis, ita quod dilectionem vestram merito commendare debeamus; scituri quod praestitum quod nobis ad hoc feceritis plene vobis reddi faciemus cum gratiarum actione. Et in hujus rei, &c. Vobis mittimus.

Eodem modo scribitur Majori & Baron. *London.* Majori & probis hominibus *Wintonia*, probis hominibus *Northamptona*, *Linc.* *Eborac.* *Oxon.* *Glouc.* *Hereford.* *Exon.* *Wigornia*, *Cantabrigia*, *Hunting.* *Bristol.* *Norwic.*  
Data eadem.

Eodem etiam modo scribitur Burgis & Dominicis Domini Regis. Teste eodem.

By vertue of these Writs and Commissions the Legate and Nobles proceeded in this business during the Kings absence, and brought it to effect, which *Matthew Paris* thus relates.

Anno Dom.  
1214.  
Mat. Paris,  
Hisor. Angl.  
p. 239.  
Mat. Westm.  
Anno 1214.

**T**Empore vero, quo *Nicolaus Tusculanensis* Episcopus & Apostolicæ sedis Legatus, per nuncios memoratos Domini Papæ, authenticum acceperat, Rex Anglorum erat in partibus transmarinis. Sed quoniam idem Rex in recessu suo ab Anglia Legato jam dicto, & *Willielmo Maraschallo*, vices suas in hoc negotio commiserat, idem Legatus, in Urbe *Londinensi* Apud sanctum *Paulum* grande congregavit Concilium: Ubi congregatis Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, & aliis ad hoc negotium Interdicti spectantibus, proposuit coram



coram omnibus formam restitutionis super ablatis, & damnis a domino Papa par-  
tibus consentientibus Romæ provifum, præcipiens constanter, ut certificaretur de  
quantitate solutæ pecuniæ Episcopis & aliis quibuscumque, a Ministris Regis causa In-  
terdicti, quatenus per pecuniam solutam sciret quantum unicuique ad solvendum  
restaret. Probatum est igitur ibidem certa computatione, Archiepiscopum & Mo-  
nachos *Canuarienses*, simul cum *Londinensibus*, *Elyensibus*, *Herefordensibus*, *Bathoniensibus*,  
*Lincolniensibus*, antequam ab exilio in *Angliam* redirent, per manum *Pandulphi* Duo-  
decim Millia Marcarum Legalium Esterlingorum accepisse. Post adventum quoque  
eorum in Concilio Septimo Idus Decembris apud *Radingum* celebrato, quindecim  
Millia Marcarum, iidem Episcopi cum Monachis supradictis, inter se dividenda  
perceperunt, ita quod tota Summa simul conjuncta Viginti septem millium mar-  
carum, quæ ad supplementum Quadraginta Millium Marcarum prædictorum sol-  
venda restant sub fidejussione *Wintoniensis* & *Normicensis* Episcoporum remanse-  
runt, Additis Literis Regis Patentibus, ad majorem securitatem, juxta quod in Li-  
teris Domini Papæ continebatur expressum.

**H**IS ita gestis *Nicholaus* Thufculanensis Episcopus, & Apostolicæ sedis Lega-  
tus, in die *Apostolorum* beati *Petri* & *Pauli* in Ecclesia Cathedrali relaxa-  
vit sententiam solenniter Interdicti, postquam duraverat annis sex,  
mensibus tribus, et diebus quatuordecim, ad Irreparabile dam-  
num Ecclesiæ, tam in temporalibus quam in spiritualibus. Qua  
relaxatione facta gaudium per totam terram pullando, et hymno  
*Te Deum Laudamus* cantando, exortum est. And were not the Pope  
and English Bishops most Atheistically Impious, who continued this Interdict on the  
whole Church and Realm, so many years, months, days together, to Gods disservice,  
Religions scandal, the prejudice of the peoples souls, and irreparable damage of  
the Church both in spirituals and temporals, out of meer ambition, pride, avarice,  
Rebellion, obstinacy and usurpation? The King (as a reward for this service, as  
I conjecture) bestowed the custody of the rich Abby of *St. Edmonds* upon this Legat;  
by these his Letters Patents.

\* Mat. Paris, p.  
240.

**R**EX omnibus Vicicomitebus, ballivis, & fidelibus suis, &c. Mandamus vobis  
quod manuteneatis, protegatis & defendatis Abbatiam Sancti *Edmundi*, &  
homines, terras, res, & omnes possessiones ejus, nec eam vel bona ipsius in aliquo  
molestare præsumatis, quamdiu fuerit in manu venerabilis patris nostri Domini  
*N. Thufculanensis* Episcopi, Apostolica sedis Legati, cui eandem Abbatiam commisimus  
custodiendam quamdiu nobis placuerit, retentis nobis ex decimis & donationibus Ecclesiarum  
vacantium. Et in hujus rei testimonium vobis fieri fecimus. Teste me ipso apud  
Clarendon. Vicefimo Quinto die Januarii Anno regni nostri Decimo Quinto.

Par. 1. c. Johan.  
Reg. Par. prima.  
m 5. intus.

He likewise at this Legates petition, granted his safe conduct into, and in *Eng-  
land* to one of his Agents, so as she gave security to the King, that no mischeif should  
happen to the King or his Realm, by her or by any other persons she should bring  
along with her.

**R**EX dilectæ sibi *Martil. de Curtenay*, &c. Sciatis quod ad petitionem Domini  
*N. Thufculanensis* Episcopi Apostolica sedis Legati, licentiam vobis dedimus &  
salvum conductum nostrum in veniendo ad nos in *Angliam*, & in morando, & in  
rediendo. Ita quod securitatem nobis faciatis quod per vos aut per alios  
quos vobiscum adduxeritis nullum malum nobis vel regno nostro  
eveniet. Et in hujus rei Testimonium, &c. Teste me ipso apud Oxon. Decimo  
Quinto die Novembris Anno regni nostri Decimo Quinto.

Par. 1. c. Joh. 2.  
Reg. Par. 1. m.  
7. intus.

King *John* having satisfied and secured the dammages of the exiled Bishops and  
Monks before the Interdict released, according to his agreement, other Abbats,  
Priors, Clergymen and Laymen repaired to the Legate, craving full satisfaction too  
for their dammages sustained, by the Kings proceedings during the Interdict, though  
never insisted on before.

Relax-

Mat Paris. Hist.  
Angl p. 240.

**R**elaxato itaque (ut dictum est) Interdicto venerunt ad Legatum Abbates, Priores, Templarii, Hospitallarii, Abbatissæ, Moniales, Clerici & Laici, scilicet innumera multitudo petentes de damnis & injuriis Interdicti tempore sibi illatis, fieri restitutionem. Asserebant enim quod licet ab Anglia non exierint, remanserant tamen in continua Regis & ministrorum ejus persequutione corporum suorum, & rerum non indemni fatigatione: Legatus vero universa multitudini conquerenti ita respondit, quod videlicet de damnis eorum & injuriis in literis Domini Papæ nulla mentio facta fuerat. Unde nec debuit, nec de jure potuit mandati Apostolici fines præterire. Sed tamen consilium dedit, ut de injuriis & damnis coram Domino Papa querelam deponerent & peterent sibi Justitiæ plenitudinem exhiberi. His igitur auditis Universitas illa conquerentium Prælatorum sine spe melioris proventus ad propria sunt reversi.

The King in pursuance of his Agreement issued these two writs on behalf of the Archbishop of *Canterbury*, and Bishop of *Lincoln*, to restore them to the possession of their Temporalties in the Cinqueports and other places.

Claus. 15.  
Johan. Reg. par.  
2. m. 5. latus.

**R**EX Custodibus Portuum *Karcia*. Mandamus vobis quod habere faciatis Venerabili Patri nostro, *S. Cantuariensi* Archiepiscopo talem seisinam Custodiæ Portuum de *Sardoych*, & de *Heth*, & de *Ramenel*, qualem Prædecessor ejus quondam Cantuariensis Archiepiscopus inde habuit die quo obiit. Teste meipso apud Novum Templum London, Tertio die Octobris.

Claus. 15.  
Johan. Reg. par.  
5. incus.

**R**EX Vicecomiti *Nottingham*, &c. Præcipimus tibi quod diligenter inquiri facias si aliqui in feod. Venerabilis Patris nostri, *H. Lincolnensis* Episcopi, vel in feodo Ecclesiæ suæ absque assensu et voluntate ipsius vel ex empto, vel ex vadio, vel alio modo se miserint. Et si quos tales inveneris, illos a feodo illo amoveas, & prædicto Episcopo feodum illud in bona pace habere facias. Volumus etiam quod si qua certa tenebant vel feoda sua post inchoatam discordiam ad detrimentum ipsius Episcopi vel suorum immutata inveneris, ei sine dilatione emendari fac. Teste meipso apud Porcest. Decimo Septimo die Julii Anno Decimo Quinto.

You have heard how this Archbishop and his Suffragans were restored to their Bishopricks, and all damages sustained out of the Kings Coffers, and otherwise rewarded for their unparallel'd Treasons and Rebellions against King *John*. Yet on the contrary, all the Bishops and Clergy men who faithfully adhered to, complied or communicated with him, or any other excommunicated person, or received any Benefices from them during the Interdict and Excommunication, were by these Trayterous Prelates (made their Judges) and Popes censures, ordered to be suspended from all their Ecclesiastical Offices, Benefices, Preferments, and ordered to appear personally at *Rome*, before the Pope to be examined, ere their suspensions released, except only such as had given satisfaction to the Church for this offence, as this Record attests, mitigating this rigour in some part only.

Charta 16 Johannis Regis,  
m. 8. incus.

**N**. *Tusculanensi* Episcopo, Apostolicæ sedis Legato. Olim (prout bene meminimus) Venerabilibus fratribus *S. Cantuariensi* Archiepiscopo, Sanctæ Romanæ Ecclesiæ Cardinali, *W. London*, *E. Elyensi*, *E. Herefordensi*, & *H. Lincolnensi* Episcopis, nostris dedimus Literis in mandatis, ut viros Ecclesiasticos qui Charissimo in Christo filio *J. Regi Angliæ Illustri*, tunc excommunicationis vinculo innodato, Ministerium, consilium vel auxilium præstiterunt, in hiis quæ sunt contra Justitiâ et libertatem Ecclesiasticam attemptata: Illos quoque qui ab eodem Rege post excommunicationem, vel ab aliis excommunicatis scienter per collationem vel præsentationem Ecclesiastica beneficia sunt adepti, et similiter eos qui ob causas excommunicati prædictas, excommunicationis suæ tempore beneficia contulere, similiter Clericos et viros Religiosos qui publice communicaverunt præfato Regi, et aliis excommunicatis Authoritate Apostolica nominatim in Casibus non concessis, ab officiis

officiis et beneficiis Ecclesiasticis suspendere, donec se Apostolicæ conspectui præsentarent, cum suarum testimonio literarum plenam et meram continentium veritatem. Illis duntaxat exceptis qui per satisfactionem condignam ad mandatum Ecclesiæ redierunt. (This was the first sentence denounced against them, which because it now seemed too severe and burdensome, was thus qualified.) Quia vero divina gratia inspirante idem Rex ad mandatum Ecclesiæ rediit, propter quod ejus meruit gratiam & favorem, et nimis onerosum esset ac durum ut tanta Clericorum multitudo, præsertim cum quidam illorum minus, quidam vero gravius in præmissis deliquisse noscantur, ad nostram præsentiam elaboraret. Mandamus quatenus cum eis quos minus excessisse constiterit, misericorditer agas, prout pensatis undique circumstantiis videris expedire.

How mercifully these Ecclesiastical persons were dealt with for their Loyalty to the King, is evident by the \* fore-mentioned proceedings against the *White Monk*, but especially against *Alexander Cementarius*, (enforced to beg his bread) who had many other fellow sufferers in a very high degree, instead of being advanced, rewarded, or at least indemnified, for their fidelity to their Sovereign.

\* Here, p. 257, 258, 259.

\* Illis diebus, per prædictum Legatum depositus est *Radulphus de Arundel*, Abbas *Westmonasteriensis* in crastino Sancti Vincentii per N. Abbatem de *Washam*, missum ex parte Legati; fracto ipsius sigillo in capitulo. Cujus loco substitutus est *Willielmus de Haver*, Prior *Frontonie Monachus Gadenensis*; by this Legates usurped power, who plaid the part of a Pope as well as King in England.

\* Mar. Paris, Hist. Angl. p. 240.

The turbulent, traitorous Archbishop after the Interdict released, out of malice and discontent, stirred up the Barons to a new insurrection against the King about their Liberties, the ground-work whereof he had laid the year before; in pursuance of which, \* *Convenerunt ad colloquium apud Sanctum Edmundum Comes & Barones Angliæ*, quasi orationis gratia, licet in causa aliud fuisset. Nam cum *diu & secretius tractare cepissent*, producta est in medium *Charta* quædam *Henrici Regis primi*, quam iidem Barones à *Stephano Archiepiscopo* (ut prædictum est) in *Circe Londoniæ* acceperant. Continebat autem *Charta* quasdam *Libertates*, & *Leges* Regis *Edwardi Sancti*, *Ecclesiæ Anglicanæ* pariter & *Magnatibus Regni* concessas, exceptis quibusdam *Libertatibus* quas idem Rex de suo adjecit. Itaque convenerunt *Universi ad Ecclesiæ Sancti Edmundi*, & incipientibus *Majoribus*, juraverunt super *majori altare*, quod si *Rex Leges et Libertates* jam dictas concedere diffugeret, ipsi ei *guerram* tam diu *moverent* et ab ejus *fidelitate* se *subtraherent*, donec eis per *Chartam* sigillo suo *munitam* confirmaret omnia quæ petebant. Atque in hoc tandem, communiter consenserunt, ut post *natale Domini* simul omnes ad *Regem* venientes, *Libertates præscriptas* sibi peterent confirmari. Atque interim in *equis* sibi et *Armis* taliter *providere* quod si forte *Rex* a *proprio* vellet *juramento*, quod bene credebant, *resilire* propter suam *duplicitatem*, ipsi *protinus* per *captivum* *Castro*rum *suorum*, eum ad *satisfactionem* compellerent. Et his ita gestis unusquisque ad propria remeavit.

\* Mar. Paris, Hist. Angl. p. 243.

\* After the Nativity, Anno 1215. they all coming to the King, demanded the confirmation of this Charter, who craved time to advise thereon till after *Easter*, being a great and difficult matter, highly concerning both himself and his Crown; the Archbishop and two more becoming his sureties, that then he should give satisfaction to all of them. The Barons against the time, rather preparing themselves for a *Battle*, then *Conference* with the King, assembled together at *Stamford*, with an Army inestimable for number, *having* *Archbishop Stephen* their principal *Adversary* and *Consister*, who yet seemed to side with the King, and was most assiduous about him: The Barons marching as far as *Brackley*, the King sent the Archbishop to treat with them, who brought back a Schedule of their claimed Liberties, with this Message, That if he presently confirmed them not to them by his Charter, they would force him to it, by seizing all his Castles and Possessions. Whereupon the King replied,

Anno 1215.  
\* Mar. Paris, Hist. Angl. p. 143, 144, to 254. Speeds History, p. 581, 582. Roger de Wendover. Holinshed, Grafton, Daa niel.

Why



Why do they not also demand the Kingdom, swearing never to enslave himself to such a concession? The Archbishop returning with this peremptory answer, the Barons forthwith seized Bedford Castle, and were admitted into London, the Citizens siding with them: whereupon the King appointed to treat with them at *Running-mere*, whither the Barons came with armed multitudes from all parts of the Realm; where after some parly, the King granted them their utmost desires, not only for their Liberties specified in *Magna Charta*, and *Charta Foresta*, which he then sealed, and by his Writs commanded to be put in due execution, but also that 25. Peers elected by them (to whom all were sworn to obey) should force the King to observe these Charters, if ever he receded from them, by seizing all his Castles, \* *Juratum est etiam a parte Regis, Quod Anglicana Ecclesia Libera sit, & quod omnes homines de Regno nostro habeant & teneant omnes Libertates prefatas, jura & consuetudines bene & in pace, libere & quiete, plene & integre, sibi & heredibus suis, de nobis & heredibus nostris, in omnibus rebus & locis in perpetuum: Et quod omnia supradicta, bona fide & sine malo ingenio, observabimus.* All the Barons and Commons of the Realm then and afterwards taking the same Oath.

\* Mat. Paris,  
Hist. Angl. p.  
252.

\* Mat. Paris,  
Hist. Angl. p.  
230, 231.

\* Mat. Paris,  
Hist. Angl. p.  
246.

The Archbishop and Barons thrust into this new Charter many Articles, Clauses for their own, the Churches, and Popes advantage, not extant in the Charter of King Henry the 1. For whereas the first branch of his Charter runs thus: \* *Sanctam Dei Ecclesiam liberam facio: Ita quod nec eam vendam, nec ad firmam ponam, nec mortuo Archiepiscopo, vel Episcopo, vel Abbate, aliquid accipiam de dominio Ecclesie, vel de hominibus, donec successor in eam ingreditur.* This clause is thus altered and enlarged in King Johns Charter: \* *In primis concessisse Deo, et hac presenti Charta nostra confirmasse pro nobis et heredibus nostris in perpetuum, quod Anglicana Ecclesia libera sit, et habeat jura sua integra, suas et libertates illas, et ita volumus observari, quod apparet ex eo, quod libertatem electionum quæ maxima et magis necessaria reputatur Ecclesie Anglicanæ, mera et spontanea voluntate, ante discordiam inter nos et Barones nostros manifeste motam, concessimus, et Charta nostra confirmabimus, et eam obtinuimus a Domino Papa Innocentio Papa tertio, confirmari: quam et nos observabimus, et ab heredibus nostris in perpetuum bona fide volumus observari.* By which Clause the Archbishop and Bishops cunningly obtained and wrested a new Charter from the King, concerning the freedom of Elections to Bishopricks and Abbies, (never insisted on before) to deprive the King of his antient Right and Prerogative of recommending such as he thought fit and faithfull to him and the Kingdom thereunto, as right Patron of them. And whereas no Archbishop, Bishop, Abbot, Clerk, or Religious person could go out of the Realm, or repair to Rome, or to the Pope upon any occasion or Appeal, without the Kings special license first obtained; nor return without it in cases of contempt; they inserted this Article into this Charter: \* *Liceat unicuique de cetero exire de Regno nostro, et redire salvo et secure per terram et per aquam, salva fide nostra; nisi in tempore guerræ per aliquod breve tempus, propter communem utilitatem Regni; exceptis Impersonatis et Atlagatis, secundum Legem Regni, et gente contra nos guerrina et Mercatoribus.* By which they obtained liberty to depart the Realm, and repair to the Pope or Court of Rome, to all foreign Monasteries, Councils, and to return again freely at their pleasure, to the great prejudice of the King, Kingdom, and enlargement of the Popes usurped power and encroachments on the Crown. They likewise inserted for the Clergies advantage: \* *Nulla Ecclesiastica persona amercietur secundum quantitatem beneficii sui, sed secundum Laicum tenementum suum, (of which they had seldome any) & secundum quantitatem delicti.* Moreover the Archbishop and Clergy would not be satisfied with this Great Charter, thus ratified and sworn unto by the King, without another special Charter to themselves concerning the freedom of Elections, which the King himself must not only confirm and seal, but the Pope too: \* *Concessit insuper eodem Anno Rex Johannes, ut prius corda Prelatorum et Magnatum sibi conciliaret, liberas in omnibus Ecclesiæ Angliæ electiones. Et procuraverunt tam ipse Rex,*

\* Mat. Paris,  
Hist. Angl. p.  
249.

\* Mat. Paris,  
Hist. Angl. p.  
248.

\* Mat. Paris,  
Hist. Angl. p.  
252, 253.

Rex, quam Magnates et Prelati, ut illa sua similiter hac Charta et concessio, A PAPA CONFIRMARETUR, (an Innovation not formerly usual, much advancing, countenancing the Popes usurped power above the Crown, as if his ratification were more valid then the Kings Charter under his Great Seal) unde ad maiorem securitatem, Regalis Charta in Papali confirmatione inseritur Bullata. Volens autem Rex Johannes ad maiorem securitatem et robur diuturnitatis hæc insolabiliter observari; (as if the Popes Bull were then more valid and perpetual then his own Charters) misit ad Dominum Papam Innocentium: rogans constanter, ut huic pæ concessioni et confirmationi suæ favorem dignaretur exhibere, et eandem Bullæ munimine confirmare. Quæ quia jam factus fuit obsequens Papæ vassallus (an honourable Title for a King of England) et Rex Apostolicus, meruit quæ petiit citius impetrare sub hac forma.

**I**NNOCENTIUS Episcopus, &c. Venerabilibus fratribus & dilectis filiis universis Ecclesiarum Prelatis per Angliam constitutis, salutem & Apostolicam Benedictionem. Dignis laudibus attollimus magnificentiam creatoris, postquam idem, qui est mirabilis & terribilis in consiliis super filios hominum, aliquamdiu tolleravit ut per stando discurret per Areolam horti sui spem tempestatis quasi ludens, taliter in orbe terrarum, ut sic ostenderet infirmitatem & insufficientiam nobis, statim cum voluit, dixit & Aquiloni, da, & Austro, noli prohibere, imperansque ventis per mare, statuit procellam in aurâ, ut nautæ portum inveniant præoptatum. Cumque enim inter Regnum et Sacerdotium Anglicanum, non sine magno periculo atque damno, super electionibus Prelatorum gravis fuerit controversia diutius agitata; illo tandem, cui nihil impossibile est, quique ubi vult spirat mirabiliter operante, Charissimus Johannes Rex Anglorum illustris, liberaliter ex mera et spontanea voluntate, (Therefore an Act of grace, though forced, not of right, duty to the Bishops and Church) de consensu communi Baronum suorum, pro salute animæ suæ, et prædecessorum suorum et successorum, nobis concessit, et suis Literis confirmavit: ut de cætero in universis et singulis Ecclesiis ac Monasteriis, Cathedralibus et Conventualibus totius Regni Angliæ, in perpetuum liberæ fiant electiones quorumcumque Prelatorum, majorum et etiam minorum. Nos igitur hoc gratum et ratum habentes, concessionem huiusmodi vobis et per vos Ecclesiis et successoribus vestris, prout in eisdem Literis Regis perspeximus contineri, auctoritate Apostolica confirmamus, et præsentis scripti patrocinio communimus. Ad maiorem autem firmitatem, et perpetuam memoriam huius rei, præfatos Regis Literas super hoc confectas, præsentibus misceri fecimus, quarum tenor talis est.

**J**OHANNES Dei gratia Rex Angliæ, Dominus Hiberniæ, Dux Normaniæ & Aquitaniæ, Comes Andegavensis, Archiepiscopis, Episcopis, Comitibus, Baronibus, Militibus, Ballivis & omnibus has literas visuris salutem. Quoniam inter nos et venerabiles patres nostros Stephanum Cantuariensem, totius Angliæ Primate[m] et sanctæ Ecclesiæ Romanæ Cardinalem, Willielmum Londinensem, E. Elyensem, E. Herefordensem, Johannem Bathoniensem et Gloucestrensem, et Hubertum Lincolnensem Episcopos super damnis et ablatis eorum tempore interdicti, per Dei gratiam de mera et liberâ voluntate utriusque partis plene convenit; volumus non solum eis quantum secundum Deum possumus satisfacere, verum etiam toti Ecclesiæ Anglicanæ salubriter et utiliter in perpetuum providere. Inde est quod qualiscumque

Anno 1214.  
\* Mat. Paris.  
Hist. Angl. p.  
293.

liscunque consuetudo temporibus et prædecessorum nostrorum hactenus in Ecclesia Anglicana fuerit observata; et quidquid Juris nobis hactenus vendicaverimus, de cætero in universis et singulis Ecclesiis et Monasteriis, Cathedralibus et Conventualibus, totius Regni Angliæ, liberæ sint in perpetuum, electiones quorumcunque Prælatorum, Majorum et minorum: salva nobis et Hæredibus nostris Custodia Ecclesiarum et Monasteriorum vacantium, quæ ad nos pertinent. Promittimus etiam, quod nec impedire permittemus, per nostros, nec procurabimus, quin in universis et singulis Monasteriis et Ecclesiis postquam vacaverint prælaturæ, quemcumque voluerint libere sibi præficient electores Pastorem; petita tamen a nobis prius et Hæredibus nostris licentia eligendi; quam non denegabimus nec differemus. Et si forte accidat quod denegaremus, vel differeremus; nihilominus procedant electores ad electionem Canonicam faciendam. Et similiter post celebratam electionem nostre requiratur assensus, quem non denegabimus nisi adversus eandem rationale proposuerimus, et legitime probaverimus propter quod non debemus consentire. Quare volumus et firmiter jubemus, ne quis vacantibus Ecclesiis vel Monasteriis, contra hanc nostram concessionem et constitutionem in aliquo veniat vel venire præsumat. Si quis vero contra hoc aliquo tempore veniat, maledictionem Dei omnipotentis et nostram incurrat. *His Testibus* P. Wintoniensi Episcopo, W. Mareschallo, Comite Penbrock, Willielmo Comite Warrenniæ, R. Comite Cestriæ, S. Comite Wintoniensi, G. de Mandevilla Comite Gloverniæ & Essexiæ, W. Comite de Ferrariis, G. Briwere, W. filio Geraldi, W. de Cantelupo, H. de Novilla, Robertus de Wer, W. de Huntinfeild. Datum per manum Magistri Roberti de Marisco Cancellarii nostri, decimo quinto die Januarii, apud novum Templum Londini; Anno Regni nostri decimo sexto. Nulli ergo omnino homini liceat hanc paginam nostræ confirmationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare præsumperit, indignationem omnipotentis Dei, et beatorum Petri et Pauli Apostolorum ejus, se noverit incursum. Datum Laterani, Tertio Calendas Aprilis; Pontificatus nostri Anno Decimo Octavo.

That this Charter was originally contrived as well as promoted by the Archbishop, is evident by this Record.

Charta 16 Johannis Regis, part 2. m. 3. jntus.

**R**EX S. Cantuariensi Archiepiscopo, &c. Noverit sanctitas vestra quod grata est nobis, & accepta forma nobis nota de Electionibus faciendis, **Salvo in omnibus Jure nostro. Dimittimus** autem post nos Venerabilem Patrem nostrum P. Wintonensem Episcopum, una cum aliis fidelibus nostris quos deputabimus & potentes faciemus **ad assensum nostrum præstandum in humilissimi Electionibus salva dignitate nostra.** Sciatque etiam quod nulla inter nos est controversia. Teste me ipso apud Turrim London. Duodecimo die Jun.

This Charter (though it saved this part of the Kings Prerogative, to petition him and his Heirs for licenses to elect & for his assent) gave a great wound to his Ecclesiastical Supremacy, and made all Chapters, Covents, Bishops, Monks, yea Popes and their Agents to slight his Regal Authority, and licenses too, insomuch that he could preferre no person to any Bishoprick, Monastery, or Elective Dignity, but whom the Electors pleased to make choice of; and if he recommended any to them, though never so fit, and with great importunity, courtship, and submission to every Chapter or Covent, yet they to shew their pride, power, and preserve their freedom in Elections



Elections, would scildome elect any whom our Kings recommended, unlesse upon some special reasons for their own emolument.

The Archbishop besides this general Charter, obtained from the King this special Charter to him and his successors, of the Advowson, custody, disposition of the Bishoprick and Temporalities of *Rochester*, during the vacancy, and that they should restore the Bishop of *Rochester* his Regalia, and receive Fealty from him as Patron of this Bishoprick, without his regal assent before or after the election, reserving only a Fealty from the Bishop of *Rochester*, as to his Prince, but not for his Lands; whereby he created the Archbishop a petty King, and in some sort unkinged himself as to this Bishoprick, giving away all the services due to him and his Heirs out of it; to the Archbishop and his successors, to reclaime him from his Treachery and Rebellion by this transcendent favour, which he presently turned into treachery.

**JOHANNES** Dei gratia Rex Anglia, &c. Archiepiscopis, &c. Sciatis nos pro saluto anime nostre, & antecessorum, & successorum nostrorum Regum Anglia, de communi consilio Episcoporum, Comitum, Baronum, & aliorum fidelium nostrorum reddidisse & concessisse Deo & Ecclesie Christi Cantuar. & Venerabili Patri nostro S. Cantuariensi Archiepiscopo, totius Angliae Primati, & Sanctae Romanae Ecclesiae Cardinali, Patronatum Ecclesiae Episcopatus Rossensis, cum omnibus pertinentiis, dignitatibus, libertatibus, & liberis consuetudinibus suis. Ita quod vacante illa sede Episcopali custodiam, et ordinationem illius Ecclesiae, idem Archiepiscopus et successores sui habeant libere et pacifice in perpetuum ut Patroni. Ita quod in Ordinatione illius Ecclesiae de Episcopo et Episcopi electione, nec ante, nec post electionem Episcopi (marcko ii) Regius requiretur assensus, set totum ad Archiepiscopum quicumque fuerit pertinebit. Episcopus autem vel electus loci illius temporalia quae prius vocabantur Regalia, de manu praedicti Archiepiscopi et successorum suorum plenarie recipiet, et fidelitatem ei faciet de feodis pertinentibus ad Ecclesiam illam Episcopalem tanquam Patrono ejusdem Episcopatus: servitia autem quae nobis inde et Heredibus nostris debentur, Episcopus, qui pro tempore ibi fuerit faciet praedicto Archiepiscopo & successoribus suis in perpetuum tanquam Dominis et Patronis, et ipse Archiepiscopus et successores sui eadem servitia per manus suas nobis et successoribus nostris facient. Faciet quoque Episcopus Rossensis nobis et Heredibus nostris fidelitatem tanquam Principi, set non propter feodum. Quare volumus et firmiter precipimus, quod praedictus Archiepiscopus et successores sui praedictum Patronatum Episcopatus Rossensis cum custodia et ordinatione ejusdem, cum vacaverit, habeant et teneant libere et quiete, pacifice, integre, et plenarie, cum omnibus pertinentiis dignitatibus, Libertatibus, et liberis consuetudinibus imperpetuum sicut praedictum est. Prohibemus autem ex parte Dei omnipotentis, et Beatae Mariae, et omnium Sanctorum, et nostra, ne quis contra hanc piam et liberalem redditionem et concessionem nostram venire praesumat. Quod si quis fecerit maledictionem Dei et Beatae Petri, et omnium Sanctorum ac nostram incurrat. Testibus Dominis W. Londoniensi, P. Wintoniensi, R. Elyensi, E. Herefordensi, J. Bathoniensi, & Glasc. H. Hunting. Episcopis, R. Comite Cestriae, W. Marr. Comite Pembroc, W. Comite Arundell, W. Comite Warren. W. Comite de Ferrariis, S. Comite Winton. W. Briwert. Roberto filio Walteri, Galfrido de Mandevill, Richardo de Muntisicher, Thoma de Erdington. Dat. per manum Magistri Richardi de Marisc. Cancellarii nostri, apud Novum Templum London. xxij. die Novembris, Anno Regni nostri Sexto Decimo. How well he requited the King, by betraying *Rochester* Castle to the Barons, soon after you shall hear more.

The Archbishop, Bishops, and Barons, having by treachery fraud, and force thus wrested all these Charters, and confirmations from King *John*, thereby in a manner totally devided him of all his Ecclesiasticall and Civil Royal authority

Carta. 16 Johannis Regis m. 6. intus in eedula;

Hefe, p. 344

in Church and State, deemed themselves, the Church and Kingdom in a most happy secure, flourishing, prosperous condition for the future; when God by his providence suddenly blasted all their hopes, by alienating the Kings heart from them, and by making use even of the Popes usurped power, interest in *England*, (which they were the principal instruments to promote to dethrone their Lawful King,) the instrument to scourge, excommunicate, punish and revenge their Rebellions against the King, and null most of the Charters wrested from him, by his Bulls. For King *John* with drawing and obscuring himself from his Bishops and Barons in the Isle of *Wight*, sent messengers secretly to *Rome*, to complain and appeal to the Pope against their Treasons, rebellions, and the Charters forcibly extorted from him, whiles under the Popes protection; who thereupon vacated the Charters, thus recorded by *Matthew Paris*.

Hist. p. 255. 256  
Clauſ. 17.  
Johan. Regis.  
m. 22. dorf.

**P**ER idem tempus steterunt *Roma* in praesentia Domini Papae, nuncij Regis *Anglorum*; allegantes coram eo rebelliones et iniurias, quas Barones *Angliae* (by the Archbishops intigation) excitaverant adversus Regem memoratum, exigentes ab eo quasdam Leges et libertates iniquas, quas dignitatem Regiam non deceuit confirmare. Et cum post motam inter eos discordiam, Rex et Barones de pace tractaturi multoties convenissent; idem Rex publice protestatus est coram eis, Regnum *Angliae* ratione Domini ad Romanam Ecclesiam specialiter pertinere. (which be only complementally affirmed; but the Barons utterly denied it.) Unde nec potuit nec debuit praeter conscientiam Domini Papae de novo aliquid statuere, vel quicquam in ejus praedictum in Regno immutare. Quocirca cum interposita appellatione, seipsum et omnia iura regni sui sub protectione sedis Apostolicae supposuisset; dicti Barones appellationi factae non deferentes, civitatem *Londoniarum*, quae caput regni sui est, prodicione sibi traditam occuparunt, et adhuc detinent occupatam. Quod cum factum fuisset, ad equos convolantes et arma, exegerunt a Rege libertates praescriptas sibi confirmari. Ipseque eorum metuens impetum, quod petebant non ausus est denegare. Porrexerunt ergo nuncij memorati Domino Papae quaedam capitula de charta praedicta, in scriptam redacta, quae causa Regis magis videbantur congruere. Quae cum diligenter inspexisset, cum admiratione respondit, rugis contractis indignationem testantibus: Nunquid Barones *Angliae* Regem cruce signatum, et sub protectione sedis Apostolicae constitutum, a solio regni nituntur expellere, et Dominium *Romanae Ecclesiae* ad altum transferre? Per sanctum *Petrum*, hanc injuriam non poterimus praeterire impunitam. Tunc Papa habita deliberatione cum Cardinalibus, chartam saepe dictam de libertatibus Regni *Angliae* concessis, in perpetuum per sententiam diffinitivam damnatam cassavit, et in illius rei testimonium, Regi *Anglorum* privilegium subscriptum transmisit.

\* Popes cannot only ruffle but prophanly swear, when their own usurped interests are concerned.

( By which sentence, and the several grounds, reasons therein alleaged for avoyding the great Charter as obtained from the King through force, fear, circumvention, rebellion, this Pope totally nuls and subverts King *Johns* Charter of Resignation and oblation made unto himself by like means but the year before. )

Mat. Paris Hist.  
Angl. p. 256.  
257.

**I**NNOCENTIUS Episcopus, servus servorum Dei, universis Christi fidelibus hanc paginam inspecturis, salutem & Apostolicam Benedictionem. Etsi Charissimus in Christo filius noster *Johannes Rex Anglorum* illustris, Deum et Ecclesiam vehementer offenderit, unde nos eum vinculo communicationis inmodavimus, et regnum ejus Ecclesiastico subjecimus interdicto; ipse tamen (illo misericorditer inspirante) qui non vult mortem

mortem peccatoris, sed convertatur & vivat, tandem conversus ad cor, Deo et Ecclesiæ humiliter satisfecit; in tantum, quod non solum recompensationem pro damnis, et restitutionem exhibuit pro ablatiis, verum etiam plenariam libertatem contulit Ecclesiæ Anglicanæ. Quinimo utraque sententia relaxata, regnum suum tam Angliæ quam Hybernæ, beato Petro et Ecclesiæ Romanæ concessit, recipiens illud a nobis in feudum sub annuo censu Mille Marcarum, fidelitatis nobis inde præstato juramento, sicut per privilegium ejus Apparet. Aurea Bulla munus. Adhuc etiam Omnipotenti Deo amplius placere desiderans, signum vivificæ Crucis reverenter accepit, profecturus in subsidium Terræ Sanctæ, ad quod se magnifice præparabat. Sed humani generis inimicus, qui semper consuevit bonis actibus invidere, suis calidis artibus adversus eum Barones Angliæ conturbavit, ita ut ordine perverso in filium insurgerent, postquam conversus Ecclesiæ satisfecit, qui assistebant eidem quando Ecclesiam offendebat. Orta siquidem inter eos dissensionis materia, cum plures dies statuti fuissent, ad tractandum de pace, utrinque interim sollemnes Nunci ad nostram fuerunt præsentiam destinati. Cum quibus habito diligenti tractatu, post plenam deliberationem scripsimus per eisdem Stephano Cantuariensi Archiepiscopo et Episcopis Anglicanis; præcipiendo mandantes, ut ad reformandam inter utroque veram et plenam concordiam diligens impenderent studium et operam efficacem, omnes conjurationes et conspirationes, si quæ fuerant forte præsumptæ a tempore subortæ discordiæ inter regnum et sacerdotium, Apostolica denuntiantes Authoritate cassatas, et per excommunicationis sententiam inhibentes notalia de cetero præsumerentur a quoquam. Magnates et Nobiles Angliæ monendo prudenter, et efficaciter injungendo, ut per manifesta devotionis et humilitatis indicia, ipsum Regem sibi placare studerent: ac deinde si quid ab eo ducerent postulandum, non insolenter sed humiliter implozarent, regalem conservantes ei honorem, et exhibentes servitia consueta, quæ ipsi et prædecessores eorum sibi et prædecessoribus impenderunt: cum ab eis ipse Rex non debet absque judicio spoliari, ut sic quod intenderent, possent facilius obtinere. Nos enim eundem Regem per Litteras nostras Rogavimus & monuimus, & per præfatos Archiepiscopum & Episcopos nihilominus rogari & moveri mandavimus, in remissionem sibi peccatorum injungentes: quatenus prædictos Magnates, et nobiles benigne tractaret et iustas eorum petitiones clementer admitteret; ut et ipsi congruendo cognoscerent eum in mollioribus tantum divina gratia esse mutatum, ac per hoc ipsi et hæredes eorum sibi et hæredibus suis deberent promptius et devotius \* Familiari: plena eis in veniendo, morando et recedendo securitate concessa, ita quod si forte nequirit inter eos concordia provenire, in Curia sua per pares eorum secundum leges et consuetudines regni suborta dissensio sopiretur. Verum antequam Nuncii cum hoc provido & iusto mandato rediissent, illi \* juramento fidelitatis omnino contempto, cum et si Rex eos injuste gravasset, ipsi tamen non debuerint sic agere contra eum, ut in causa sua iidem iudices et executores esserent. (Was not himself so in all his proceedings against King John?) Vassalli contra Dominum, et milites contra Regem, publice conjurantes non solum cum aliis, sed cum ejus manifestissimis inimicis præsumpserunt contra eum arma movere: (And did not the Pope, Archbishops, Bishops and their partizans, then joyne with the French to invade and depose King John their lawful King, though his vassals and soldiers?) Occu-

\* Deo, & Paulo, are omitted.

\* He mentions no other Character but this.

\* Did not himself excite his own Prelates, Barons, Subjects, the French, and all Christian soldiers against him by like subtle arts?

\* Familiari.

\* Was not his own absolving of them from their oaths of Allegiance more unjust?



Occupantes et devastantes terras illius ita quoque quod civitatem Londinensem, quæ sedes est regni, prodicione sibi traditam invaserunt. Interim autem præfatis Nunciis revertentibus, Rex obtulit eis secundum formam mandati nostri justitia plenitudinem exhibere, quam ipsi omnino spernentes, ceperunt manus extendere ad peiora. (And did not the Pope and exiled Bishops the like before?) Unde Rex ipse ad audientiam nostram appellans, obtulit eis exhibere justitiam coram nobis, ad quem hujus causæ judicium ratione Domini pertinebat: quod ipsi sunt penitus aspernati. (Not acknowledging the Popes Dominion over them by King John's Charter.) Deinde obtulit illis, ut tam ab ipso quam ab illis quatuor viri eligerentur prudentes, qui una nobiscum subortam inter eos discordiam terminarent; promittens, quod ante omnia revocaret universos abusus quicunque fuissent in Angliæ suo tempore introducti: sed nec hoc illi dignati sunt acceptare. Tandem illis Rex proposuit, quod cum regni dominium ad Romanam Ecclesiam pertineret, ipse non poterat nec debebat absque nostro speciali mandato quicquam de illo in nostrum præjudicium immutare. Unde rursus ad nostram audientiam appellavit, seipsum ac regnum cum omni honore, ac jure suo Apostolicæ protectioni supponens. Sed cum nullo modo proficeret, postulavit ab Archiepiscopo et Episcopis, ut nostrum exqueretur mandatum; Jus Ecclesiæ Romanæ defenderent, ac tuerentur eundem secundum formam privilegii Cruce signatis indultis. Porro, cum ipsi nihil horum facere voluissent, (Though they readily Interdicted the whole Realm, excommunicated the King, and deprived him of his Crown upon the Popes command before) videns se omni auxilio et consilio destitutum; quicquid illi ausi sunt petere, non est ausus ipse negare. Unde compulsus est per vim et metum, qui cadere poterat in vicum etiam Constantissimum, compositionem inire cum ipsis non solum vilem et turpem, verum etiam et iniquam; in nimiam derogationem ac diminutionem sui juris pariter et honoris. (And was he not thus compelled by force, fear, more vilely to resign his Crown, kingdoms, to this Pope and resume them from him by his Charter?) Quia vero nobis a Domino dictum est in Propheta. Constitui te super gentes & regna ut evellas & destruas, ædifices, & plantes. (Spoken to Jeremiah not the Pope, not then in being as I have largely proved) Itemque per alium Prophetam: Dissolve colligationes impietatis, solve fasciculos deprimentes. Nos tantæ malignitatis audaciam dissimulare nolentes, in Apostolicæ sedis contemptum, Regalis Juris dispendium, Anglicanæ Gentis opprobrium, et grave periculum totius negotii crucifixi; quod ubique immineret nisi per Auctoritatem nostram revocarentur omnia, quæ a tanto Principe Crucesignato taliter sunt extorta, et ipso volente ea servare, ex parte Dei omnipotentis Patris et Filii et Spiritus sancti, auctoritate quoque Apostolorum ejus Petri et Pauli, ac nostra, de communi fratrum nostrorum consilio compositionem hujusmodi reprobamus penitus et damnamus sub intimatione anathematis prohibentes ne dictus Rex eam observare presumat, aut Barones cum complicitibus suis ipsam erigant observari; tam Chartam, quam obligationes seu cautiones quæcunque pro ipsa vel de ipsa sunt factæ, irritantes penitus ex cassantes; ut nullo unquam tempore aliquam habeant firmitatem. Datum Agnania nono Calendas Septemberis Pontificatus nostri Decimo Octavo. A direct Judgment in point against King John's own Charter to this Pope.

\*Here, P. 13, 24  
25.

The Pope after this sentence pronounced to null the great Charter and Charter of the Forest, thought meet to write another Letter and Bull to the Barons of England, sever-

severely censuring them for their rebellion and disobedience to the King and his commands, and opposing his Papal interest in the Realm.

**C**assatis hunc in modum Libertatibus prædictis, idem Papa Baroni-  
bus *Anglia* scripsit in hæc verba.

Claus. 19.  
Johan. Reg.  
m. 21. doto.  
Mar. Paris.  
Hist. Angl. p.  
257. 258.

**INNOCENTIUS** Episcopus servus servorum Dei, Nobilibus viris  
Baronibus *Anglia* spiritum consilii sanioris. Utinam in persecutione quam temere  
commovistis adversus dominum vestrum Regem, attendissetis prudentius fide-  
tatis præstitæ juramentum, jus Apostolicæ sedis, nostræ provisionis  
mandatum, et privilegium Crucesignatis indultum. Quia procul-  
dubio non sic processistis ad factum, quin omnes qui illud audiunt,  
quasi facinus detestantur; præsertim cum in causa vestra vos ipsos  
judices et executores feceritis eodem Rege parato Curia sua, vo-  
bis per pares vestros secundum consuetudines et leges regni, iustitiæ  
plenitudinem exhibere, vel coram nobis, ad quem hujus causæ ju-  
diciū ratione Domini pertinet, vel etiam coram arbitris eligen-  
dis hinc inde una nobiscum in ipso negotio processuris. Unde cum  
nihil horum dignati fueritis acceptare, ad nostram audientiam ap-  
pellabit, seipsum ac regnum cum omni honore et jure suo Aposto-  
licæ protectioni supponens: publice protestando, quod cum ejusdem  
Regni dominium ad Romanam Ecclesiam pertineret, ipse non po-  
terat nec debebat quicquam de illo in nostrum præjudiciū immu-  
tare. Cum igitur illa compositio qualis qualis ad quam per vim  
et metum induxistis eundem, non solum sit vilis et turpis, verum  
etiam illicita et iniqua, ut merito sit ab omnibus reprobanda, maxime  
propter modum: (and was not Kings *Johns* Charter to himself and successors  
much more such upon the same account?) nos qui tam Regi quam regno  
tenemur et spiritualiter et temporaliter providere, per Apostolica scripta  
vobis præcipiendo mandamus, & in recta fide consulimus, quatenus facientes  
de necessitate virtutem, renunciatis compositioni hujusmodi per  
vos ipsos, et satisfaciatis eidem Regi ac suis de damnis et in-  
juriis irrogatis: ut idem Rex per manifesta devotionis et humilita-  
tis indicia placatus a vobis, per seipsum emendet et benigne con-  
cedat quicquid de jure fuerit concedendum. Ad quod etiam & nos  
ipsum efficaciter inducimus. Quoniam sicut nolumus, quod ipse Rex suo jure  
privetur: ita volumus ut ipse a vestri gravamine desistat: nec per consuetudines  
pravas et exactiones iniquas, sub nostro dominio regnum Angliæ  
opprimatur. Erigatur firmum et stabile in perpetuum, quod tali  
modo fuit ordinatum. Inspiret igitur vobis ille qui neminem  
vult perire, ut adquiescatis humiliter nostris salubribus consiliis  
et mandatis, ne si secus egeritis, in eum incidatis necessitatis ar-  
ticulum quem tandem evadere sine multo gravamine non possitis.  
Quemadmodum ut de cæteris taceamus, nulla ratione dissimulare possemus grave  
periculum totius negotii Crucifixi quod utique eminere, nisi per Auctoritatem nostram re-  
vocarentur omnino, quæ a tanto Principe Cruce signato taliter sunt extorta,  
et ipso volente illa observari. Quare dum apud nos Archiepiscopus & Episcopi  
Anglia presentes existerint in Concilio generali quod ad expediendum crucis negotium  
principaliter intendimus celebrare: procuratores idoneos ad nostram presentiam destinavi,  
securi vos nostro beneplacito committentes, quia nos ea favente Domino statuemus per qua  
gravaminibus & abusibus de Regno Angliæ proflus excludis, Rex suo sit jure et  
honore contentus, et tam clerus quam populus universus debita pace ac liber-  
tate letetur. Datum Agnani nono Calendas Septembris Pontificatus nostri  
Anno Decimo Octavo. Cumque tandem Rege Anglorum procurante magnates  
Angliæ has literas tam comminatorias quam comminatorias accepissent, noluerunt  
de.

desistere ab incaptis, sed adhuc insurgentes eum acriter infestabant, dicendo de Papa illud propheticum. Ve qui iustificatis impium, &c. So much did they (together with the Archbishop their ringleader) then slight and Contemn the Pope with his Bulls, mandates and Apostolical Authority when they crossed their own interests, and humors.

In the mean time the treacherous Archbishop, to demonstrate his gratitude to King John for the Patronage and Royalty of the Bishoprick of Rochester newly\* conferred on him and his successors, delivered up Rochester Castle with all the ammunition therein to the Barons: *Erat autem paulo ante castrum illud a Rege Archiepiscopo fiducialiter commissum: veruntamen qua conscientia nescio. Dominus scit, regis illud tradiderit inimicis.* Such an ingreatull Archtraitor proved he to his indulgent Sovereign; who after 3. Months seige took it by force out of the Barons hands; who principally by his encouragement proceeded most obstinately in their rebellions against the King: whereupon the Pope proceeded to excommunicate them.

\* Here, p. 339.

\* Mat. Paris, p. 258.

Anno Dom.  
1215.  
Mat. Paris,  
Histor. Angl.  
p. 260. 261.

Nota.

**E**odem tempore Papa *Innocentius*, videns Baronum rebellionem, quod videlicet a persecutione Regis desistere contempserunt, *excommunicavit eodem, atque sententia executionem* Episcopo *Wintoniensi*, Abbati de *Redinge*, & *Pandulpho* Ecclesie *Romana* Subdiacono, sub hac forma commisit. *Innocentius* Episcopus, &c. *P. Wintoniensi* Episcopo, Abbati de *Redinge* & *Pandulpho* Ecclesie *Romana* subdiacono salutem & Apostolicam benedictionem. Miramur plurimum & movemur, quod cum charissimus in Christo filius noster *Johannes* illustris Rex *Anglia*, supra spem Domino et Ecclesie satisfecerit, et presertim fratri nostro *Stephano* Cantuariensi Archiepiscopo, et Episcopis ejus, quidam eorum minus quam oportuerit et decuerit ad sancte Crucis negotium, Apostolicę sedis mandatum, et fidelitatis prestatę juramentum debitum, imo nullum habentes respectum; ei contra perturbatores regni, (quod ad Romanam Ecclesiam ratione dominii pertinere dinoscitur) auxilium non prestitierint vel favorem, quasi consensu, ne dicamus socii conjurationis iniquę: (A true character of these Traitorous Prelates, himself formerly made use of against the King,) quia non caret scrupulo societatis iniquę, qui manifesto facinorosi desinit obviare. Ecce qualiter patrimonium Romanę Ecclesie Pontifices prefati defendunt? qualiter Crucesignatos tuentur, imo qualiter se opponunt his qui destruere moluntur negotium Crucifixi? Pejores proculdubio Saracenis existentes; (so he reputed these Bishops) cum illum conantur a regno depellere de quo potius sperabatur quod deberet succurrere terrę sanctę. Unde ne talium insolentia non solum in periculum Regni Anglię, verum etiam in perniciem aliorum regnorum, et maxime, in subversionem totius negotii crucifixi valeat prevalere, Nos ex parte Dei omnipotentis, Patris, & Filii, & Spiritus sancti, autoritate quoque Apostolorum ejus Petri & Pauli, ac nostra; omnes hujusmodi perturbatores Regis et Regni Anglię, cum complicibus et fautoribus suis excommunicationis vinculo innodamus, et terras eorum Ecclesiastico subicimus interdicto; prefato Archiepiscopo et Coepiscopis suis in virtute obedientię discretissime injungentes, (who yet neglected to yeild him any obedience therein,) quatenus nostram sententiam singulis diebus Dominicis et festivis, pulsatis Campanis, et candelis accensis, solemniter per totam Angliam publicare procurent; donec satisfecerint Domino Regi de damnis et injuriis irrogatis, et ad ejus obsequium fideliter revertantur. Univerfis insuper ejusdem Regis Vassallis in remissionem peccatorum ex parte nostra jungentes, ut contra perversores hujusmodi, prefato Regi tribuant consilium et jubamen. Si qui autem

tem



tem Episcoporum, hoc nostrum præceptum neglexerit adimplere, sciat se, ab Episcopali officio suspensionem, et Subjectorum obedientiam esse subtraham: quia iustum est ut eis inferiores non obedi-  
ant, qui suo superiori obedire contemnunt. Ne igitur mandatum alicujus tergiversatione valeat impediri, excommunicationis cau-  
sam prædictorum, cum ceteris quæ ad hoc negotium pertinuerint, vo-  
bis durissus committendum; per Apostolica vobis scripta mandantes,  
quatenus protinus omni appellatione postposita, procedatis sicut vi-  
deritis expedire.

Not.

The Archbishop and some of his Suffragans, cordial to the Barons, though pre-  
sented by the King, refused to excommunicate any of them; whereupon to leave  
him voyd of any excuse, the Popes agents gave him a personal command to exe-  
cute the excommunication which he delayed to do, whereupon they suspended him.

**H**AC præterea tempestate, P. Wintoniensis Episcopus, & magister Pandulphus, Mat. Paris, p. 261. 262.  
ad Archiepiscopum Cantuariensem, personaliter accedentes, ex parte Do-  
mini Papæ firmiter præceperunt, ut sententiam sedis Apostolicæ in Barones  
Angliæ Romæ generaliter latam, Suffraganeis Cantuariensis Ec-  
clesiæ committeret publicandam: et ipsemet, quantum ad ipsum spec-  
tabat, singulis diebus Dominicis et festivis per totam Cantuari-  
ensem diocesim faceret publicare. Erat autem jam idem naves  
ingressus, ut Romam ad Concilium properaret, unde postulavit  
inducias; quousque Domini Papæ colloqui scueretur, ad senten-  
tiam publicandam, constantet affirmans, quod tacita veritate senten-  
tia fuerat in Barones lata; et ideo nullo modo se illam publica-  
turum respondit donec super præmissis videretur voce summi Pontificis  
cognosceret voluntatem. At memorati hujus rei executores, cum  
Archiepiscopum Domini Papæ præceptis inobedientem cognovissent,  
auctoritate quaungebantur usi, ipsum ab Ecclesiæ ingressu ac  
divinorum celebratione suspenderunt. Quam ille suspensionem hu-  
militer observans, sedem Apostolicam suspensus petiit. Tunc  
Episcopus Wintoniensis cum consudice suo Pandulpho, Baro-  
nes Angliæ omnes, qui Regem a Regno depellere moliebantur, ex-  
communicatos denuntiatis, singulis diebus Dominicis et festivis,  
latam sententiam innobavit. Sed Magnates quoniam in Authen-  
tico Domini Papæ nullus eorum fuerit nominatim expressus, dic-  
tam sententiam non observantes, inanem et nullam reputabant.

Hereupon King John complained to the Pope of the Barons obstinacy, in reject-  
ing all his proposals of peace and reconciliation to them, though never so reason-  
able, and that yet the Archbishops refused to excommunicate them.

**D**omino Papæ salutem, & debitam tanto Domino ac Patri cum devotione reve-  
rentiam. Sanctitati vestræ grates referimus multiplices, de Literis vestris pro  
nobis a paternitate vestra Domino Cantuariensi Archiepiscopo, & ejus Suffraganeis  
porrectis, nec non Magnatibus & Baronibus terræ nostræ, pro certo scituri, quod  
Barones ipsi Literas vestras in nullo exaudierunt; Dominus vero  
Cantuariensis Archiepiscopus, et ejus Suffraganei mandatum  
vestrum executioni demandare superseuerunt. (Though they were  
very forwards to pronounce the Popes Interdict against the whole Realm, and  
Excommunication of King John himself, and promote his deposition at the Popes  
command.) Nos vero attendentes præmissa, asserabamus Baronibus nostris,  
Quod terra nostra \* Patrimonium erat Beati Petri, (A grosse  
mistake, since St. Peter was never actually possessed of it in his life time, nor trans-  
mitted Peter.

Claus. 17 Joh.  
Regis, m. 32.  
dorfo.

\* Patrimonium  
signifies only  
an inheritance  
actually vested  
in the Father,  
and from him  
descending or  
bequeathed to  
his Children;  
not to his Suc-  
cessors or meer  
strangers, as  
Popes are to St.

mitted the inheritance thereof to Popes, as his Children or Successors. *Et eam de Beato Petro et Ecclesia Romana, et de vobis tenebamus.* (When as the Barons would never acknowledge England to be St. Peter's Patrimony, nor yet this King but only in complement and policy, to gain the Popes assistance to suppress the Bishops and Barons insolencies and Rebellions, St. Peter having no Patrimony at all therein.) Adiecit etiam, *Quod cruce signati eramus, & presbiterii beneficium & privilegium cruce signatorum, ne turbaretur terra nostra,* (therefore the Kings, nor St. Peter's Patrimony, nor the Popes) *& ne consumeretur in malis usus quam in subsidium terræ Sanctæ* expendere proposueramus, & appellavimus, per W. Maraschallum, Comitem Pembrock, & W. Comitem Warren. contra perturbatores pacis terræ nostræ. Verum quia cruce signati fuimus volentes in omnibus cum humilitate & mansuetudine procedere, salva appellatione nostra, obtulimus Baronibus illis, *quod omnes malas consuetudines suscitatas, et per quemcumque introductas temporibus nostris penitus adoleremus, nec non et malas consuetudines tempore Regis Richardi, fratris nostri, subortas extirparemus; de consuetudinibus autem tempore Patris nostri suscitatis, si quæ essent quæ eos gravarent, per consilium fidelium nostrorum operaremur.* Sed nec his nec aliis prædictis contenti, omnia præmissa recusarunt. Videntes igitur quod ipsi manifeste nitebantur ad turbationem Regni nostri, rogavimus Dominum Cantuariensem Archiepiscopum, et ejus Suffraganeos, quod exequerentur mandatum vestrum, scilicet, quod secundum tenorem Literarum vestrarum consueta nobis exhibere et servitia. Et postea si quæ a nobis petere vellent, cum humilitate et sine armis ea a nobis peterent, denunciantes eos excommunicatos qui post prædicta eis oblata pacem Regni nostri perturbarent. Et videbatur Episcopo Eron. et Magistro Pandulfo qui præsentibus erant, quod de jure per sententiam excommunicationis eos compescere debebant: sed Archiepiscopus respondens ait, quod sententiam excommunicationis in eos nullo modo proferret, quia bene sciebat mentem vestram, et videbatur nobis similiter, quod ita facere debebat, quia mandavimus gentem copiosam de terris extraneorum ad succursum terræ nostræ. Et promisit nobis quod si eos revocare vellemus, non solum sententiam excommunicationis in eos inferret, verum etiam in quantum posset eis resistere: Unde gentem nostram revocabimus. Postmodum autem obtulimus eis per Literas nostras Patentes, per Dominum Cantuariensem Archiepiscopum, & duos vel tres Suffraganeos ejus eis delatas, quod nos eligerimus, ex parte nostra quatuor, & ipsi ex parte sua quatuor; Ita quod vos superiores constitueremini, de omnibus querelis Libertatum quas ipsi proponerent et ad suas nos responderemus, quod quicquid vos una cum illis Otto statueretis super omnibus quæ ipsi peterent a nobis, nos gratum haberemus et teneremus. Et quamvis se humiliare noluerunt versus nos sicut debuerunt, nos tamen pro servitio Dei, et succursu Terræ Sanctæ in tantum nos humiliavimus, quod hæc prædicta eis obtulimus. Et præterea eis obtulimus quod de omnibus petitionibus suis per considerationem Partium suorum Justitiæ plenitudinem eis exhiberemus. Quod ipsi recusarunt. Ad hæc Domine, die Veneris in crastino Ascensionis Domini, venit ad nos frater *Willielmus de Camera* vestra, vester familiaris, deferens nobis Literas vestras continentes, quod disposito peregrinationis nostræ itinere sanctitatis vestre pedibus aliquem de nostris in Concilio representaremus, paternitatem vestram de processu nostro et itineris nostri expeditione certificantes, super quo pie paternitati vestræ taliter respondemus, quod cum perberis Baronum prædictorum inquietationibus ut ex præmissis vobis innuit affligamur, nec possumus in eis bonum pacis invenire, quosalem concordem afficiamur, ut sic facilius proposito insisteremus, vos de

de itinere nostro, et itineris nostri expeditione certos reddere non possumus: Unum pro certo scientes, quod multi signatorum qui ad Terræ Sanctæ incursum se accinxerunt de partibus longinquis, viri magni & nobiles ut in conforio nostro eos reciperemus benigne per suas Literas & Nuncios postulaverunt, quos pro prædictis incommodis super mandatis suis adhuc certificare non potuimus. Præterea Pater Reverende in præsentia prædicti fratris *Willielmi* vestri familiaris, necnon & Venerabilium Patrum *Wygornienfis* & *Coventrensis* Episcoporum, obtulimus prædictis Baronibus, quod de omnibus petitionibus suis quas a nobis erigunt in vos benignissime compromitteremus, ut vos qui plenitudine potestatis gaudetis, quod iustum foret statueretis, et hæc omnia efficere renuunt. Igitur pie Pater dominationi vestræ præsentia durimus declaranda, ut de consueta benignitate vestra quod nobis videritis expedire inde statuatis. Teste meipso apud *Odiham*, xxix. die *Maii*.

Soon after this Letter of complaint to the Pope (whose power and usurpations increased by the Barons Rebellions) there was a General Council held at *Rome*, to which the Archbishop was summoned, and there suspended from his Archbishoprick upon the Kings complaints against him.

An.Dom. 1115

**E**odem Anno celebrata est *Rome*, Sancta & universalis Synodus in Ecclesia Sancti Salvatoris, quæ *Constantiana* appellatur, mense *Novembri*, præsidente Papa Domino *Innocentio* tertio, Pontificatus ejus Anno Decimo octavo.

Mat. Paris Hist. Angl. p. 262, 263, 264.

In hoc Concilio steterunt contra *Stephanum* Archiepiscopum *Cantuariensem*, procuratores Regis *Anglorum*, Abbas videlicet de *Billo loco*, *Thomas de Handintona*, & *Godefridus de Croucumbe*, Milites, constanter accusantes eum de committenda Baronum *Angliæ*, quodque ipsius favore et consilio iidem Barones dictum Regem a solio depellere molirentur. Et cum a sede Apostolica Literas accepisset, ut dictos Magnates per censuram Ecclesiasticam a persecutione Regis restrainaret, ipse id facere dissimulans, ab Episcopo *Wintoniensi*, et suis conjudicibus a divindorum celebratione et ingressu Ecclesiæ suspensus: sicque ad Concilium properans, manifestis indicibus se fuisse præceptis Apostolicis rebellem offendit. His & aliis multis, in hunc modum allegatis, Archiepiscopus quasi convictus, & non mediocriter confusus, nihil respondit; nisi quod a suspensione petuit absolvi. Cui Papa cum indignatione tale fertur dedisse responsum: Frater, \*per Sanctum Petrum non ita de sacris beneficium absolutionis impetrabis, qui non solum ipsi *Anglorum* Regi, (This was no crime in him heretofore, but a virtue, by this Popes resolution) verum etiam *Romanæ Ecclesiæ*, tot et tales injurias irrogasti. (This indeed was the only cause of his indignation, not his injuries to the King.) Volumus quoque cum plena fraterni nostrorum deliberatione decernere, qualiter tam temerarium puniamus excessum. Tandem habito super hoc cum Cardinalibus tractatu, suspensionis sententiam in ipsum Archiepiscopum subscriptis Literis confirmavit. (A just, divine retaliation for all his former Treasonable compliances with this Pope, and after that with the Barons against King *John*, from whom he had received so many obliging favours.)

\* Popes can swear publicly.

When this suspension of the Archbishop was executed, the Pope commanded all his Suffragans and Subjects to disobey him, till by his humiliation and giving sufficient caution for his future deportment, he should demerit it, as this Bull, or Letter to all the Clergy and Laity of his Province evidenceth.

**I**NNOCENTIUS Episcopus, &c. Dilectis filiis Clericis & Laicis per *Cantuariensem* Provinciam constitutis, salutem & Apostolicam Benedictionem. Ad commune volumus notitiam pervenire, quod nos suspensionis sententiam quam Venerabilis frater noster P. *Wintoniensis* Episcopus, & dilectus filius P. Subdiaconus, & familiaris noster *Norwicensis* electus, in *Stephanum* *Cantuariensem* Archiepiscopum auctoritate Apostolica protulerunt,

Claus. 17 Joh. Regis, m. 17. dorso.



protulerunt, ratam habemus, & precipimus inviolabiliter observari, donec idem Archi-  
episcopus, qui eam humiliter servat, mereatur ipsam juxta formam Ecclesie Canonice prae-  
scriptam relaxari, uno vinculo in aliud commutato. Quocirca universitati vestra per A-  
postolica scripta mandamus quatenus & vos ipsi praescriptam sententiam firmiter observetis,  
cum interim nullam debeat is eidem obedientiam exhibere. Datum Laterani,  
2. nonas Novembrii. Pontificatus nostri Anno xviii.

Here we cannot but with admiration consider, the just retaliation inflicted by Gods  
wonderfull providence on this Arch-traytor to King *John*. 1. The whole Kingdom  
must be Interdicted by the Pope at this Arch-prelates instigation, for the Kings not  
admitting him to the actual possession of the See of *Canterbury*, against the rights of  
his Crown and Kingdom. 2ly. The King himself must be personally Excommunicated  
and not conversed with. 3ly. All his Subjects absolved from their allegiance and  
obedience to him, till his humiliation to the Pope: And now this Pope even at *Rome*  
it self, not only suspends, but ratifies this Archbishops actual suspension from his Arch-  
bishoprick, absolves all Clerks & Laymen in his Province from their obedience to him,  
and commands them to yeild him *no obedience* at all, till he should humble himself to,  
and give satisfaction and caution to him for his future good behaviour. 2ly. That this  
Archbishop (the Popes chief instrument to humble, depose *K. John*, & set up the Pope  
in his Throne) should become the greatest stickler against this Pope, the contemner,  
flighter of his Interdicts, Excommunications, Censures, wherewith himself so much  
terrified the King and Kingdom before. 3ly. That this Pope who had been the  
Kings professed Enemy and Dethroner, should now become his prime Protector  
against those Bishops and Barons which himself first engaged to Rebell against him;  
though not upon King *Johns* own account as their lawfull King, yet as his Vassal  
and Tributary to the Church of *Rome*, much against his will, which providenti-  
ally proved his greatest advantage in some respects, though most prejudicial and  
dishonourable to him in others. 4ly. The just punishment inflicted by God and  
this Pope upon *Simon* the Archbishops Brother, a great stickler for him, and pro-  
fessed Enemy to the King, and that at this very time, upon this occasion.

The Archbishoprick of *York* becoming void, the King by his Letters Patents  
granted the Chapter of *York* a License to elect a new Archbishop, in the presence  
of five Commissioners, therein specially named, and with their consents, to prevent  
the election of this *Simon Langhton*, the Archbishops Brother, a great Enemy to  
the King, this being the first License granted by him, after his forecited Charter to  
the Archbishop and Bishops for the freedom of Elections.

\* Here p. 336,  
337.

Pat. 15 Johan.  
Regis, pars 1.  
m. 5. intus.

**R**EX Decano & Capitulo *Eborac.* &c. Cum Ecclesia vestra jamdiu Pastoralis fu-  
erit regimine destituta, nos in hoc compatiētes, Pastorem sibi praefici ido-  
neum, Deo acceptum, et nobis et Regno nostro utilem, salva digni-  
tate nostra, vehementer affectamus, unde Venerabiles viros *R. Eborum*, *H. Belli*  
*loci Regis*, & *R. de Seleby*, Abbates, una cum fidelibus nostris *Willielmo Briwer*, &  
*Willielmo de Cantilupo*, Senescallo nostro, loco nostro ad vos transmittimus, ut  
ipsis praesentibus et assensum praebentibus Pastorem vobis eligatis  
idoneum, et nos ratum habebimus et stabile quicquid in praesentia  
ipsoz de assensu eozundem, super hoc factum fuerit. Quod si non  
omnes interesse valeant, quod inde factum fuerit in praesentia praefati  
*W. Briwere*, una cum uno vel duobus praedictozum Nuncioz de as-  
sensu eozundem, ratum esse volumus et inconcussum. Et in hujus rei  
Testimonium, &c. Vobis mittimus. Teste meipso apud *Porec*. Vicesimo sexto die  
Januarii, Anno Regni nostri xv.

Eodem modo scribitur

Priori & Conventui *Covenit*.  
Priori & Conventui *Rames*.  
Capitulo *Exon*.  
Decano & Capitulo *Cicestr*.  
Priori & Conventui de *Santo Edmundo*.  
Priori & Conventui de *Burgo*.  
Priori & Conventui *Dunelm*.

In relation to Elections to be made by them of Priors and Bishops, to their then va-  
cant Churches. After

After which the King sent this Patent of Appeal to the Chapter of *Tork*, in general termes, not to elect any person for their Archbishop suspected to be an Enemy to him, to avoid all misconstructions of his former Charter for freedom of Elections.

**R**EX dilecto sibi in Christo Capitulo *Eboracensi*, salutem. Sciatis nos appellasse, ne quis de gremio Ecclesie vestre, vel alterius in Archiepiscopatum *Eboracensem* eligatur, vel postuletur, qui nobis sit suspectus. Hancque appellationem nostram per has Literas nostras Patentes renovamus. Teste meipso apud *Waling*, Decimo tertio die *Maii*. Anno Regni nostri xvi.

Pat. 16 Joh. Regis, pars 2. m. 3. dorso.

And because these two former inhibitions were generall, the King by his expresse Charter secretly prohibited them to elect *Simon Langhton* by name, to whom he would never give his Royal assent.

**U**niversis & singulis Capituli *Eboracensis* salutem. Prohibemus ne quis vestrum s. Decanum *Eboracensem*, eligat in Archiepiscopum *Eboracensem*, quia hoc esset contra honorem nostrum, et commodum Regni nostri: si quis autem ipsum elegerit, nunquam poterit sperare se pacem aut amorem nobiscum habiturum. Hoc autem secretum esse volumus.

Chart. 16 Joh. Regis, m. 10. dorso.

The Chapter notwithstanding the Kings and Popes inhibition likewise, to gratifie *Stephen* Archbishop of *Canterbury*, elected *Simon Langhton* his Brother Archbishop of *Tork*: \* *Vir quidem parum habens gratia popularis, vnam Dei: sed procurante Rege cito cassatus est. Poterat enim Rex jam factus Tributarius Papa, difficilia impetrare; Timebat autem Rex, ne si Stephanus Cantuariæ Archiepiscopus in Australibus, & frater ejus Simon Ebor. Archiepiscopus factus in septentrionalibus dominarentur, quasi maximi Prælati in Anglia, omnia ad votum eorum disponerentur, et alter alterius auxilio fulciretur.* So *Matthew Westminster*. Of which *Matthew Paris* renders us this larger account.

\* Mat. Westm. Anno 1215. p. 99.

**C**irca dies istos, Canonici *Eboracensis* Ecclesie, multo jam tempore Pastore viduati, impetrata a Rege licentia, ad electionem faciendam pariter conveniunt. Et licet a Rege multis precibus fuissent rogati, ut *Walter* de *Gray*, *Wigorniensem* Episcopum, sibi susciperent in Pastorem; tamen reclamantes illiteratum, ipsum eligere disulerunt. Veruntamen in electione procedentes, elegerunt Magistrum *Simonem* de *Langetona*, fratrem Archiepiscopi *Cantuariensis*, sperantes in eo scientiam, quam appellant sapientiam, scilicet morum aromate conditam scientiam, insuper favorem Domini Papæ obtinere. Sed cum facta electio ad Regis audientiam pervenisset, misit Nuncios ad *Curiam Romanam*, qui contra electionem illam in presentia Domini Papæ exceptiones hujusmodi induxerunt. Allegabant enim Archiepiscopum *Cantuariensem* Regis Angliæ hostem esse publicum, ut qui Baronibus Angliæ incentivum contra Regem eundem præbuit et consensum. Unde si dictus *Simon*, qui frater ejus est Archiepiscopi memorati, ad Archiepiscopatum *Eboracensem* promoveretur, par Regis et Regni diu stare non poterit. Hæc igitur & similia allegantes incommoda, Papam ad consensum induxerunt: Unde Capitulo *Eboracensi* scripsit in hæc verba.

Mat. Paris Hist. Angl. p. 261.

**I**NNOCENTIUS Episcopus servus servorum Dei, &c. Cum Magister *Simon de Langetona*, cum quibusdam aliis Canonicis *Eboracensibus*, in nostra nuper esset presentia constitutus, nos ei viva voce interdiximus, ne ad obtinendum Archiepiscopatum *Eboracensem* intenderet, quia id certis ex causis minime pateremur, & ipse quidem, quantum verbis expressit, huic annuit reverenter. Unde mirari cogimur et moveri, si ipsum ambitio adeo excæcaverit, ut cum sciret se post nostram prohibitionem, et suam promissionem expressam de jure eligi non posse, si tali præstiterit electioni consensum, quam, nullo alio contradicente, nos irritam haberemus. Sed ne hac occasione fiat in *Anglia* novissimus error pejor priore, vel *Eboracensis* Ecclesia diutius maneat pastore viduata,

\* omnium.

\* By way of  
Provision.

viduata, de communi fratrum nostrorum consilio, per Apostolica vobis scripta præcipiendo mandamus, et in virtute obedientie districte præcipimus, quatenus electione huiusmodi non obstante appellatio-  
ne, cum insolentias et machinationes huiusmodi sustinere nolumus, nec debemus, omni occasione ac tergiversatione cessantibus, aliquos ex vobis cum communi \* omni potestate ad instans Concilium desti-  
netis, qui saltem usque Calendas Novembris nostro se conspectui re-  
presentent, personam idoneam, cum nostro electuri vel postulaturi con-  
silio in pastorem. Alioquin extunc nos ipsi curabimus de idoneo vobis  
Præsule \* providere, contradictores, si qui fuerint, vel rebelles, per  
distinctionem Canonicam graviter puniendi. Si vero præfatus Si-  
mon electioni de se factæ consensit, nos poenam, in poenam suæ præ-  
sumptioni statuimus, ut intelligibilis fiat, ne de cætero, absque dis-  
pensatione sedis Apostolicæ speciali, ad Pontificalem eligi valeat  
dignitatem. Datum Idibus Septembris, Pontificatus nostri Anno xvij.

The Canons of York, notwithstanding this Bull, appearing in the Council at Rome, were so bold as to justify their election, and present Simon Langton to the Pope for their Archbishop elect, and presse his confirmation of him: Which Matthew Paris thus relates, together with its event.

Mat. Paris,  
Histor. Angl.  
p. 263.

**H**IS ita gestis, Canonici Eboracensis Ecclesiæ præsentaverunt Domino Papæ Magistrum Simonem de Langetona, postulantes ut ejus electionem con-  
firmaret. Quibus Papa: Robertis quod ipsum non habemus pro electo,  
qui illum ad tantam dignitatem promoveri certis de causis non patimur. Et cum  
præcipue contra prohibitionem nostram ista sit electio celebrata, nos  
eam cassamus penitus, et in perpetuum damnamus; decernentes  
utique ut intelligibilis fiat, ne absque dispensatione sedis Aposto-  
licæ ad Pontificalem eligi valeat dignitatem. Cassata igitur  
electione prædicta, dominus Papa Canonicis præcepit ut statim in  
electione procederent, sin minus ipse eis pastorem provideret ido-  
neum. (By his newly usurped power of provisions.) Tunc Canonici sicut prius  
provisum fuerat, postulaverunt Walterum de Grai Episcopum Wigorniensem,  
propter carnis mundiciam, ut asserbant; ut qui ab utero matris permanserat usq; in  
presentem diem. Ad hoc dicitur Papa respondisse: Per sanctum Petrum, virginital  
magna virtus est, et nos eum damus vobis. Itaque accepto Pallio Episcopus me-  
moratus, rediit in Angliam obligatus in Curia Romana de decem  
Solidis Librarum legalium Esterlingorum. (Which he Paid to this Pope  
for his Pall, as a true successor to Simon Magnus, not to Simon Peter, in his Symonical  
extortions.) In fine autem, soluto Concilio, extorsit Papa de unoquoque Prelato infini-  
tam pecuniam: quam cum vicariis cogerentur ab usurariis suis mutuo duris  
conditionibus sumere.

Nota.

Vitæ Viginti  
Trium Sancti  
Albani Abba-  
tum, p. 117.

Matthew Paris in the Life of William Abbot of St. Albans, present in this Council, relates that, Idem Abbas Willielmus, cum soluto Concilio, accepta licentia cum bene-  
dictione, vellet recedere; in muneribus non respecto, dixit ei Papa: Nonne tu es  
Abbas Sancti Albani, qui tot privilegiorum beneficia a nostra sede toties obtinisti?  
Siccone decet talem ac tantum virum, me non respecto recedere? Et cum obtulisset quin-  
quaginta Marcas, amice redargutus, coactus est antequam exisset a Camera (in  
quam poenituit eum intrasse) non sine turpi convivio, super solutionem Centum  
Marcarum satisfacere, quas mutuo ab usurariis Curie, non sine  
duris accepit conditionibus. Levis tamen hoc tulit Abbas et  
æquanimis, quia hoc idem fecit Prælati universis. Quam pecuniam  
numeratam, cum per aliquem de suis ante pedes Papales humiliter ac devote obtu-  
lisset, dedit ei cum sua benedictione sic comparata, remeandi licentiam. Et sic  
recedens, Romam murmurando saluavit, ibique reliquit eum Magister Rogerus Porre-  
tanus.



tanus, (one of his Monks who accompanied him to Rome) vir supra modum ambitiosus, (who advised this Abbot whilst at Rome) ut Abbas resignaret Abbatiatum suum in manus Papa, sub obtentu sanctificationis, sciturus quod maiorem & auctoritatem pro caris acciperet dignitatem, si Papa in tanto viro, talem videret humilitatem, & tam evidentis sanctitatis argumentum. Sed Abbas nolens certa pro incertis commutare, consiliis ejus nullatenus acquievit: Dixitque ei, Magister, dictum est in proverbio vulgari:

*Felix qui facit aliena pericula cautum.*

*Hoc fecisti tu de redditu tuo Bathoniensi quem dimisisti, inhians uberiori, quem tamen nunquam consequi valuisti. Beatus Rogerus redarguit & confusus.* There being nothing given, but every Ecclesiastical preferment sold by this Pope, to those that would give most money for it, yet no Symony nor crime in this Innocent.

King John after all these proceedings against the Barons, Bishops, and his good successles:

**A**udiens autem Rex Barones Anglia esse excommunicatos, Archiepiscopum Cantuariensem suspensum, Simonem fratrem ejus cassatum, Walterum de Gray promotum, & quod de Castro Roffensi pro lubitu disposuisset: elevatum est nimis Cor ejus, & continuo Castra movens, apud Sanctum Albani cum festinatione perrexit. Quo cum pervenisset, praesens Convenit Capitulum intravit, Literas de suspensione Cantuariensis Archiepiscopi fecit manifeste recitari; constanter exigens a Conventu, quatenus sub testimonio sigilli sui prelate suspensionis confirmatio ad omnes Angliae Ecclesias, tam Cathedralis quam Conventuales, publicanda mitteretur. Iuxta illud Poeticum: *Strido supplicat ense potens.* Quod cum ei a Conventu concessum fuisset, forte indito, continuo post Capitulum in Claustro cum paucis Consiliariis seorsim recedens, disposuit qualiter inimicos suos, Magnates scilicet Angliae confunderet, et quemadmodum exteris nationibus, quae sub ipso militabant, stipendia provideret. Tandem Rex dubs ordinavit exercitus: ut videlicet ex uno Baronum irruptiones Londini morantium reprimeret; ex altero, ipse Aquilonares Angliae provincias igne simul & ferro, quaque sibi obvia concutendo, deleteret. These Soldiers of the King were so incensed against the Rebellious Priests and Clergy, \* *Ut Sacerdotes ipsi altaribus affantes, signum Sanctae Crucis manibus hauriantes, vel ipsum Dominicum corpus trahentes, sacris vestimentis venerabiles, altaribus affantes religione deferendi; irreverenter capiebantur, cruciabantur, stollabantur, vulnerabantur: nec fuit Pontifex, Sacerdos, vel Levita, qui vulneribus inflicis oleum infunderet vel vinum:* They likewise pillaged the Cathedral Church of Ely, which they entred with drawn Swords, and forced the Prior to pay them 200. Marks of silver to save their lives, and Church from burning, and wasted all the Barons Houses, Mannors, Lands with fire and sword.

\* Mat. Paris, Hist. Angl. p. 263, 264.

\* Mat. Paris, p. 264.

King John by reason of these high contents between the Priesthood and Kingship, the Barons Liberties and his own Prerogative, was necessitated to resign up almost all his Ecclesiastical, as well as Temporal Jurisdiction, to the Pope and his Legates, retaining only his ancient right of granting Licenses to Chapters, Covents, to elect Bishops, Abbots, Abbesses, Priors, Deans, and of assenting to their Elections when made; which yet must be left arbitrary, with a *si placet* to the Pope and his Nuncios approbations, who rejected or confirmed the person recommended, elected, assented to by the King, at their pleasures, who could hardly procure any Chapter or Convent to elect any person he had a mind to preferre, but with many petitions, solicitations to them by himself and his instruments, and by other unkingly shifts and devices, being oft crossed, affronted, and seldom gratified therein, but with much difficulty and intreaty, as these ensuing Records demonstrate.

**R**EX Venerabili Patri in Christo, N. Dei gratia Tusculanensi Episcopo, Apostolicæ sedis Legato, &c. Noverit prudentia vestra Priorem & Conventum de Buryton, secundum Deum & consuetudinem Regni nostri, eligisse sibi in Abbatem S. Priorem

Par. 15 Johan. Regis, pars 1. m. 5. intua.

Priorem *Wintonensem*, et *Robt* electioni eorum assensum prae buimus, ipsumque electum ad vos mittimus. Rogantes quatenus electionem eius si PLACET, confirmare deitis. Et in hac re Testimonium, vobis mittimus. Teste me ipso apud *Claren*, Vicesimo tertio die *Januarii*, Anno Regni nostri xv.

Claus. 16.  
Johan. Regis  
part. spicillima  
m. 21. dorso.

**M**ANDATUM est Domino *Wintoniensi* Episcopo quod omnem curam & sollicitudinem apponat ut *Amita Roberti Rosi*, *Monialis de Berking*, promoveat in *Abbatissam* ejusdem domus; Et si hoc fieri non potest, quod soror *Johannis de Basingburn*, Priorissa de *Elleschirch*, promoveatur in *Abbatissam*, & si neutra illarum possit promoveri, quod Priorissa ejusdem domus in *Abbatissam* promoveatur. Et quod nullo modo permittat, quod soror *Roberti filii Walterii* in *Abbatissam* ejusdem domus promoveatur. The Kings hands and Perogative being so bound up by his Charter for free Elections, that he could not so much as promote, or hinder the promotion of any Abbess, Dean, Bishop, but only by his instruments, in such a disjunctive manner as this, and such a precarious way as was below a King, as he used this next ensuing for the Dean of *Tork*.

Claus. 16.  
Johan. Regis,  
dors. 21.

**R**EX Capitulo *Eborac*, &c. Quoniam de honestate dilecti nostri Magistri *W. Archidiaconi Noting*, certi sumus, & de fidelitate confidimus, vos Rogamus attentius, quatenus cum Ecclesie vestrae utilis, et nobis dignoscatur esse fidelis, omni cessante Contradictione unanimi assensu ipsum eligatis in Decanum, quia nos in personam ejus favorabiliter assentimus. Tantum igitur inde facere velitis intuitu nostri et obsequii precum nostrarum, maxime cum iusta sint et honesta, ut ad uberrimas vobis pro eo feramur gratiarum actiones.

Ibidem.

**R**EX Domino *P. Wintoniensi* Episcopo, &c. Quoniam de honestate dilecti nobis Magistri *W. Archidiaconi Noting*, non dubitamus, ut de ejus fidelitate confidamus, nec possit ad praesens effectum capere voluntas vestra quam gestimus in corde de Nepote vestro in Decan. *Eborum* promovendo, quod moleste ferimus, ut omnis sopiatur contentio in praedicta Ecclesia, Volumus, et vobis mandando injungimus, ut non obstante quod Nepos vester praedictus Decanatum illum non adeptus est, efficiatis quod dictus Archidiaconus *Noting*, ad Decanatum *Eborum* promoveatur, quia nos in personam ejus assentimus. Nec sit vobis haec res molesta, quoniam dicto Nepoti vestro alibi per Dei gratiam sufficienter providebimus et decenter. Apud *Parten*, Vicesimo die Septembris.

Claus. 16.  
Johan. Regis,  
dors. 21.

**R**EX Domino *P. Wintoniensi* Episcopo Justiciario Angliae, &c. Quoniam arduis perplexi negotiis in partibus *Pistavia* petitioni Prioris & conventus sancti *Albani* nobis facta, de eligendo sibi Abbate operam non potuimus ad praesens dare efficacem: Mandavimus eisdem, ut ab electione facienda cessent donec in Angliam venerimus, et post 15. dies ex quo audierint nos advenisse in Angliam, coram nobis compareant nobiscum locuturi. Nos igitur eos inducatis ne dilationem istam moleste ferant, providentes ne interim electionem facere presumant. Terras autem eorum, tenementa, Nemora & homines, & omnia sua, sub protectione & Custodia nostra iura esse faciatis & tranquilla, ita quod in nullo vastentur, destruantur, vel minuantur; Teste me ipso apud *Niort*, vicesimo primo die Septembris. To such shifts was the King put by his Charter for free elections, to obtain his ends.

How much the Covent and Monks of *Durham* opposed, affronted King *John* in the election of their Bishop, whereupon he was enforced to make use of the Popes and Legates plenitude of power, and yet could not effect his ends, but the Pope obtains his, to dispose of all Elections and Bishopricks at his pleasure, will appear by these Records.

REX

**R**EX Priori & Conventui *Dunolmensi*, &c. A temero proposito resistere Quoniam mandatum vestrum quod nobis fecistis de Decano Sarum, Deo et dignitati nostræ et voluntati domini Papæ repugnare dignoscitur, cum preces vobis jamdudum fecerimus pro alio, pro quo etiam Dominus Papa scripsit Legato suo Angliæ, ut vos induceret ad ipsum postulandum; post quidem postulaveritis eundem, et nos Regium præbuerimus Assensum vestræ postulationi, & nos insuper inde Domino Papæ, cui super hoc nobis scribere placuit significaverimus voluntatem nostram, quæ eidem ut credimus grata erit & accepta, cujus adhuc responsum non audivimus plene; planz vobis asserimus, quod nec mandatum vestrum gratum habemus, nec ei favorem adhibemus, nec assensum. Telle meipso apud sanctum Maxen. Sexto die Septembris.

Claus. 16.  
John. Regis  
part. spiciffima  
m. 3 r. dorso.

**I**NNOCENTIUS Episcopus Servus Servorum Dei. Charissimo in Christo filio Johanni illustri Anglorum Regi salutem & Apostolicam Benedictionem. Credentes utilitati & honori tuo plurimum expedire si Venerabilis frater noster *Norwicensis* Episcopus, quem tibi omnino devotum cognovimus et fidelem, ad *Dunolmensem* Ecclesiam transferretur, ignari capitulum illius Ecclesiæ dilectum *Sarisburyensem* Decanum, virum præfecto scientia, vita & fama præclarum concorditer eligerint in Pastorem, Venerabili fratri nostro *Thusculan.* Episcopo Apostolicæ Sedis Legato, direximus scripta nostra, ut faceret *Dunolmense* Capitulum *Norwicensem* Episcopum prædictum in suum Episcopum postulare. Cumque Legatus ad eorum accessisset Ecclesiam, ipsi decretum electionis quam fecerant præsentantes, ab eo confirmationem cum instantia postularunt. Legatus autem habens profecto Zelum sed non secundum Scientiam, in hac parte cum nos consuluisse debuerit, sine nostri exquisitione mandati, ex quo videbat electionem concordem fuisse processum apud idem Capitulum plurimum insistit ut *Norwicensem* prædictum in Episcopum postularent, set illis electioni firmiter innitentibus, tandem ad hoc eos per multam coartavit instantiam, ut salvo jure electionis, postulatio fieret, & utriusq; electiois & postulationis videlicet, præsentaretur Apostolicæ sedi decretum. Accedentes autem ad sedem Apostolicam Duo Monachi ex parte *Dunolm.* præsentato nobis utroque decreto apud nos pro electionis affirmatione sicut in mandatis acceperant, insisterunt, eidem firmiter inhzendo, præsertim cum in majori concordia electio quam postulatio celebrata fuisset, prout ex subscriptionibus apparebat. Nos vero electionem protinus confirmare distulimus, quia non fuerat Regius requisitus assensus. Verum memorato Decano monendo & suggerendo mandavimus, ut quantum in eo est negotium ipsum omnino transferat in nostrum arbitrium, ita ut sive de juris rigore, sive de moderate providentiæ prout expedire viderimus procedamus. Cum igitur sit idem Decanus plene sufficiens ad officium pastorale, ac nos providere intendamus, utraque transcripta Literarum quas accepimus a Legato, nec non utriusque decreti regali excellenti mittimus præsentibus interclusa; & nihilominus consulentes, ut super ordinatione *Dunolmensis* quam *Norwicensis* Ecclesiæ, si eam vacare contigerit, te penitus nostro committas Arbitrio, quia quantum cum Domino poterimus, libenter et efficaciter intendemus ad ea quæ tuum respiciant commodum et honorem. Cæterum dilectus filius Magister Annuncius tuus, vir providus & fidelis, serenitati Regiæ viva voce plenius exprimere poterit super hiis & aliis sicut a nobis accepit, nostræ beneplacitum voluntatis. Tu ergo beneplacitum tuum nobis differas intimare. Dat. *Roma* apud Sanctum Petrum, ii. Idus *Maii.* Pontificatus nostri Anno Septimo Decimo. (You may here behold the Popes juggling with the Dean, Chapter, and King too.) To which the Popes Legate returned this Answer.

Chart. 16.  
Johan. Regis  
m. 9.

**S**anctissimo in Christo Patri ac Domino J. Dei gratia Pontifici, suus J. Dei & sui gratia Episcopus *Tusculanus* se ipsum ad pedes & ejus orationibus commendari. Peracto negotio *Eboracensis* Ecclesiæ, per Dei gratiam concorditer & in pace sicut per alias Literas vestræ beatitudini nunciavi, ad *Dunolmensem* Ecclesiam subsequenter accessi, Priori & Conventui ejusdem Ecclesiæ diligenter proponens, ut juxta man-



mandatum vestram eidem Ecclesie cum meo consilio de persona **Idonea** probi-  
derent: **Ipsi vero licet assederant propositum**, se *Authoritate quarundam*  
*Litterarum vestrarum electionem fecisse, quas Litteras & decretum eorum, qualiter De-*  
*canum Saresburiensem elegerant in Prælatum, mihi in Capitulo ostenderunt, tamen*  
propter Litteras vestras quas mihi misistis pro Venerabili fratre Episcopo *Norwicensi*,  
eisdem Litteris & meo consilio coartati, *salvo tamen jure si quid habent in electione pra-*  
*dicta*, præfatum Norwicensem Episcopum in suum duxerunt Episcopum concorditer  
postulandum, & decretum inde *solemniter factum per suos Nuncios vobis mittunt, a sancti-*  
*tate vestra mecum humiliter deposcentes, ut inde quod vobis inspiraverit Dominus, facia-*  
*ris.* Dat. apud Middleham vi. Kalend. Marcii.

Carta. 16 Jo-  
hannis Regis,  
m. 9. intus in  
schedula.

**I**N Nomine Patris & Filii & Spiritus Sancti, Amen. Omnibus sanctæ Matris  
Ecclesiæ filiis, præsentis Decreti paginam inspecturis, *W.* humiles Prior &  
conventus Ecclesiæ Dunolmenfis, salutem in Domino. Sicut prævio bono pastore in-  
grediuntur & egrediuntur & sibi pascua inveniunt Oves dominicæ, ita quidem  
ture vel mercenario aliunde quam per hostium intrante, eodem veri Pastoris desit-  
tuta sollicitudine Lupis rapacibus exposita extra loca pascuæ devagantur erra-  
bunda. Nos igitur attendentes quod Ecclesia nostra jampridem boni Pastoris so-  
lacio privata, per multos inutiles pastores, nec non & longam vacationem magnis  
sit honoribus & multis libertatibus turpiter mutilata, cura quoque & consilio pene  
penitus destituta, ut juris ordine per omnia observato, de dei vultu Ecclesiæ nostræ  
dudum Pastore carentis procederet electio; ita tandem Ecclesiæ nostræ duximus.  
Post trinam ammonicionem *E. bonæ* memoriæ quondam Archiepiscopi nostri, præ-  
cedente etiam mandato Apostolico super electione faciendâ ad nos facto, **nec non**  
**domini Regis assensu sæpius super hoc requisito, porrectis nobis**  
**insuper a Domino Rege precibus pro quibusdam personis Ecclesiæ**  
**nostræ minus inutilibus, et ad tanti honoris Onus portandum minus**  
**sufficientibus,** convocatis ad hoc fratribus nostris, in Capitulo convenimus, & ibidem  
consistentes, Spiritus sancti gratia vitæ invocata, & matura deliberatione præhabi-  
ta, virum venerabilem *Richardum Dicannum Ecclesiæ Saresburiensis*, unanimi consensu  
& sine Contradictione elegimus in Pastorem. Virum utique integræ famæ, cui de *Ca-*  
*nonicis* nihil credimus obviare institutis, in temporalibus bene providum, & in spiritu-  
alibus multum devotum, moribus & literatura præclarum, quem credimus & scire &  
velle Ecclesiæ nostræ dæperdita restaurare, ac restaurata diligentius custodire, parati  
pro ipso quantum possunt iustitia, & res exponere & personas: appellantes insuper tam  
pro electione quam pro electo nostro, ne inimico homine machinante aliquid in præjudici-  
um hujus facti attemptetur. Ut autem factum nostrum debitæ robur obtineat fir-  
mitatis stabile manens & inconcussum, præsens decretum sigillorum subscriptioni-  
bus roboravimus, & sigilli nostri appositione vallavimus. Ego *W.* Prior Subscribo  
✠ Ego *Henr.* Subprior Subscribo ✠ *Robertus Hostellarium* Subscribo ✠ Ego *Johan-*  
*nes* Subscribo ✠ Ego *Willm.* Subscribo ✠ Ego *Ambrosius Elmofinarius* Subscribo  
✠ Ego *Radulphus* Subscribo ✠ Ego *Thomas* Subscribo ✠ Ego *Oswaldus* Subscribo  
✠ Ego *Johannes* Subscribo ✠ Ego *Robertus* Subscribo ✠ Ego *Rogerus* Subscribo  
✠ Ego *Willm.* Subscribo ✠ Ego *Robertus* Subscribo ✠ Ego *Andreas* Subscribo  
✠ Ego *Michael* Subscribo ✠ Ego *Galsfridus* Subscribo ✠ Ego *Ansgimus* Subscribo  
✠ Ego *Hammond* Subscribo ✠ Ego *Simond* Subscribo ✠ Ego *Petrus* Subscribo ✠  
Ego *Johannes* Subscribo ✠ Ego *Thomas* Subscribo ✠ Ego *Henricus* Subscribo ✠  
Ego *Rogerus* Subscribo ✠ Ego *Johannes* Subscribo ✠ Ego *Henri.* Subscribo ✠ Ego  
*Robertus* Subscribo ✠ Ego *Germanus* Subscribo ✠ Ego *Robertus* Subscribo ✠ Ego  
*Bartholomæus* Subscribo ✠ Ego *Willm.* Subscribo ✠ Ego *Johannes* Subscribo ✠ Ego  
*Willm.* Subscribo ✠ Ego *Willm.* Subscribo ✠ Ego *Radulphus* Subscribo ✠ Ego *Gil-*  
*bertus* Subscribo ✠ Ego *Germanus* Subscribo ✠ Ego *Robertus* Subscribo ✠ Ego *Ham-*  
*mond* Subscribo ✠ Ego *Robertus* Subscribo. This Decree and Appeal they all thus  
sealed and subscribed, in direct affront and opposition to the Kings Letters and re-  
quests unto them.

The same year with some struggling the King procured *R. de Mariscoto* be elected  
Bishop of *Winchester*, as these Records attest.

Pat. 16 Johan.  
Regis, pars 1.  
m. 16. dotio.

**R**EX dilectis sibi Abbatibus *Eborac.* & de *Bello loco Regis* & de *Seleby*, &  
*Willielmo Brimer*, & *Cant. lupo* Senescal salutem. Sciatis quod quicquid vo-  
bis

bis alias Mandaverimus de assensu vestro communiter vice nostra prestando in Electione Wintoniensis Ecclesie, in personam tamen dilecti et fidei nostri Magistri R. de Marisc. Archid. Northumb. Ecclesie illi prestandum firmiter assentimus, et constanter, volentes proculdubio quod hoc mandatum nostrum speciale generali mandato nostro derogat prius vobis facto, maxime cum tempore illo sedes dictae Ecclesie dignoscatur non vacasse. Mandamus igitur vobis quod in ejus personam cujuscumque alterius persona exclusa, assensum vice nostra prebeat, quem quidem ratum habebimus, et inconcussum. Et in hujus rei testimonium, &c. Teste meipso apud Volvent, Vicesimo secundo die Maii Anno Regni 16.

**R**EX Priori & Conventui sancti Swithini Wint. salutem. Cum omni consensum sit rationi quod Principis Petitis, maxime pro pace et tranquillitate Regni porrecta, de facili debeat exaudiri, confidentes de vobis quod nihil attemptare velitis nostrae contrarium dignitati, universitatem vestram audacter implozamus, attentius exhortantes, dilectum et fidelem nostrum Magistrum R. de Marisc. Archidiaconum Northumbr, Virum utique providum, Literatum, & honestum, nobis fidelem, Regno utilem ad consilium et Auxilium efficacem, vobis in Episcopum intuitu Dei et nostri liberaliter eligatis, maxime cum Dominus Papa sui gratia ejus affectet promotionem, scituri proculdubio, quod in ejus personam firmiter assentimus et constanter, nullatenus volentes ab hoc proposito resilire. Et ut facilius huic petitioni nostrae condescendatis, ipsum R. ad vos destinamus a nexibus curiae penitus absolutum. Et in hujus rei testimonium, &c. Vobis mittimus. Teste ut supra. Eodem modo scribitur Priori sancti Swithini Wint. sine Conventu.

Ibidem.

He being elected upon these importunate Letters, and approved, the King thus Writ to the Popes Legat to confirm him.

**D**omino N. Tusculanenſi Episcopo Apostolicæ sedis Legato J. Dei gratia Rex Anglia, &c. Noveritis quod monachi Wint. Ecclesie dilectum & fidelem nostrum Magistrum R. de Marisc. Archidiaconum Northumb. unanimi assensu Capituli sui elegerunt, & nos huic electioni prebuius et prebemus assensum, unde paternitati vestrae devotissime supplicamus, quatenus & vos manum confirmationis apponatis, cum constet nobis hanc vobis a Domino Papa concessam fuisse potestatem, Dominum autem Cantuariensem Archiepiscopum super hoc sollicitare nolumus, æstimantes quod ejus confirmationem maliciose differre attemptaret. Teste meipso apud Nior. Vicesimo octavo die Junii. Anno Decimo sexto.

Ibidem.

I find not in any of our Historians, nor in Godwins Catalogue, that he was ever consecrated Bishop of Winchester, notwithstanding his election, and the Kings approbation and Letters on his behalf, so that he miscarried in this design, as he did in this of Hugo Foliot to St. Davids.

**R**EX R. Hereford. Episcopo, &c. Quoniam ex fidei Magnatum & fidelium nostrorum didicimus testimonio, dilectum & fidelem Hugonem Foliot, Archidiaconum Salop. magnæ honestatis virum esse, scientia etiam & moribus bene ornatum, necnon Ecclesie Menevensi, nobis & Regno nostro utilem, vos attentius rogamus, quatenus pro amore nostro ad Ecclesiam Menevensi, cum Literis nostris quas Capitulo ejusdem Ecclesie de memorato H. in Ecclesia promovendo destinamus, accedentes, ipsum Capitulum moneatis, et modis omnibus quibus poteritis inducat, ut huic petitioni meae favorem prebeant benignum, ut ob meritum hujus nostrae petitionis ab eisdem exaudita, tam in rebus Ecclesie suae alienatis revocandis adjuutores, quam in aliis Ecclesie suae negotiis suis promovendis benigni ipsi existere debeamus.

Claus. 16 Joh. Regis, pars 3. m. 5. dorso.

Placeat discretioni vestre ita dignitati et honori nostro in promotione prefati fidelis nostri insistere quod diligentia vestra a nobis merito debeat commendari. Apud *Gendef*. Decimo sexto die *Januarii*.

Ibidem.

**R**EX dilectis sibi in Christo Capitulo *Alenconensis* Ecclesie, salutem. Quoniam ex fidei Magnatum nostrorum didicimus testimonio, dilectum & fidelem nostrum *Hugonem Foliot*, Archidiaconum *Salop.* magnæ honestatis virum esse, scientia etiam & moribus ornatum, necnon Ecclesie vestre et Regno nostro utilem, nullis laboribus et expensis nostris parcere volentes, universitatem vestram attentius rogamus, quatenus tam Ecclesie vestre, quam nostrum et Regni nostri honorem pensantes, et utilitatem, ipsum *H.* in Pastorem, et Episcopum Ecclesie vestre eligere velit. Hanc autem petitionem nostram tam benigne exaudire velit, ut in jure Ecclesie vestre consovendo, et negotiis vestris efficaciter promovendo ob meritum presentis petitionis vestre exaudita nos benignos, et benevolos invenire debeat. Apud *Gendef*.

I cannot find that he succeeded in this suite, nor yet in this his recommendation of three several persons to the Prior and Covent of *Ramsf.*

Pat. 17 Joh. n.  
Regis, m. 2.  
do. fo.

**R**EX Priori & Conventui de *Ramsf.* &c. Audito rumore quod Ecclesia vestra Pastore est destituta, eidem ad honorem Dei providere affectantes, pro dilectis nostris Abbate *Eborum*, Priore de *Coventr.* & Priore de *Coldingham*, universitatem vestram duximus rogandam, quatenus unum istorum trium vobis in Pastorem invocata Spiritus Sancti gratia unanimiter eligere non differatis. Speramus enim unum prædictorum virorum, præcipue cum magnæ sint Authoritatis & bonæ famæ nobis et Regno nostro utilem, et Ecclesie vestre Subnationi, necnon et omnium rerum vestrarum dispositioni necessarium. Adquiescentes, igitur taliter consilio nostro Petitiones nostras exaudientes, quod id ad honorem Dei cedere valeat & vestrum commodum, & quod proinde vobis gratias exolvere debeamus. Teste meipso apud *Farnham*, Decimo nono die *Aprilis*.

What interest King *John* claimed in giving his Royal assent or dissent to the uniting of Bishopricks and Abbies, whereof he was Patron, appears by these Records, concerning the union and disuniting of the Bishoprick of *Bath* and *Wells*, and Abby of *Glastonbury*, wherein the Pope had exercised the principal Jurisdiction by Usurpation.

Clauſ. 16 Joh.  
Regis, pars 1.  
m. 3. do. fo.

**S**ANCTISSIMO Patri, &c. *f.* Dei gratia, &c. Et tam debitam quam devotam ut Domino & Patri in omnibus reverentiam. Quoniam nostri et hæredum nostrorum plurimum interest ne unio *Bathonia* et *Glaston.* Ecclesiarum dissolvatur, parati sumus jus nostrum defendere sicut decet habita opportunitate. Ad quod tamen ea diligentia intendere non possumus ad præsens, tum propter statum & negotia Regni nostri, tum propter expeditionem quibus nos oportet omnem & continuam diligentiam adhibere. Quapropter Sanitati vestre supplicamus cum omni qua possumus instantia, quatenus negotium super unione prædicta, saltem suspendi velit quousque a peregrinatione nostra nos reducere miseratio divina. Teste Domino *P. Wintoniensi* Episcopo, apud *Walling.* secundo die *Maii*.

Ibidem.

**S**ANCTISSIMO Domino & Fratri *f.* Dei gratia Rex, &c. salutem. Quoniam ea quæ Apostolica Authoritatis deliberatione providè statuta sunt consistere decet stabilitate perpetua, ut nullatenus infirmentur, eo confidentius Paternitati vestre duximus supplicandum pro conservatione unionis *Bathonia* & *Glastonia* Ecclesiarum, quam de assensu R. quondam Regis Angliæ fratris nostri, Sanctæ recordationis Dominus *E.* prædecessor vester stabilitat. Et postmodum vestra prudentia multiplici Authenticorum vestrorum beneficio roboravit: Cui etiam multis a retro Annis



Amis nostrum præbueramus assensum. \* Meminimus autem nos vacante sede Bathoniensi & Glastonienſi ſublimitati veſtre ſcripſiſſe pro ipſa unione reſcindenda. Et ſimiliter ad magnam inſtanciam noſtram, et Regni noſtri Mag- nates, Episcopos quidem, et Abbates, quamplurimum etiam Batho- niensis et Wellensis Capitula ob idem nobis ſupplicarunt. Quod proculdubio minime feciſſemus, ſi tunc memores fuiſſemus aſſenſus noſtri quem eidem unioni adhibueramus, aut ſi multiplex præjudici- um quod nobis et hæredibus noſtris, et diſpendium quod Eccleſiis memoratis Bathoniensis et Wellenſi, et etiam Glastonienſi immi- nere dignoſcitur: animadvertiſſemus, ſicut nunc clariſus intuemur. Quodque vobis ſuper eodem iterato ſcripſimus id nos feciſſe recol- imus ob iram et indignationem, quam adverſus Venerabilem Pa- trem noſtrum J. Bathoniensem et Glastonienſem Episcopum, con- ceperamus, eo quod cum inimicis noſtris Interdicti temporibus An- glia, fuerat in partibus tranſmarinis, nondum inſuper intendentes ad præjudicia et diſpendia prædicta, quæ nunc videmus, ſed nec etiam aſſenſum noſtrum quem prædictimus ad memoriam reducentes. Pla- ceat igitur Sanctitati veſtræ, ut prædictarum unio Eccleſiarum in- dultam ſibi firmitatem obtineat in perpetuum, ne ad ſucceſſionem maliſcioſam tantæ tamque ſollemnis Authoritatis ordinem enerbe- tur. Quod in non modicum noſtri et hæredum noſtroꝝ ſimiliter in Bathoniensis et Glastonienſis et Wellenſis Eccleſiarum cederet præjudicium. Apud Walling. ſecundo die Maii.

\* See Godwins Catalogue of Biſhops, p. 196.

Hereupon the Pope referred the examination of this cauſe to his Legates in Eng- land, before whom King John conſtituted his Proctor by this Writ.

REX N. Tuſculanenſi Episcopo, & Magistro Pandulpho, Domini Papæ Subdiaco- no & Decano Sarr. ſalutem. In cauſa ſuper unione Bathonia & Glastonie Ec- cleſiarum vobis a Domino Papa commiſſa, ad diem Jovis proximam ante Dominicam in Ramis palmarum in Capella Sancti Thoma juxta Ofeneyam, apud Oxon. dilectum & fidelem noſtrum Henricum de Ver, procuratorem noſtrum conſtituimus; ratum ha- bituri quicquid dictis die & loco in dicta cauſa mediante juſtitia fecerit, ad appellan- dum etiam ſi neceſſe fuerit dictum H. procuratorem conſtituimus. Judicatum ſolvi promittimus pro eodem idem parti adverſæ ſignificamus. Teſte meipſo apud Oxon. Octavo die Aprilis, Anno Regni noſtri xvi.

Claus. 16 Joh. Regis, pars 1. m. 4. intus.

Sub eadem forma ſcribitur Episcopo Ciceſtria, & Magistro Pandulpho. Teſte eodem. Dat. eadem. Anno eodem.

The concluſion was this: That the Monks of Glastonbury prevailed with money and importunity to have their Abby ſevered from the Biſhoprick, and to be govern- ed by an Abbot as formerly, parting with no leſſe then 4. Mannors, and the Patro- nage of 6. Benefices to Joceline Biſhop of Bath and Wells, and his Succeſſors, by way of compoſition, to obtain this diſunion.

Godwins Cata- logue of Bps. p. 196. in the liſe of Joceline.

The Pope and his Legates having ſtripped King John of his Crown, and moſt of the Prerogatives thereto belonging, ſeemed to make him ſome kind of recompence, by theſe two inſignificant empty Priviledges which they indulged to him, to give him ſome content, being meer Cyphers in themſelves, without any ſubſtance.

In this 16. year of King John, Robert de Corcu a Cardinal of Rome, by the Popes Authority, held a Council at Burdeaux in France, wherein he made ſundry Decrees concerning Jews, Tithes, and other particulars, enſcroaching upon the Rights of Temporal Princes and Barons, ſubjecting their perſons to Excommunications, and Lands to Interdictions: and that in particular. From all which Statutes and Canons this Legate ſpecially exempted King Johns and his Heirs rights, as no wayes to be im- paired thereby, but rather preſerved; which was but a meer Complement, neither he nor his Kingdoms or Subjects being obliged thereby.

Item

Pat. 16 Johan.  
Regis, pars 1.  
m. 15. dorso.

**I**tem si Barones vel quicumque alii per Quadraginta dies vel eo amplius excommunicati-  
onem in eos latam sustinuerint, eorum subditi ab eorum fidelitate absolvantur, & eo-  
rum terra Interdicto supponatur, & nihilominus per eorum Dominos & Praelatos, & com-  
munes totius Provincia contra eos directas puniantur, eorum Principe prius Convento, Feoda  
vero & terra excommunicatorum in potestate Dominorum suorum consistant, quousque in-  
juriam passis & Ecclesia ab eisdem satisfactum fueris competenter. Item, non compellan-  
tur inviti vidua vel alii per Principes ad Matrimonium contrahenda, &c. Attendentes  
autem devotionem & obedientiam Charissimi nostri Johannis illustris Regis Anglia,  
Domini Hibernie, Ducis Norman. Aquit. & Comitis Andegavia, nolumus quod  
per hæc statuta nostra, vel alia quæ fecerimus vice legationis in Regno Francia,  
aliquid juris sui vel hæredum suorum depercat; Sed potius jura  
sua volumus per omnia conservari. Et in hujus rei testimonium, hæc Statuta  
nostra eidem Domino sigillo nostro signata habenda concessimus. Ita scilicet quod  
non noceant sibi vel Hæredibus suis.

Besides, the Pope to gratifie King *John* by putting a Feather in his Cap, when he  
had wrested his Crown from his head, and Scepter out of his hand, granted him this  
pretended new priviledge, exempting his Chappels from Episcopal Excommunicati-  
on and Jurisdiction, without the Popes special command; which in truth were by  
the Laws of the Realm exempted from them long before, by the Kings inherent Re-  
gal prerogative; by which kind of grants of pretended priviledges the Pope came to  
challenge and enroach new Jurisdictions in the Realm, which they never exercised  
nor claimed before.

Chart. 16 Joh.  
Regis, m. 9.

**I**N NOCENTIUS Episcopus servus servorum Dei, Charissimo in Christo  
filio Johanni illustri Regi Anglorum, salutem & Apostolicam Benedictionem.  
Apostolicæ sedis ampla benignitas sincere obsequentium vota fidelium favore bene-  
volo prosequi consuevit, & illustrium virorum personas quas in devotione sua promp-  
tas invenerit & ferventes, quibusdam titulis decentius decorare. Ut igitur ex  
speciali devotione quam ad Romanam Ecclesiam et personam no-  
stram habere dignosceris, Apostolicum tibi sentias accrevisse favo-  
rem, statuimus ne a quoquam tua possit Excommunicari vel In-  
terdicti Capella sine mandato sedis Apostolicæ speciali. Tu ergo  
ne inde nascantur injuriæ unde jura nascuntur, talem te super his  
satagas exhibere, ne per abusum (quod absit) privari ab hujusmodi be-  
neficio merearis; quia juxta Canonicas sanctiones, privilegium mere-  
tur amittere, qui permessa sibi abutitur potestate. (And had not this  
Pope by this rule forfeited all his pretended priviledges and right in *England* long  
before, by his Interdict, Excommunication, and dis-inheriting of *K. John* and his Heirs  
for ever?) Nulli ergo omnino hominum liceat hanc paginam nostræ  
constitutionis infringere, vel ei ausu temerario contra ire; si quis  
autem hoc attemptare præsumpserit, indignationem Omnipotentis  
Dei, et Beatorum Petri et Pauli Apostolorum ejus, se noverit in-  
cursum. Dat. Roma, apud Sanctum Petrum, xvij. die Kalend. Maii. Pontifica-  
tus nostri Anno xvij.

This priviledge was made the ground of exempting the Kings *Free Chappels* from  
the ordinary Taxes of the Clergy, Provisions of the Pope, Procurations, Tenthes,  
Archiepiscopal and Episcopal Visitations, as will hereafter appear; when as in  
truth the Common Law of *England*, Prescription time out of mind, and the Great  
Parliamentary Council of *Clarendon*, gave them this exemption without the help  
of this Bull.

The greatest and best advantage King *John* gained by the surrender of his Crown,  
and most of his Regal Jurisdiction to the Pope, was his real assistance of him against  
his Arch-enemy *Stephen* Archbishop of *Canterbury*, and his Rebellious Barons, ra-  
ther to preserve his own usurped interest in *England* than King *John*. In pursu-  
ance whereof, he having formerly excommunicated all the Barons in general, which  
they slighted as null, proceeding still more obstinately in their Wars and Rebel-  
lions

lions then before; the Pope at the Kings request, proceeded to excommunicate some of them by name, with all others that should assist them, or that should invade or enter the Realm to deprive him of his Crown, he being the Church of Romes Vassal, and the Realm of England belonging thereunto; and Interdicted all the Barons Lands.

Circa dies istos, summus Pontifex Barones Anglia, quos prius excommunicaverat in genere, ad instantiam Regis Anglorum, per subscriptas Literas excommunicavit nominatim & in specie.

An. Dom 1216  
Mat. Paris Hist.  
Angl. p. 266,  
267, 268.

**IN NOCENTIUS** Episcopus, &c. Abbat de Albandune, Archidiacono Picardienſi, & Magistro Roberto Officiali Norwicensis Ecclesie, salutem. Ad vestram volumus pervenire notitiam, quod nos super in generali Concilio constituti, excommunicavimus & Anathematizavimus ex parte Omnipotentis Dei Patris, & Filii, & Spiritus Sancti, auctoritate quoque Beatorum Petri & Pauli Apostolorum ejus, ac nostra, Barones Anglie cum adjutoribus & factoribus suis, qui Johannem illustrem Regem Anglorum Cruce signatum, & Basilicum Romanæ Ecclesie persequuntur, molientes ei Regnum auferre, quod ad Romanam Ecclesiam dignoscitur pertinere. Insuper excommunicamus et Anathematizamus omnes illos, qui ad occupandum vel invadendum Regnum ipsum, aut impediendum euntes in ejusdem Regis succursum, operam vel opem impenderunt, et terras eorundem Baronum Ecclesiastico subiectionis Intradidit. Aggravamus etiam in eisdem fortius manus nostras, si nec sic a suo desisterint in quo proposito, cum in hac parte pejores sint Saracenis: decernentes, ut si quis Clericus cujuscunque dignitatis aut ordinis, predictas excommunicationis aut Interdicti sententias violare præsumperit, Anathematis se sciat mucrone percussurum: et si quanto citius resipuerit, ab omni officio et beneficio depellendum. Quocirca discretioni vestre per Apostolica scripta præcipiendo mandamus, quatenus per totam Angliam publicari faciatis præscripta, eademque faciatis auctoritate nostra, sublato cujuscunque conditionis et appellationis obstaculo inviolabiliter observari. Volumus etiam nihilominus & mandamus, ut quosdam Barones Anglia, quos Venerabilis Frater noster Wintonienſis Episcopus, & dilecti filii Abbas de Redding, & Magister Pandolphus Subdiaconus & familiaris noster, delegati a nobis, excommunicatos personalliter nominaverunt, quia ipsos in præscriptis culpabiles invenerunt, videlicet, Eves illos Londinenses, qui fuerunt Principales prænominate pervertitatis auctores, & Robertum filium Walteri, S. Comitem Wintoniensem, R. huius ejus, G. de Mandevilla, & Willielmum fratrem ejus, Comitem de Clare, & G. filium ejus, H. Comitem de Hereford, R. de Percy, E. de Vescei, J. Constabularium Cestrie, Willielmum de Mumbray, Willielmum de Albineto, W. filium ejus, R. de Ros, & W. filium ejus, P. de Brus, R. de Cressi, Johannem filium ejus, Remulphum filium Roberti, R. Comitem Bigod, H. filium ejus, R. de Ver, Fulconem filium Warini, W. Malet, W. de Monte-acuto, W. filium Marescalli, W. de Bello Campo, S. de Kime, R. de Monte Begonis, Nicholaum de Stutevilla, necnon et alios in prædictorum præjudicium sententia nominatim expressos, cum complicitibus et fautoribus eorundem, Auctoritate Apostolica excommunicatos per totam Angliam publice denunciare faciatis, et ab omnibus artibus evitari, singulis diebus Dominicis et festivis solemniter innovari hujusmodi sententiam facientes ac denunciantes inviolabiliter observari: Civitatemque Londinensem Ecclesiastico suppositam Interdicto, contraditores per censuram Ecclesiasticam appellatione postposita compescendo. Magistrum etiam Serbadium Londinensem Cancellarium, qui sicut a Judicibus præfatis accepimus, dicti Regis, et suorum manifestissimus extitit persecutor, excommunicatum publice denunciatis ac suspensum, graviori etiam poena, nisi congrue satisfecerit,

\* This was the only motive, ground of these Excommunications.

\* Were not this Pope, the exiled Archbishop and Bishops worse then the Barons or Saracens, when himself abetted them in their Treasons before his surrender of the Crown?



fecerit, puniendum. Quod si nos omnes, &c. Datum *Laterani* xvij.  
Kalend. *Januarii*. Pontificatus nostri Anno xvij.

How these Excommunications were executed by them he thus informes us.

Mat. Paris,  
Hisor. Angl.  
p. 267, 268.

Cumque omnes Judices prædicti Literas memoratas accepissent, scripserunt omnibus *Anglia* Ecclesiis Cathedralibus sive Conventualibus sub hac forma.

**INNOCENTIUS** Episcopus, &c. Hujus igitur Auctoritate mandati, vobis districte præcipiendo mandamus, quatenus Barones *Angliæ* cum omnibus adiutoribus et fautoribus suis, qui Dominum Johannem Regem *Angliæ* persequuntur, et omnes illos qui ad occupandum vel inbadendum Regnum ipsum, vel impediendum euntes in ejusdem Regis succursum operam vel opem impenderunt, excommunicatos denunciatis; et terras eorundem Baronum Ecclesiastico Interdicto suppositas publicetis. Denunciatis etiam excommunicatos omnes Barones, qui in præmissis Domini Papæ rescripto personaliter nominantur; cum aliis omnibus in prædictorum Iudicium sententia nominatim expressis. Adelscet, *Walterum de Norwina*, Osbertum filium *Alani*, *Olivarium de Wallibus*, *H. de Braibrock*, *R. de Ropeffe*, *W. de Hoberge*, *W. de Manduit*, *Mauritium de Gant*, *R. de Berkele*, *Adam de Lincolana*, *R. de Mandrulla*, *W. de Lavaleie*, *Philippum filium Johannis*, *Willielmum de Tunstuna*, *W. de Huntingfield*, *Alexandrum de Pointuna*, *R. de Munficht*, *R. de Gressei*, *Galfridum Constabularium de Mentuna*, *W. Archidiaconum de Hereford*, *J. de Fereby*, *R. Capellanum Roberti filium*, *W. Alexandrum de Suttuna*, *W. de Coleville*, *R. filium ejus*, *Osbertum Giffard*, *Nicholaum de Stanevile*, *Tho. de Mul. tune*. Cives illos *Londinenses*, Magistrum *G. Cancellarium*, & Civitatem *Londinensem*, Ecclesiastico suppositam Interdicto, publice denunciatis. Has vero excommunicationis et Interdicti sententias in Ecclesiis vestris, tam Conventualibus quam Parochialibus ad vos pertinentibus publicari, ac singulis diebus dominicis et festivis faciatis solemniter innovari, ita diligenter singula Capitula mandati Apostolici exequendo, et quantum ad vos pertinet firmiter observando, ne in poenam Canoniceam et contumacibus debitam incidatis. Valete.

Nota.

\* Ecclesiasticorum.

His igitur excommunicationis & Interdicti sententiis per totam *Angliam* in brevi publicatis, cum ad omnium notitiam pervenisset; sola Civitas *Londinensis* per contumaciam multiplicem illas adeo contemnendo desperit; quod nec eas Barones observare, nec Prælati publicare decreverunt. Dicebant enim generaliter, omnes Literas falsa suggestionem fuisse impetratas, et ideo nullius eas esse momenti; et ex hoc maxime, quod non pertinet ad Papam ordinatio rerum Laicarum: cum Petro Apostolo et ejus successoribus non nisi \* Ecclesiarum dispositio rerum a Domino sit collata potestas. At quid ad nos se extendit Romanorum insatiata cupiditas? Quid Episcopis Apostolicis, et militibus nostris? Ecce successores Constantini, et non Petri: non imitantur Petrum in meritis vel Operibus, nec assimilandi sunt in potestate: justus enim est Deus in meritorum recompensatione. Proh pudor! marci et ribaldi, qui de armis vel liberalitate minime noverunt, jam toti mundo propter excommunicationes suas volunt dominari, ignobiles usurarii, et simoniaci. Quantum dissimiles Petro, qui sibi Petri usurpant partem? Sic igitur blasphemantes et recalcitrantes, ponentes os in Cælum, ad interdicti sive excommunicationis sententiam nullum penitus habentes respectum; per totam civitatem celebrarunt divina, signa pulsantes et vocibus altisonis modulantes. Such was their high contempt of this Popes Authority,

Lx-

Excommunications, Interdicts, and just censure of his usurped Authority, degeneracy from St. *Peter's* Doctrine and example.

Upon the noyse of this Excommunication and Interdict, the Barons lighting them with highest indignation, reviled K. *John* for enthralling himself, them, and the whole Realm to the Pope, and him for countenancing the King against them, refused to own him any longer for their Sovereign, and elected *Lewis* of *France* for their King, in such manner as I have \* formerly related, who thereupon, notwithstanding this Popes, and *Halo* his Legates \* forecited Inhibitions, Excommunications, Interdicts, soon after entred *England* with a potent Army to ayd the Barons.

In the mean time the Archbishops suspension was taken off, upon caution given, and a condition not to enter *England* till a peace concluded between the King and his Barons, and the Excommunication and Interdict against the Barons, *Londoners*, and their Complices, renewed.

**E**odem tempore, *Stephanus Cantuariensis* Archiepiscopus, (Rom. *data* cautione) quod sciret iudicio Domini Papæ de rebus superius expressis, a sententia suspensionis absolutus est: ita tamen, quod ante pacem inter Regem et Barones Angliæ plene reformatam, Angliam non intraret.

Per idem tempus, instante festo Paschali, cum Abbas Abbendunensis, & coniudices ejus, contumaciam Baronum et Londinensis Civitatis cognovissent, manus suas in eisdem extendentes, iterato edito, omnibus Angliæ Ecclesiis Conventualibus dederunt in mandatis, ut latam sententiam sub hac forma publicarent.

H. Dei gratia Abbas Abbendunensis, &c. Exequentes mandatum Apostolicum nobis sic impositum, sicut tenor Literarum nostrarum, quas nuper vobis transmissimus, vobis plenius intimavit: Sancti *Pauli*, Sanctique *Martini* Capitulis, G. de *Boclande* ejus Ecclesiæ Decano, & Conventui Sanctæ Trinitatis *Londopenis*, Literas nostras Domini Papæ, rescripti verba continentes, non solum semel, sed sæpe missimus, ejus Autoritate Apostolica districte præcipientes, ut Excommunicationis et Interdicti sententias latas in persequentem Dominum Regem et Civitatem Londinensem, diligenter publicantes, inviolabiliter Observerent. Qui adeo irreverenter Apostolicum vespendere mandatum præsumunt, quod eadem sententias publicare vel etiam observare per contumaciam contemplerunt: in divinis obsequiis excommunicatis scienter communicantes, sententiarum Domini Papæ violatores, et mandati ejus contemptores manifestos omnino se in omnibus exhibendo. De quibus per Patentes Literas Capituli Sancti *Pauli*, Sanctique *Martini*, Clericos & Nuncios ejusdem Decani nobis specialiter destinatas; & per alias sufficientes probationes plenam habentes certitudinem, constiterit. Præterea de Regno *Francorum* quidam Nobiles advenerunt, cum armata manu Militum & Clientum; quos omnes proculdubio eadem excommunicationis sententia volumus esse ligatos. Nam contra Dominum Regem et Sanctam Romanam Ecclesiam invadunt Regnum Angliæ, quotidie depredantes illud, et pro parte detinent occupatum, quod est cunctis in Angliæ et multis alibi manifestum. Quocirca jam dictos Nobiles, Castellanos scilicet de *S. Audemero* cum suis sociis, qui contra Regem ad occupandum vel invadendum Regnum *Angliæ* opem vel operam impenderunt; Insuper prædictum Decanum, necnon & omnes Canonicos, & Clericos, cujuscunque dignitatis aut ordinis, de Ecclesiis præfatis & Civitate, ad quorum notitiam mandatum pervenerit, vel qui se absentaverunt, vel quocunque modo procuraverunt, quo minus perveniret ad illos; Autoritate Apostolica, qua fungimur in hac parte, denunciamus excommunicatos: vobis eadem auctoritate injungentes, quatenus omnes prædictos excommunicatos publice denuncietis, et faciatis per totam Parochiam vestram publicari, tam Decanum, quam Nobiles supra dictos personaliter nominando. Ita & circa hoc & illud quod in primis Literis

\* Here p. 295.

\* Here p. 296.

297.

Mat. Paris Hist.

Angl. p. 269.

270.

vobis directum continetur mandatum, solliciti existentes, ne penes summum Pontificem quod absit, possitis rebargui negligentia, sed potius de diligentia commendari. Valete.

The *Londons* and Barons slighted this Excommunication as much as the former, and so doth *Lewis* of France the Inhibition of the Pope and his Legate, not to invade England, for which undertaking having furnished himself, and his Father *Philip* by the Legates importunity inclining to disswade him from it; thereupon,

\* Mat. Paris,  
Hist. Angl. p.  
271, 272.

**L**odovicus postea in crastino Sancti *Marci* Evangelistæ apud *Melun*, veniens ad Patrem suum; rogavit eum cum lachrymis, ne sui itineris propositum impediret. Addit etiam, quod Baronibus Angliæ juramentum præstiterat, quod ipsis veniret in succursum: unde prælegit ad tempus excommunicari a Papa, quam crimen incurrere falsitatis. Videns autem Rex contrariam filii sui, & animi angustiam, mente, voluntate, & adiutorio consensit: sed prævidens futurorum eventuum pericula, palam assensum non adhibuit: Et sic non quasi volendo vel persuadendo, sed quasi permittendo licentiam concessit, & cum benedictione dimisit. Tunc Lodovicus, missis ad Curiam Romanam nunciis, qui ibi jam, quod sibi de Regno Angliæ vendicabat, coram Domino Papa protestarentur: sub omni celeritate cum Comitibus, Baronibus, Militibus, & servientibus multis, qui secum iter Anglicanum juraverunt, festinavit ad mare, ut Legatum in Angliam præveniret. Where he arrived with 600. Ships and Vessels from *Calice*, in the *Ile of Thanet*, *June* 12. and thence marching to *London*, cum ingenti omnium Baronum lætitia susceptus est, who together with the Citizens of *London* did all Homage and Fealty to him as their King. Ille vero tactis sacro-sanctis Evangelis juravit, quod singulis eorum bonas leges redderet, simul & amissas hereditates: To gratifie the Archbishop his great friend, then absent at *Rome*, and promote his designs against King *John*, Constituit dictus Lodovicus, Magistrum *Simonem* de *Languetuna* Cancellarium suum; cuius prædicatione tam *Cives Londinenses*, quam *Barones* omnes excommunicati divina celebrare fecerunt, qui etiam ipsum Lodovicum ad consensum traxerunt. So little did they value the Popes Thunderbolts or Interdicts,

\* Mat. Paris,  
Hist. Angl. p.  
272.

**E**odem tempore, cum *Walo* Legatus de progressu Lodovici in Angliam certificatus fuisset, ipse ut diligens mandati executor Apostolici, ipsam sequuturus transfratavit, atque illæsus inter hostes transiens, apud *Gloverham* ad Regem *Johannem* pervenit. Quem Rex cum magna alacritate suscipiens, spem suam totam in eo posuit hostibus resistendi. At Legatus, Episcopis, Abbatibus, cum Clericis, quos habere poterat condonatis; Lodovicum nominatim cum complicibus et fautoribus suis, et præcipue Magistrum *Simonem* de *Languetuna*, pulsatis campanis et candelis accensis, excommunicabit; præcipiens Episcopis et aliis universis, ut singulis dominicis diebus, ac festivis per totam Angliam sententiam publicarent. Sed ad hæc Magister *Simon* de *Languetuna*, et Magister *Servastus* de *Hobzugge*, Ecclesiæ Sancti *Pauli* *Londinensis* Præcentor, cum quibusdam aliis, dixerunt se pro jure et statu Lodovici appellasse, unde sententiam illam irritam habuerunt et inanem. Such a pitifull Bug-bear was it.

In the mean time *Lewis* his Proctors at *Rome* endeavoured to satisfy the Pope that King *John* had no good Title to the Crown of England, and to make good his own Title thereunto, craving Justice against him therein, which put Pope *Innocent* to a great dilemma, as this account of these proceedings evidenceth.

\* Mat. Paris,  
Hist. Angl. p.  
272.

**C**irca dies istos Lodovici nuncii, quos ad Curiam Romanam miserat, eidem scripserunt sub hac forma.

Excellentissimo Domino suo Lodovico, Domini Regis Francorum primogenito, D. de *Corbello*, I. de *Montevisto*, & G. *Limeth*, nuncii, salutem & fidele servitium. Noverit



Noverit excellentia vestra, quod nos die Dominica ad mensem Paschæ venimus ad Dominum Papam, salvis personis nostris & rebus; & eodem die intravimus statim ad ipsum. *Quem hilarem invenimus, sed vultu tristem se nobis exhibuit.* Et præsentatis Literis nostris, & proposita salutatione ex parte vestra, ipse nobis respondit: *Dominus vester non est dignus salutatione nostra.* Ego vero statim respondi: Pater, credo quod auditis rationibus & excusationibus Domini nostri, invenietis eum dignum salutatione vestra, utpotè Christianum Catholicum, vobis & Romanæ Ecclesiæ devotum. Et sic illa die a præsentia Domini Papæ recessimus. Sed in recessu nostro benignissime nobis dixit Dominus Papa; *quod nos libenter audiret; quando & quoties vellemus.* Sequenti die Martis, Dominus Papa misit servientem quendam ad hospitium nostrum, ut veniremus ad ipsum, & statim venimus ante eum, & ipse multa dixit contra nos, cum proposuissimus causam nostram, & qua vidbantur impugnare factum vestrum, & rationes vestras. Et statim finito sermone, percussio pectore suo cum magno gemitu, infremuit spiritu, & dixit: *Deum mihi, quia in hoc facto Ecclesia Dei non potest evadere confusionem.* Si enim Rex Angliæ vincitur, in ipsius confusione confundimur: quia Vassallus noster est, et tenemur eum defendere. Si Dominus Lodovicus vincitur, quod Deus avertat, in ipsius læsione læditur Romana Ecclesia; et ipsius læsionem propriam reputamus. Secure enim semper habuimus, et adhuc habemus; quod ipse in omnibus necessitatibus debeat esse brachium, solatium in oppressionibus, et refugium in persecutionibus Ecclesiæ Romanæ. Et in fine dixit, quod melius vellet mori, quam aliquod malum vobis accideret in hoc facto. Et sic illa die recessimus. Præterea de consilio quorundam Cardinalium expectamus diem Ascensionis, ne quid statuatur contra vos, quoniam illa die solet Papa innovare sententias suas. Dixerat enim nobis Papa, quod ipse expectaret Nuncios Domini *Walo-*  
*nii.* Valete.

Nota.

After this *Lewes* his Advocates propounded three Objections against King *John* before the Pope, to invalid his Title to the Crown of *England*, which the Pope himself answered, with their replies to make them good; thus exemplified by *Matthew Paris*.

**P**rima propositio contra Regem *Angliæ* fuit in præsentia Domini Papæ, a nunciis supradictis quod *Arthurum* nepotem suum propriis manibus per prodicionem interfecit, pessimo mortis genere, quod *Angli* murdrum appellant. Pro quo facto, idem Rex condemnatus fuit ad mortem in curia Regis *Francorum*, per iudicium Parium fuorum. Ad hanc objectionem opponit dominus Papa, quod Barones *Francia* non potuerunt iudicare eum ad mortem condemnari; quia sit Rex inunctus, & ita sit superior: per Barones, tanquam inferiores, non potuit ad mortem condemnari; quia major dignitas quodam modo absorbet minorem. Et præterea incivile videtur, & contra Canones esse; in hominem absentem, non vocatum, non convictum, nec confessum mortis ferre sententiam. Ad hoc nuncii supradicti responderunt: Consuetudo est in regno *Francorum*, quod Rex habet omnimodam Jurisdictionem in homines Ligios suos: & Rex *Angliæ* erat suus homo Ligius, tanquam Comes & Dux: Ergo licet esset alias Rex inunctus, tamen tanquam Comes & Dux, erat de Jurisdictione Domini Regis *Francorum*. Sed si Comes & Dux in regno *Francorum* delinqueret; posset & deberet iudicari ad mortem per Pares suos. Imo si non esset Dux vel Comes, vel homo Ligius Regis *Francia*, & deliquisset in regno *Francia*, ratione delicti in regno perpetrati, potuerunt Barones eum iudicare ad mortem. Alioquin si Rex *Angliæ*, quia Rex erat inunctus, non posset iudicari ad mortem: impune posset intrare regnum *Francia*, & interficere Barones *Francia*, sicut interfecerat *Arthurum*.

\* Mat. Paris, Hist. Angl. p. 273. 274.

\* Fuit.

\* Therefore King *John* being Supream in his own Realm, by St. Peters Doctrine, this Pope could neither excommunicate him, nor depose him from his Crown, whiles absent and unheard as he did, nor examin his title to it.

Hujus autem negotii veritas talis est: Revera non fuit Rex *Johannes* iuste vel rite abjudicatus a *Normannia*: quia idem Rex non Judicialiter sed violenter spoliatus, misit propter restitutionem Regi *Francorum Phil.* nuncios solemnnes & prudentes, videlicet *Eustachium* Episcopum *Elyensem* & *Hubertum de Burgo*, viros disertos, & facundos, significans ei quod libenter veniret ad curiam suam juri per omnia super

illa re pariturus ac responsurus, sed ut provideretur ei saluus conductus. Et respondit Rex *Philippus*, sed non sereno vultu vel corde: Libenter. In pace saluus veniat. Et Episcopus: Domine, & redeat. Et Rex: Ita sit, si Parium suorum iudicium hoc permittat. Et cum supplicassent omnes nuncij Regis *Anglia* ut liceret ei salvo venire & redire, Rex *Francia* iratus, cum juramento solito respondit: Per Sanctos *Francia*, non nisi mediante iudicio. Et cum adderet Episcopus pericula quæ possent contingere per adventum ejus, ait: Domine Rex, non posset Dux *Normannia* ad curiam vestram venire, nisi veniret Rex *Anglia*, cum una persona sint Dux & Rex, quod non permetteret aliquo modo Barnagium *Anglia*, etsi ipse Rex hoc vellet: eminent enim pericula, ut nostis capturæ vel cædis. Cui respondens Rex, dixit. Et quid hoc Domine Episcopo? Bene scitur quod Dux *Normannia* qui meus tenens est, *Angliam* sibi adquisivit violenter. Et si subito aliquid accrescit in honorem, perdatne per hoc Dominus Capitalis? absit. Ad quod cum Nuncii nihil poterant rationabiliter respondere, redierunt ad Dominum Regem *Anglia*, quæ audierant & viderant nunciantes. Rex autem noluit se Committere dubiis casibus, & Iudiciis *Francorum* qui illum non diligebant, maxime cum timeret, ut ei de turpissima morte *Arthur*i objiceretur, juxta illud *Horatii*:

— quia me vestigia terrent,  
Omnia te adversum spectantia, nulla retrorsum.

Magnates autem *Francia* nihilominus processerunt in iudicium, quod rite non debuerunt facere, ex quo judicandus absuit, qui adesse voluit si posset. Unde si Rex *Johannes* abjudicatus fuerit per \*adversarios suos non rite abjudicabatur. Ad hæc Papa, multi Imperatores, & Principes, & etiam *Francorum* Reges, multos in Annalibus occidisse leguntur Innocentes, nec tamen quenkum illorum legimus morti additum. Et cum *Arthurus* apud *Mirebel* Castrum, non ut Innocens, sed quasi nocens, & proditor Domini & avunculi sui, cui homagium, & ligantiam fecerat, captus fuerit, potuit de Jure morti etiam turpissimæ sine Iudicio condemnari.

\*His very case in relation to Pope *Innocent*, when Interdicted, excommunicated, deprived, by him, being then his capital Enemy.

**S**ecunda objectio contra Regem fuit, quod sæpe citatus non personaliter juri pariturus comparuit, nec sufficientem responsum pro se ad curiam *Francia* destinavit. Ad hoc dicit Papa, quod si Rex *Anglia* fuit tantum contumax, quia citatus non venit nec misit, sed propter contumaciam non solet quis puniri ad mortem, nec debet. Ergo Barones *Francia*, non potuerunt judicare eum ad mortem, sed saltem alio modo punire eum; per ablationem scilicet feudi sui. Nuncii responderunt: Consuetudo est in Regno *Francia*, quod ex quo aliquis accusatur coram suo iudice, de tam crudeli homicidio quod *Murdrum* appellatur; & ille qui accusatur non venit, vero modo legitimo se excusat, pro convicto habetur, & tanquam convictus per omnia judicatur, & etiam ad mortem, ac si præsens esset. Ad hæc Papa respondit: Quod pactio potuit esse inter Regem *Francia*, & Ducem *Normannia*, vel antiqua consuetudo, quod Dux *Normannia* non debet venire ad citationem Regis *Francia*, nisi in Marchiam: Unde si non venit citatus, nec deliquit, nec propter hoc potuit taliter puniri. Item dicit Papa: Quod si sententia lata fuerit contra Regem *Anglia*, non tamen mandata fuit executioni, quia non fuit occisus, unde proles, quam suscepit postea, debet ei in Regno succedere: quia \* Rex *Anglia* non commisit crimen læsæ Majestatis, nec crimen hæreseos, pro quibus tantum filius exheredatur, pro delicto Patris. Ad hæc Nuncii responderunt: Consuetudo est in Regno *Francia*, quod ex quo aliquis est damnatus ad mortem, quod proles suscepta post sententiam damnationis, succedere non debet, geniti tamen ante sententiam succedere debent. Sed tamen super hoc, Nuncii litigare noluerunt. Item dicit Papa, Quod Rex *Anglorum* judicatus esset ad mortem, & etiam filii de carne sua geniti, non ideo *Blanca* deberet ei succedere; sed propinquiore de genere ejus, videlicet proles fratris primogeniti, & ita soror *Arthur*i, vel *Otho*, qui fuit filius sororis primogenitæ. Et si ponatur, quod Regina *Castella* debeat succedere, & ita *Blanca* filia ejus, non est verum: quia masculus debet præferri, Rex scilicet *Castella*. Et si nullus esset masculus, præferri deberet Regina *Legionum*, tanquam primogenita. Ad hæc Nuncii dixerunt: Filii fratris non debent succedere, ex quo tempore lætæ sententiæ frater non vivebat: & ita neptis, soror scilicet *Arthur*i, non debet succedere, quia non est

\* How then could he deprive him & his Heirs being guilty of neither?

in

in linea descendenti, cum sit filia fratris : Similiter tempore latæ sententiæ mater *Othonis* non vivebat, ergo non successit, ergo *Otho* non debet succedere. Sed Regina *Castella* vivebat, quæ soror erat, & ideo successit : Ergo mortua Regina *Castella*, proles successit, & succedere debuit. Ad hæc dicit Papa : Quod Rex *Castella*, succedere debet, quia masculus est ; vel Regina *Legionum* tanquam primogenita. Nuncii dixerunt : Quod cum plures sint hæredes, qui alicui debent succedere, & ille qui primo loco debet succedere, taceat ; vel hæreditatem investiri debet hæreditate illa secundum consuetudinem approbatam, salvo tamen jure alterius, si reclamaverit. Et ideo Dominus *Lodovicus* intrat Regnum *Anglia*, ut suum. Et si quis propinquior velit super hoc reclamare, Dominus *Lodovicus* faciet inde quod debet.

**T**unc dicit Papa : Quod Regnum *Angliæ* suum proprium est, et est in possessione Domini ratione fidelitatis, quæ super hoc est ei facta per juramentum, et etiam ratione census, qui jam ei solutus est de Regno : Unde cum in nullo delinqueret, non deberet sibi guerram movere *Lodovicus*, nec deberet eum spoliare a Regno *Anglia* \* per guerram ; maxime cum Rex *Anglia* multas habeat terras in feudo Regis *Francia*, de quibus potest ei movere guerram. Ad hæc Nuncii : Mota fuit guerra & justum Bellum contra Regem *Anglia*, antequam Regnum illud esset Domini Papæ. Sed de Regno *Anglia* venit *Willielmus* de *Longa spata*, & multi alii cum eo, in manu valida & armata ; qui damna multa & injurias intulerunt Domino *Lodovico* in terra sua propria ; & ideo Dominus noster potest movere justum Bellum contra Regem *Anglorum*. Ad hæc Papa dixit : Quod licet Rex *Angliæ* tanquam Vassallus ejus *Lodovico*, non ipse tamen deberet ei movere guerram ; sed deberet conqueri Domino superiori, scilicet Papæ, cui subest Rex *Angliæ*, tanquam Vassallus ejus. Ad hæc Nuncii responderunt : Quod consuetudo est, et quo aliquis Vassallus alterius movet guerram alicui auctoritate sua, ille cui mota est guerra, potest ei movere guerram auctoritate sua, nec tenetur conqueri Domino illius. Et si Dominus vult defendere Vassallum suum quamdium movet talem guerram, ipse Dominus dicitur facere guerram. Item dicit Papa : Quod in generali Concilio statutum est, quod inter omnes discordantes debet esse pax vel treuga usque ad quatuor annos, pro succursu Terræ Sanctæ ; & ideo tempore medio *Lodovicus* non debet Regno *Anglia* guerram movere. Nuncii dixerunt : Quod in recessu suo a *Francia* *Lodovicus* non fuit requisitus de pace vel treuga ; & si requisitus esset, crediderunt tantam esse malitiam Regis *Anglia*, quod noluit pace vel treuga gaudere. Item dicit Papa : Quod Rex *Anglia*, cruce signatus est : unde ex constitutione generalis Concilii, ipse Rex & omnia sua debent esse sub protectione Ecclesiæ. Ad hoc Nuncii responderunt : Quod Rex *Angliæ* autem crucem sumptam guerram moverat Domino *Lodovico*, & damna multa fecerat, Castra sua ceperat ; & adhuc Milites suos & servientes incarceratos retinet, & hucusque in guerra est contra Dominum *Lodovicum*, nec pacem vel treugam cum eo habere voluit, super hoc etiam sæpe requisitus. Item dicit Papa : Quod de communi consilio generalis Concilii excommunicaverat Barones *Anglia*, & omnes fautores eorum, & ita Dominus *Lodovicus* sententiam incurrisse videtur. Nuncii dixerunt : Quod *Lodovicus* non adjuvat Barones *Anglia*, nec fovet eos, sed jus suum prosequitur : nec etiam credit *Lodovicus*, nec credere debet, quod Dominus Papa, vel tantum Concilium, injuste velit aliquem excommunicare. Nam tempore latæ sententiæ Dominus Papa nesciebat, quod *Lodovicus* haberet jus de Regno *Anglia*, & cum hoc illi constiterit, non credit Dominus *Lodovicus*, quod Concilium possit ei jus suum auferre. Item dicit Papa : Quod Rex *Francorum* & *Lodovicus* filius ejus, post sententiam a Baronibus *Francia* in Regem *Angliæ* latam, ipsum Regem appellaverunt, & pro Rege habuerunt : & cum eo tanquam cum Rege *Angliæ* treugas statuerunt. Ad hæc Nuncii responderunt : Quod post latam sententiam a Baronibus in Regem, nunquam illum pro Rege habuerunt : sed ipsum Regem depositum appellaverunt, sicut, Abbas depositus, & quilibet alius dici solet. Novissime vero dicit Papa : Quod ipse \* statuet super hiis antequam veniant \* non, Nuncii Domini *Walonis*.

*Nota.*

\* Why would himself do it before his Character of Surrender by War & force of Arms?

By



a Mat. Paris,  
Hist. Angl. p.  
357. Speed, p.  
585. Holinshed  
and others.

b Here, p. 261.

c Acts and Mo-  
numents, vol. 1.  
p. 332, 333.  
d History of  
Great Britain,  
p. 586, 587.  
e Mat. Paris,  
Anno 1326.  
f Mat. Paris,  
Hist. Angl. p.  
277.

By which relation we see the Pope himself became King *Johns* Advocate, as well as Judge, not as King of *England*, but only because he was his Vassal, (as he frequently styles him) and the Kingdom of *England* his Kingdom, not *Johns*, in point of Interest. Whiles these things were agitated at *Rome*, *England* was miserably wasted and harried by *Lewes* and his Army in the East and South, and by King *John* in the West and North; whereupon 40. of the Barons, considering the miseries of their native Country, the power, successes of K. *John*, became sensible of their errors in rejecting him, and calling in and Crowning *Lewes* for their King, and being likewise informed by Vicount *Melun* on his death-bed, upon his salvation, *That Lewes and 16. others of his chief Earles and Barons, whereof himself was one, had taken an Oath, That if ever the Crown of England were quietly settled on his head, he would condemn to perpetual exile all the English who now adhered to him against King John, as Traytors to their lawfull Sovereign, and would actually extirpate all their kindred;* counselling them, *timely to prevent their miseries, and lock up his words under the seal of secrecy;* thereupon addressed their Letters of submission to K. *John*, hoping that Royal blood was ever ready to shew mercy to such who were ready to yield and prostrate themselves, as Solicitors for mercy. But before these Letters delivered, or any answer returned, King *John* fell suddenly sick at *Swinshed* Abby, being at the mercy of an higher Sovereign. When he perceived that his death approached, *he with penitent confession of his sins, and great devotion, received the blessed Eucharist, having the Abbot of Croxston both for his bodily and ghostly Physician; and then not only gladly forgave all his mortal Enemies and Persecutors, (though very difficult to flesh and blood) but also sent command to Henry his son to do the like, to whom he caused all present to swear Fealty, as next heir to the Crown, and sent Letters to all his Officers abroad to assist him. After which he commended his soul to God, and his body to be interred in Worcester Church, where he was afterwards solemnly buried, near the body of Bishop Wolston, renowned for his constant fidelity to his Prince, against the Nobles of his time. Our Historians much differ about his sicknesse, and true cause of his sudden death; some relate he died of grief, others of a fever, a third sort of a flux, a fourth of a surfeit, a fifth of poyson: the most probable opinion is, that he was poysoned by a Monk of Swinshed Abby, where he dyed, being of the Cisteaux Order, which the King had formerly (b) much oppressed and incensed, whereupon by way of revenge (to prevent further miseries to the Church, Realm, and gratifie the Rebellious Bishops, Monks, Clergy, Barons, his professed Enemies, the highly enraged against him) this Monk presented the King with an envenomed Cup, whereof the King commanded him to be the Taster, of which both of them drinking, this Votary became the Diabolical instrument of his own and his Sovereigns destruction. Some of our Monkish Historians themselves relate, that the Monk revealing his intention of poysoning the King to his Abbot, though he poysoned himself to effect it, and saying, *That he would suffer this voluntary Martyrdom for the publique, as Caiphas said of Christ, better one perish then a whole Nation;* the Abbot at this resolution and constancy of his, *wept, and prayed God for joy:* whereupon the Monk being absolved before hand by the Abbot, resolutely took the Cup wherewith he poysoned both himself and the King. For a reward and memory of which his execrable Treason, after his decease, *five Monks of that Abby did sing for this their Brothers soul specially, and so would do whiles the Abby stood,* as the Manuscript Chronicle of St. *Albans*, *Caxton*, *Eulogium*, (c) Mr. *Fox*, (d) *Speed*, and others more at large relate: whereas on the contrary these Monks fable, *That it was revealed to a Monk, That King John was in Hell,* though a Poet for so saying is censured by (e) *Matthew Paris* himself as *Reprobis verficator*, who (though a bitter Enemy to K. *John*, as if he thought ill of, and renounced his Religion) gives us this final judgement of his death and future estate, only for his liberality to two Monasteries. (f) *Cum autem regnasset Rex Johannes annis octodecim, mensibus quinque, diebus autem quatuor, ab hac vita post huius saeculi multas perturbationes, & labores inutiles, in multa mentis amaritudine substractus, transmigravit; Nil terræ, imo nec seipsum possidens.* (Such was his infelicity through his Prelates, Subjects Treachery.) *Sperandum est autem, et certissime confidendum, quod quædam bona opera, quæ fecit in hac vita, allegabunt pro eo ante Tribunal Jesu Christi: construxit enim Abbatiam Cisterciensis ordinis de Bello loco,**

loco, et moriturus domuit de \* Crocissima decem librarum tertam contulit opulentiam. Yet the malice of many of his Bishops, Monks, Clergy, and other Enemies against him was such, that they would neither permit him to enjoy his Temporal Crown and Kingdoms on earth whiles he lived, nor permit God himself to bestow on him any Crown, or share at all in the Kingdom of Heaven, after his untimely death.

I have now with all possible industry and integrity presented you out of our Histories and Records with the exactest Chronological History hitherto published, of the Popes and Prelates manifold, unparallel'd, grand Usurpations upon the Crown, Kingdoms, Churches of *England* and *Ireland*, during the reign of King *John*, with his strenuous various oppositions against them for sundry years, till by armed violence, fear, fraud, treachery, perjury, rebellion, enforced to resign up his Crown, Scepter, Kingdoms, to his grand Enemy Pope *Innocent* the 3d, who afterwards undertook his protection against his Rebellions Prelates and Barons; not out of any love or respect unto him as King of *England*, but meerly as his sworn Vassal and Tributary, by an enforced Charter, the nullity whereof both in Law and Conscience I have at (g) large demonstrated, against all Popes and their Parasites pretences. The new Usurpations made by this Pope, and the English Bishops confederating with him, upon this Kings supream Ecclesiastical Jurisdiction; during his unfortunate reign, are reducible to these heads.

Here, p. 274 to 330.

1. An usurped arbitrary power for the Pope to examine in the Court of *Rome*, the Elections of Archbishops, Bishops, Abbots, though duly made by the Electors with the Kings license.
- 2ly. A Jurisdiction for the Pope to compell some few members of Chapters and Covents in *England* to elect whomsoever he recommended to be their Archbishop, Bishop, Abbot, without the consent of the majority of the Chapter or Covent, even in *Rome* it self, against their Oathes; Trusts, Charters, Priviledges.
- 3ly. A Jurisdiction without the Kings previous Regal license to elect, or subsequent assent to such Elections, to compell the King himself to invest Bishops in the actual possession of their Temporalities, by Ecclesiastical censures; and force of armes; against the Rights and Priviledges of the Crown.
- 4ly. A new Prerogative for the Pope or his Legates by their own Provisions or Translations to promote whom they pleased to any Archbishoprick, Bishoprick, Abby, Deanery, Benefice; in *England* or *Ireland*, whereof the King himself or any other was rightfull Patron; without and against his Royal assent, or the Patrons.
- 5ly. A meer arbitrary Jurisdiction to Interdict the King and Kingdom of *England*, to prohibit all Divine Service and Sacraments therein for sundry months, yea years together, against Gods and the Kings expresse commands; and that not for any personal or national scandalous crimes, found in the King or Kingdom, but meerly for opposing the Popes apparent inroachments on the Rights of the Kings imperial Crown.
- 6ly. A power personally to excommunicate the King himself, and all others who should either eat, drink, discourse or communicate with him, only for disobeying the Popes illegal commands, against his antient Rights and Priviledges.
- 7ly. An Authority to absolve all his Subjects from their Oathes of Allegiance and Obedience to him; till conformable to his Papal pleasure; and to dispence with the Kings own Oathes to his Barons and people.
- 8ly. A pretended supream Antichristian Papal authority; actually to deprive the King and his Heirs of his very hereditary Crown, Kingdoms, and give them away to other foreign Princes.
- 9ly. To command foreign Kings, and all Christian Nobles, Knights, Souldiers, by force of armes to seize upon and expell him his Kingdoms, and issue out Crossadoes to War against and dethrone him, as if he were a meer Saracen and Turk.
- 10ly. A Jurisdiction to deprive, suspend, sequester, excommunicate the Archbishops, Bishops, Abbots, Priors; Ecclesiastical and Temporal Peers, and Cities of the Realm at his Papal pleasure, and summon them to attend the Pope personally at *Rome*, to undergo his Papal censures.
- 11ly. A liberty inserted into the Great Charter for all Bishops, Clergymen; Monks; and others to depart out of the Realm, resort to *Rome*, or to the Kings Enemies, without his Royal license first obtained, and to return again at their pleasures.
- 12ly. A liberty for all Chapters, Covents, Monks, Clergymen; freely to elect whom they pleased to Bishopricks, Monasteries, Deaneries, and other preferments in the Kings Donation, and to reject whatever persons the King should specially recommend unto them, though never so deserving; so as the King could prefer no person to any elective

elective Dignity within his Reajms, but whom the Chapters, Covents, Clergy should voluntarily elect, and the Pope or his Legates actually confirm at their pleasures. 13ly. A power to sequester, suspend, deprive, excommunicate; and reduce to extream necessity all such Scholars, Clergymen, and Loyal Subjects, who had so much loyalty and courage as to appear in defence of the King and his Cause, against the Popes illegal injurious encroachments; and to protect, advance, reward, encourage all Traytors and Rebels against the King, to advance the Popes Usurpations. 14ly. A power to sell Archbishopricks, Bishopricks, Monasteries, and all other Ecclesiastical preferments, Palls, to those who would give most money for them; to extort monies for Papal Benedictions, Valedictions, dismissions from attendance in General Councils, or the See of *Rome*, upon summons thither. 15ly. An over-awing authority over all the Bishops, Clergy of *England & Ireland*, to obey the Popes most unjust, treasonable commands, against the expresse commands, protestations of the King, Barons, Kingdoms, to the Kings, Realms, and Churches prejudice. 16ly. A power to hear and determine, by Appeal or otherwise, all causes and controversies concerning elections, unions or disunions of Churches, or other Ecclesiastical Offices.

As to the Kings and Kingdoms Temporal Rights and Jurisdictions, Pope *Innocent* made these unparalleled encroachments on them. 1. An actual Interdiction of the whole Realm sundry years, for a pretended personal contempt in the King alone, and after that the like Interdict of the *Londoners* and Barons temporal Estates, for their Rebellions and civil offences against the King. 2ly. An Antichristian power to dethrone, dis-inherit the King and his Heirs of their hereditary right in the Crown, Kingdoms of *England* and *Ireland*, and to transfer them to foreign Kings and Enemies, without the Kings or Kingdoms consent, or any tryal, hearing of the King or Kingdom. 3ly. A forcible wrested resignation from the King of his Crown, Scepter, Kingdoms to the Pope and his Successors, without his Barons or Kingdoms consents, by a void, illegal, extorted Charter. 4ly. A resuming of them by King *John* and his Heirs from the Pope and his Successors, under an Annual Rent or Pension; and extorting of an Oath of Homage and Fealty from the King, as a meer Vassal and Tributary to the Pope and Church of *Rome*, directly contrary to the Rights of the Crown, and freedom, Office, Royalty of a King. 5ly. A power to confirm, null, repeal the Kings own Temporal Charters, yea Great Charters of Liberties and the Foreist, and judge of their validity or invalidity at his Papal pleasure. 6ly. A power to examine, hear, determine the Right and Title of King *John* and others to the Crown of *England*, and decide them in the Court of *Rome*, as the supream Judicature in such cases. 7ly. A Jurisdiction to hear and determine all civil controversies touching Priviledges, Rights, Franchises, between the King and his Barons, and excommunicate them for not submitting to his Papal Edicts therein. 8ly. A power to make Truces, and prohibit Christian Kings to War upon each others Kingdoms, under pain of Excommunication and Interdiction. 9ly. A pretended right to protect all Kings and Nobles who took up the Cross, from any civil proceedings, Wars against each other, during the Crossado, and to recommend, promote, grant, prescribe Taxes, Tenths, to maintain those Wars against the Turks, but in truth to fill his Papal coffers. 10ly. A power to exempt Treacherous, Rebellious Clergymen from being Out-lawed or Interdicted by the King, and force the King by publike Patents to disclaim this his antient Prerogative, with his power of detaining any Clerks in Prison, for capital Crimes or Felonies, if demanded to be delivered by and to their Ordinaries. All these with some other Usurpations of lesse concernment, reducible to these heads, were introduced by Pope *Innocent* the 3d. during the reign of King *John*, never practised in *England* before by any of his ambitious Predecessors; and so fastned upon the necks of the King, Kingdom by wholesale, by means of King *Johns* forced resignation of his Crown to the Pope, intestine Wars, differences between the King, his Bishops, Barons, this Pope and his Legates policies, that his Successors for many years after, though they frequently complained, petitioned against them, with much earnestnesse and regret, yet were hardly able with all their power or policy to resist, much lesse to shake them off, but only by piece-meal and inches as they had strength and opportunity to do it.

I shall now proceed to his Sons and Successors long, yet troublesome reign, by like unhappy contests between the Crosser and Scepter, the King and his Barons, upon pretext of publike Liberty, and our Ecclesiastical affairs under him.





# THE FOURTH BOOK.

## CHAP. I.

*K. Henry the 3d. his succession to K. John; his Coronation, necessitated Oath, Homage, Subjection to, Transactions, Compliance with the Pope and See of Rome, against his own and the Nobles wills; his and their Complaints, Oppositions, Prohibitions against the Popes, Bishops, Clergies Encroachments, Exactions both in England and Ireland; with the chief passages concerning the Ecclesiastical affairs in them, during the first 20. years of his young & troublesome reign.*



King John being \* taken out of this world by poison, through the implacable malice of the Monks and Prelates, having then many Enemies both of Earls, Barons, and more especially of the Popish Clergy, Henry his eldest son was then but of the Age of 9. Years: at which time most of the Lords of England adhering to Lewes the French Kings son, (whom they had sent for before in displeasure of King John to be their King, and had sworn to him their Allegiance.) Thereupon William Earl Marshall, a Noble man of great Authority, and a grave, sound Counsellor, friendly and quietly called unto him divers Earls and Barons, and taking this Henry the young Prince, son of King John, set him before them all, using these words, Behold Right Honourable and Well-belov'd: Although we have persecuted the Father of this young Prince for his evil demeanour, and worthily, yet this young Childe, whom here you see before you, as he is in years tender, so is he pure and innocent from these his Fathers doings: Wherefore in as much as every man is charged only with the burthen of his own works and transgressions, \* Neither shall the Childe (as the Scripture teacheth us) bear the iniquity of his Father: We ought therefore of duty and conscience to pardon this young Prince, and take compassion of his Age as ye see. And now forasmuch as he is the Kings natural and eldest son, and must be our Sovereign and King, and Successor of this Kingdom, come let us appoint him our King and Governour, and let us remove from us this Lewes the French Kings son, and suppress his people, which is a confusion and shame to our Nation, and the yoke of our servitude let us cast off from our shoulders. To these words spake and answered the Earl of Gloucester: And by what reason and right (said he) can we so do, seeing we have called him hither and sworn to him our Fealty? Whereunto the Earl Marshall inferred again, and said: Good right and reason we have, and ought of duty to do no less, for that contrary to our

An. Dom. 1217  
\* Fox A&S and  
Monuments,  
vol. 1. p. 331,  
to 336. Mat.  
Paris, Hist.  
Angl. p. 278.  
Caxton, Speed,  
Daniel, Graf-  
tor, Holmshed,  
Baker, Anno  
1 H. 3.

\* Ezech. 18.

mind and calling, he hath abused our affiance and Fealties. Truth it is, we called him and meant to preferre him to be our Chieftain and Governour, but he eftsoons surpris'd in pride, hath contemned and despised us, and if we shall so suffer him, he will subvert and overthrow both us and our Nation, and so shall we remain a spectacle of shame to all men, and be as outcasts of all the world.

At these words all they, as inspired from above, cryed all together with one voice, *Be it so, he shall be our King*; and so the day was appointed for his Coronation, which was the day of *Simon and Jude*. This Coronation was kept not at *Westminster*, forasmuch as *Westminster* at the same time was holden of the *French-men*, but at *Gloucester*, the safest place (as was thought) at that time in the Realm, Anno 1216. by *Gualo* the Popes Legate, through counsel of all the Lords and Barons that held with his Father King *John*.

The manner of his Coronation is thus related by *Matthew Paris*.

Mat. Paris, Hist.  
Angl. p. 278.

\* Therefore a  
free gift, not  
Rent or Tri-  
bute.

**L**egatus associatis sibi Episcopis & Comitibus memoratis, duxerunt eum ad Ecclesiam Conventualem cum processione solemni, Regem acclamando. Ubi ante majus altare constitutus, juravit coram Clero & populo, appositis sibi sacro-sanctis Evangeliiis, & plurimorum Sanctorum reliquiis, dictante juramentum *Jocelino Bathoniensi*; Quod honorem, pacem, ac reverentiam portabit Deo & Sancta Ecclesia, & ejus ordinatis, omnibus diebus vite sue. Juravit etiam, quod in populo sibi commisso, rectam justitiam tenebit: quodque leges malas & iniquas consuetudines, si qua sint in Regno delibit, & bonas observabit, & ab omnibus faciet observari. Deinde fecit homagium Sanctae Romanae Ecclesiae et Innocentio Papae, de Regno Angliae et Hyberniae, et juravit quod Mille Marcas, quas Pater ejus Romanae contulerat Ecclesiae, fideliter persolveret, quamdiu praedicta Regna teneret. Et his ita gestis, *Petrus Wintoniensis*, & *Jocelinus Bathoniensis* Episcopi, ipsum in Regem ungentes, Coronaverunt sollempniter cum canticis & modulationibus, quae in Coronationibus Regum solent decantari. Tandem expletis Missarum solemniis, duxerunt Regem cum processione solemni, Episcopi & Comites praedicti, regalibus indutum, ad mensam; ubi omnes in ordine suo confidentes, epulabantur in laetitia & exultatione. In crastino autem Rex cepit homagia & fidelitates ab omnibus Episcopis, Comitibus, & Baronibus, aliisque omnibus qui aderant, & omnes ei fidelissimum obsequium promiserunt. Coronatus est autem *Henricus* tertius Anno Aetatis suae Decimo, in die Apostolorum *Simonis & Jude*, scilicet xxvii. die mensis *Octobris*. Rex autem post Coronationem suam remansit in custodia *Willielmi* Comitissae *Pembroc*, magni videlicet *Mareschalli*; qui protenus misit Literas ad omnes Vicecomites de Regno Angliae & Castellanos, praecipiens singulis, ut Regi nuper Coronato essent incedentes, promittens omnibus possessiones pariter ac donaria multa, ita ut dicto Regi fideliter adhererent. Sicque Nobiles universi & Castellani, qui Patri ejus servierant, ei multo fidelius quam Regi *Johanni* adhaeserunt: quia propria Patris iniquitas, ut cunctis videbatur, filio non debuit imputari. Unde omnes sese ad defensionem praeparantes, Castella sua optime munire ceperunt. Animabat praeterea eos qui partes Regis fovebant quamplurimum, quod singulis diebus Dominicis ac festivis *Lodovicum* cum complicitibus ejus et fautoribus excommunicari videbant.

Mat. Paris, Hist.  
Angl. p. 281,  
286, 287.

Soon after, King *Henries* party increasing, (many of the Barons revolting from *Lewes*: Quod spreto juramento, terras, possessiones, & Castella eorumdem optimatum, quae eorum auxilio subegerat, illis murmurantibus, in suam redegerat potestatem, ponens in eis milites & alienigenas nationes: ) his Forces taking in many Castles, and the Pope likewise threatening to ratifie the Excommunication denounced by *Gualo* against *Lewes*, unlesse he departed *England*; thereupon a Truce was made between *Henry* and *Lewes* till a month after *Easter*. In *Whitson* week the Popes Legate to encourage the Kings Army to fight the French Kings Forces at *Lincoln*; Ostendit omnibus, quam iniqua erat *Lodovici* ac Baronum ei adherentium causa; pro qua fuerant excommunicati, & ab unitate Ecclesiae segregati. Et ut denique exercitum illum animaret ad pugnam, albis indutus vestibus cum clero universo: (he again) *Lodovicum* nominatim excommunicavit, cum complicitibus & fautoribus suis, & praecipue omnes illos qui apud *Lincolniam* contra Regem Angliae obsidionem agebant, cum tota Civitate; continens scilicet & contentum. Eis autem qui negotium hoc in propriis personis expediendum susceperunt, de concessa

cessa sibi potestate ab omnipotenti Deo & sede Apostolica, plenam suorum veniam peccatorum, de quibus veraciter confessi fuerunt, indulget, & in retributione justorum, salutis æterna premia repromisit. Deinde collata omnibus absolutione & Dei benedictione, ad arma convolarunt universi: After a sharp conflict they routed the Barons and Lewes forces, slew and took many of them prisoners with the losse only of three men, and took the City of *Lincoln* with all the Treasure and Baggage of the Enemy, those who escaped flying to *London*; many of them were cut off by the way. Whereupon *Lewes* sending to his Father *Philip* for ayde, (who feared to assist him, being excommunicated) the Kings ships watching the French fleet at sea, transporting Soldiers and supplies unto him, took *Eustachius* a Monck their Admiral, Prisoner, whose head the Kings Brother *Richard*, cut off with his Sword as a most wicked Pirat and traytor to the King of *England*, despising the great sum of mony which he profered for his ransom: Soon after which defeats by Land and sea, both parties having a conference at *Stanes*, came to this agreement on the 3d. of *September*, which they swore to on both sides.

**J**uravit in primis *Lodovicus*, & omnes & excommunicati & imprisii ejus cum eo, Mat. Paris, p. 188. tañtis sacrosanctis Evangeliiis, quod starent judicio Ecclesiæ, & quod de cætero fideles erunt Domino Papæ & Ecclesiæ Romanæ. Juravit etiam, quod incontinententer recederet cum omnibus suis de Regno *Anglia*; nunquam in vita sua malo animo reverurus. Et quod pro posse patrem suum *Philippum* induceret, ut *Henrico Anglorum* Regi redderet omnia jura sua in partibus transmarinis, & cum Rex foret, ipse in pace dimitteret. Juravit insuper, quod omnia castra cum terris omnibus, quas ipse & sui per guerram occupaverant in regno *Anglia*, Regi & suis redderet incontinententer. Rex autem *Anglorum*, tañtis sacrosanctis Evangeliiis, juravit cum Legato & Mareschallo, quod redderent Baronibus *Anglia* & aliis omnibus de Regno, omnia jura & hæreditates suas, cum omnibus libertatibus ante petitis; pro quibus discordia fuit exorta inter *Johannem* Regem *Anglorum* & Barones. Nec nocumentum vel opprobrium obtineretur hinc vel inde, his qui huic vel alii adhæssissent. Insuper prisiones omnes, qui ante hanc pacem provisam se redemerant, & suæ redemptionis jam factæ pecuniæ partem suis creditoribus solverant, quod solutum est non reddatur eis: sed siquid superfuerit ad solvendum, debitori penitus relaxetur. Prisiones universi, qui apud *Lincolniam* capti erant, vel prælio navali apud *Doveram*, sive in parte Regis, sive in parte *Lodovici*, ubicunque, statim sine omni difficultate, & sine omni redemptione & censu liberarentur. Et his ita gestis, absolutus est *Lodovicus* cum omnibus secutoribus suis, servata Ecclesiæ forma. Ac deinde singuli ruentes in pacis osculum, tristem lætitiæ sub fraudis prætextu plurimi pallabant. Quo factò *Lodovicus* *Londoniam* reversus, & ibi præ nimia a civibus paupertate, quinque millia librarum sterligorum mutuo accipiens, sub conductu magni Mareschalli ad mare cum festinatione pervenit, & cum opprobrio sempiterno ad *Gallias* transretavit. Though the King and Kingdom were thus speedily and finally rid of this forraign French Usurper, yet the Pope and Romish Usurpers got great advantage, and firmer footing by it. For it is very observable, that although the Barons and Laymen who adhered to *Lewis*, had a general pardon and indemnity for their Treasons, Rebellions against the King, yet the Popes Legat exempted all the Bishops, Abbots and Clergy out of this Act of pacification, for their contempts against the Popes authority, that he might tyrannize over them, dispose of their Ecclesiastical promotions and benefices to his instruments, and put them to excessive fines at the present, to fill the Popes and his own coffers, and enrich his own freinds with others Losses, as the Historian thus relates.

Ab hoc quoque absolutionis et pacis beneficio, excepti fuerunt Episcopi, Abbates, Priores, Canonici sæculares, et clerici multi, Mat. Paris, p. 188. qui *Lodovico* ac Baronibus consilium præstiterant et favorem; et maxime Magister *Simon de Langetuna*, cum Magistro *Gervasio de Hobergœ*: qui in tanta obstinatione diu perstiterant, ut *Lodovico* et Baronibus excommunicatis divina facerent celebrare mysteria a presbyteris excommunicatis: unde ab omnibus beneficiis spoliati a Legato, Romam ire compulsi sunt. Nam illico post recessum *Lodovici*



dobici ab Anglia, Legatus misit inquisitores per omnes Angliæ provincias, qui quoscunque de consensu etiam levissimo culpabiles invenerunt, cujuscunque essent ordinis vel dignitatis, suspensos miserunt ad Legatum, et ab omni beneficio spoliatos, qui illorum beneficia suis clericis abundanter distribuit, atque de damnis aliorum suos omnes divites fecit. Hugo quoque Lincolnienſis Episcopus in Angliam veniens, mille marcas Legato de probata pecunia numeravit. Cujus exemplum multi tam Episcopi, quam viri religiosi insequuti, sumptibus nimis damnosis, gratiam sibi reconciliabant Legati. Clericorum quoque et Canonicorum sæcularium ubique haustu tam immoderato loculos evacuavit; metens quod non seminabit, ut ex multis portionibus unum grandem acervum cumlaret. The King by reason of his infancy and wardship, was unable to take notice of, or oppose these Usurpations, extortions of the Legat, and the Nobles adhering to him, were willing at this time to connive at them, as a just punishment inflicted upon those Trayterous Bishops, Abbots, Priests and Clergy, for adhering to a forraign Usurper: his Papal power, being then only able thus to crush and fleece them. This gave great encouragement to this Pope and his Legates, to all future Popes and Legates usurpations, oppressions, provisions, rapines of like nature, upon no such just account as this might seem to be. It is evident by *Claus. Anno 1. H. 3. m. 21. and Pat. 1. H. 3. m. 16. inus*, that this Legat Gualo did bear cheif sway in the Kings council, and that the King sealed some Letters Patents, *sigillis venerabilium Patrum Domini Gualonis, Sancti Martini Presbyteri Cardinalis, Apostolici sedis Legati, & Domini P. Winton. Episcopi*, and sent them abroad under their seals, in the first year of his reign, *quia sigillum nondum habuimus*, as the Patent Rols oft informes us. And this made the Legat more insolent.

An.Dom. 1218 In the 2d. year of King Henry the 3d. the Archbishop of Dublin, in Ireland, and other Bishops there usurping upon the Kings Crown and temporal courts, presumed to hold pleas in their Courts Christian, of lay fee; whereupon there issuing Prohibitions from the Kings Court to stay these suits, they proceeded contemptuously notwithstanding, upon which there issued out this Writ of attachment against them to appear before the cheif Justice of Ireland to answer the contempt.

Pat. 1. Hen. 3.  
m. 6. dorso.

**R**EX G. de Marisc. Justic. Hibernia salutem. Mandamus vobis quod si H. Dublinensis, & T. Tuamensis Archiepiscopi, & T. Cloker. Episcopus tenuerint placitum in Curia Christianitatis de Laico feodo Com. W. Mar. in Lagenia & A. Fernensis Episcopus, secutus fuerit placitum illud in Curia Christianitatis post prohibitionem nostram eis inde factam; quia idem W. Mar. fecit nos securos de Clamoze suo prosequendo, tunc poni faciatis per vadium et salvos plegios, prædictos H. Dublinensem, & T. Tuamensem Archiepiscopos, & T. Clokoren Episcopum, quod sint coram vobis ad diem competentem prout videritis expedire, ostensuri quare tenuerint placitum in curia Christianitatis de Laico feodo ipsius Comitis in Lagenia, contra Prohibitionem nostram; et poni similiter faciatis per vadium, et salvos plegios prædictum Fernensem Episcopum, quod sit coram vobis ad eundem diem, ostensurus quare prosecutus est placitum illud in curia Christianitatis contra prohibitionem nostram. Teste Com. apud Gloucestriam Viceſimo die Aprilis.

An.Dom. 1219 As these Archbishops usurped upon the Kings Crown in his Courts in Ireland, so some Souldiers after the War ended, seized some of the Bishops Castles and Lands in England, & contra Regis prohibitionem & illorum voluntatem, desinere præsumpserunt. Inter quos Robertus de Gaugi, post multas Regis admonitiones Castellum de Neuwerk cum villa tota & pertinentiis multis, qua ad jus Hugonis Episcopi Lincolnienſis spectabant, ei reddere contradixit. Whereupon the Protector being highly offended, by the

Mat. Paris.

the Kings command, raised a great Army, and marching thither in person with the King, besieged it, till surrendered to the Bishop by composition, he paying one hundred pounds to *Gangi*, for the victuals in the Castle, without receiving any recompence for the Town, which he burnt down before the siege.

In the 3d. year of King *Henry* the 3d. the Bishoprick of *Leismore* ( united formerly to the Bishoprick of *Waterford*, by the Popes Legat in *Ireland* ) whiles the Bishop was in *England* at the consecration of the Bishop of *Carlisle*, *Macrobinus* a Canon of *Leismore*, procuring an election from the rest of the Canons, pretending the See to be then voyd, obtained the Legates and Kings royal assent to the election and restitution of the Temporalities, whereof the Bishop of *Waterford* complaining to the King, the King upon information of the fraud and circumvention, nulled that election, and commanded the Bishop to be put in possession of his Temporalities, notwithstanding his former Writs.

**R**EX Justic. *Hibernia* salutem. Cum venerabilis in Christo Pater *R. Waterford* Episcopus, de mandato Venerabilis Patris *G.* quondam Legati in *Anglia*, ad partes boreales pro Consecrando Episcopo *Carleolensi* accessisset, & Magister *R. de Bedeford* cum Magistro *Macrobio* & *David* Canonicis *Lismor.* ad *Domum P.* nunc Legatum in *Anglia*, & nos, & consilium nostrum advenisset, protestans & ostendens quasdam Literas quibus Capitulum *Lismor.* eisdem *M. & D.* Canonicis potestatem contulerat eligendi Pastorem ad *Lismor.* Ecclesiam quam tunc nobis addebant vacare: Nos dictis eorum fidem adhibentes, electioni de persona ipsius Magistri *R.* sic celebrata Regium prestantes assensum, eo quod consona videbantur esse rationi quæ fuerunt de eadem nobis proposita, si veritate fuissent substra, ipsum Magistrum *R.* in possessionem omnium bonorum ad Ecclesiam *Lismor.* spectantium tanquam Electum præcepimus: Sane cum postmodum reverteretur Episcopus ille *Waterford*, Episcopus proponens nobis et Concilio nostro, ipsum et prædecessores suos *Lismor.* Ecclesiam cum suis pertinentiis tanquam partem Episcopatus *Waterfordensis* diutius tenuisse et possedisse, exhibuit ipsi Domino Legato et concilio nostro literas Domini *J.* titulo Sancti Stephani in monte Celso Presbyter Cardinalis prædem in *Hibernia* Legato, super Ordinatione eorundem Episcopatum, qui licet aliquando tempore *Hiberniensi* divisi extitissent ut dicebatur, ostendit, eos per ipsum Legatum coadunatos, nec poterat sic aliquis in ejus præjudicium, qui utrique præsedebat Ecclesiæ, in unam earum per falsi suggestionem ingressum fraudulentè promeruisse. Nos igitur attendentes nunc ex ipsius relatione et operis exhibitione Majestatem nostram fallaciter per ipsum Magistrum *R.* esse circumventum, qui *Lismoriensem* Ecclesiam nobis dixit esse vacantem; et nos sic ejus electioni fecit tacita veritate consentire, decrevimus ut cum mendax prætor carere debeat impetratis, nec ei præstare debeat patrociniū quod per fraudem et dolum niscus est a nobis et consilio nostro impetrasse memoratus *Waterfordensis* Episcopus in possessionem omnium bonorum præfate Ecclesiæ *Lismoriensis* inducat. Quocirca Nobis Mandamus, quatenus non obstantibus literis nostris quas ipse Magister *R. de Bedeford* suppressa veritate a nobis et Consilio nostro obtinuit, quibus possessionem eorum quæ ad Ecclesiam *Lismoriensem* pertinent est adeptus, sine dilatione memorato *Waterfordensi* Episcopo plenam seisinam habere faciatis omnium possessionum quæ ad ipsam Ecclesiam *Lismoriensem* noscuntur pertinere. Teste *H. de Burgo* Justic. apud Westmonasterium Septimo die Junii per Literas suas dominorum *Winton. & Dunolm.* Episcoporum, factas autoritate Domini Legati.

Claus. 3. H. 3.  
m. 8. intus.  
Pro Waterford  
Episcopo de  
Episcopatu Lismore  
Hibernia,

Idem

**I**dem in narratione mandatum est Archiepiscopo Cassel, & in fine mandatum est ei, quod dictum *Waterfordensem* Episcopum, Episcopatum *Lismoriensem*, pacifice possidere permittat. Teste ut supra. Consimiles Literas habent Patentes direct. eisdem.

A clear evidence of this Kings Supremacy in and over Bishops, Bishopricks and Ecclesiastical persons, causes within the Realm of *England*, as also of the Popes Legates late Usurpations there, to unite Bishopricks without the King.

An. 1219.

The Bishop of *Ely*, (an inveterate Enemy both to King *John* and King *Henry* the 3d.) going into *France* after *Lewis* his return thither, reported King *Henry* to be dead, and endeavoured to stir up a new Warre and rebellion against him: whereupon the King Writ to the Pope to deprive him, and bestow his Bishoprick (by provision) upon some other, the Isle of *Ely* being a place of strength, and receptacle of *Lewis* and the Barons heretofore: in which Letter the King acknowledgeth the Popes great favours and assistance to him, during his infancy, puts himself and his Realm under the protection of his Wings, (and by way of complement) styles them, the Patrimony of the Church of *Rome*, to gaine the Popes readier Protection and assistance in his suits, Wars,

Claus. 3. H. 3. m.  
13. dorso.

**S**ANCTISSIMO Patri ac Spirituali Domino suo H. Dei gratia summo Pontifici, Devotus filius ejus H. sua post Deum gratia Rex Angliæ, &c. recommendacionem, et devota osculapudum. Incipiens respirare una cum regno nostro Majestatis vestre, nostræ, et sacrosanctæ Romanæ Ecclesiæ Património post tot Angustias et pressuras, quæ Claræ Memoriæ Patrem meum et me postmodum invenerunt; et ereptus, per Dei gratiam, et vestre paternitatis sollicitudinem, ab ipso laqueo venantium vitam meam, cum tam ætas mea, quam status et tranquillitas regni nostri in teneritate concordent, nec ut ita dicam, sunt in ætate perfecti, sub tegmine Alarum vestrarum inenarrabili mihi clementia assistenti, de die in diem, gratia Dei et vestri gratia, reciproco incrementum: Et ne tenellam mei plantationem manus inimica abellet, tanto confidentius, ea quæ circa hæc pertimesco, vestre significo Sanctitati, quanto specialius subditus vester et creatura existo. Revertitis igitur Pater sancte, quod nuper cum sicut puerilis ætatis ut tales de facili infirmentur, essem, prout Deo placuit, infirmitate oppressus, Robertus qui se gerit pro Elyensi electo, non oblitus antiquam suæ mentis et fellitam maliciam, quam contra Patrem meum, et me, ac dominationem vestram, ut dicam verius, exercuit manifeste, excommunicatis vestris et meis persecutoribus adherendo, statim quoscunque potuit contra me excitans cucurrit in Franciam, ibi una cum sequacibus suis me mortuum prædicando, unde multi contra me superbiæ cornua et nocendi audaciam assumpserunt: Dei quidem et vestri gratia restitutus sum sanitati. Hæc tamen sanctitati vestre significo, supplicando, ne me permittatis redire ad Leonis fauces, nec reincidere inter malleum et incudem. Certum est enim quod Civitas Elyensis est optima munitio Regni nostri; Et quod dictus R. ibi existit præintrusus, ut sicut res se habuit, reciperetur ibi Dominus Lodovicus. Dignemini igitur Pater Sancte, mihi et Regno vestro misericorditer præcavere, ne talis unquam occupet talem locum, præsertim cum et infideli juxta verbum Evangelicum, id quod videtur habere auferri debeat; et Majestas vestra multo competentius possit Ecclesiæ illi de Pastore idoneo providere. Valeat in Domino sanctitas vestra.

More.



Moreover he repeats the assistance, protection and manifold favours he received from the Pope in his greatest straits; and dangers, in his Letter to his Legate, imploring his assistance against the French and other Enemies; according to the Popes protection and direction to him.

**R**EX B. Titulo sanctorum *Johannis & Pauli* Presbytero Cardinali Apostolicæ sedis Legato salutem. Quanta nobis exhibuerit beneficia, et quantis nos Eripuerit tribulationibus et Angustiis, quam fortis brachio et potenti nos sustentaverit sancta et veneranda sedes illa Apostolica; vestræ benignitati non possumus paucis referre, quia quicquid potest humanitatis et benignitatis a pio patre filio teneri et nutricio exhiberi, non negabit nobis fons ille paterni pectoris inexhaustus, misericordia repletus et pietate, qui quos semel intra sinum suæ dulcedinis suscepit amandos, fovere non lassatur. Attendentes igitur quod velis palmes vitis via procedere, quod velint frondes fructus a flore facere, quod velis cum capite membrum incepta peragere, idem paternitati vestræ duximus devotis precibus supplicandum, rogantes in Domino, quatenus cum de immensa sua benignitate pius pater et Dominus noster summus Pontifex vobis per litteras suas dederit in mandatis, ut si quos inheneritis illoz qui super Albigenf. sunt signati qui Gentis nostræ vel terræ nostro dominio subditæ velint injurari, dampna aliqua eis inferendo, vel eas a nostra dominatione subtrahendo, ejus suffulti Auctoritate, compescatis, velitis si placet, juxta injunctum vobis Mandatum, taliter et tam potenter circa nos in hac parte vestræ dilectionis plenitudinem exhibere, ut ipsius de qua non diffidimus, sentiamus ex operis exhibitione probationem manifestam, et sancta Sedes illa Apostolica quæ nos et nostra sub sua suscepit protectione, gaudeat se ex vestra diligentia fructum uberiozem recepisse, quam quidem sedem ex nostra incommoditate non credimus, commodum reportare. Teste H. de Burgo Justiciario nostro apud *Westmonaster.* 24. die Julii.

Claus. 1. H. 3.  
m. 6. dorf.

The same year the King writ a Letter to Pope *Hadrian* on the behalf of the Bishop of *Karlisle* (promoted thereunto by the Popes provision and command to his Legat *Gualo*, desiring him to recal the alienations of several Impropriations alienated from that Church during the vacancy by the then Canons thereof, to its great impoverishing) though granted and conferred to that Church by the Charters of King *Henry* the First; who erected this Bishoprick, and of sundry other Kings succeeding him.

**R**everendissimo Domino & Patri in Christo dilectissimo H. Dei gratia summo Pontifici H. eadem gratia Rex *Anglia*, &c. salutem, & se & sua omnia. Cum in nostris ageret partibus merito nobis semper diligendus Venerabilis Pater. G. Titulo sancti *Martini*, Presbyteri Cardinalis, vir utique tam fidelis quam consulti pectoris, videns vidit *Carleolensis Ecclesiæ* desolationem & ruinam, nec clausis præteriens oculis quod in confinio Regnorum *Anglia & Scotia* sit, eidem de mandato vestro Pastorem præfecit suæ scientem domini caute disponere, nobisque pariter et regno nostro volentem prodesse: hic est ille H. quondam Abbas Belli loci quem vere dicimus virum in agendis providum, tam Literarum scientia, quam moribus insignitum, et quod potius collaudamus, in devotione Sanctæ Romanæ Ecclesiæ paratissimum, et in fidelitate nostra multipliciter expertum. Verum cum idem Antistes ad reformationem Ecclesiæ suæ, multis bonis et possessionibus mutilatæ diligentius intendat, ex relatione ejusdem et prædecessorum nostrorum Regum *Angliæ* Cartarum inspectione, nobis

Claus. 3. H. 3.  
m. 11. dorf.

et

et Consiliariis nostris innotuit, Ecclesias subscriptas ex concessione bonæ memoriæ Regis Henrici primi, in prima fundatione Ecclesiæ Carleolensis, eidem Collatas fuisse, videlicet in Episcopatu *Dunelmensi*, de assensu Hugonis tunc *Dunelmensis* Episcopi, Ecclesiam de *Novo Castro*, cum Capellis, & omnibus ad eam pertinentibus, Ecclesias de *Newborne*, & de *Corbrigg*, & de *Roobrii*, & de *Wittingham*, & de *Werkwuth*: & in Episcopatu *Carleolensi*, Ecclesiam de *Penret*, cum quibusdam aliis, & confirmatum fuit dictæ *Carleolensi* Ecclesiæ, per Chartas Regum *Angliæ*, scilicet prædicti Regis *Henrici* primi, & secundi, & Regis *Richardi* Avunculi nostri, & Regis *Johannis* Patris nostri, & per privilegia plurimorum Pontificum, ut memoratas Ecclesias in usus proprios perpetuo possideret. Verum tamen tempore vacationis *Carleolensis* Ecclesiæ, alienatæ sunt ab ea et usibus suis omnino subtractæ jam dictæ Ecclesiæ per incuriam et negligentiam ejusdem loci Canonicozum. Quod tanto gravius patimur, quanto minus Episcopali novimus dignitati sufficere quæ suis sunt usibus reservata. De consilio igitur nostro pro eodem Episcopo, ad cujus honorem multo tenemur debito; Sanctitati vestræ in omni devotione durimus supplicandum, ut attendentes, si placet, Ecclesiæ *Carleolensis* paupertatem, et quantis Pontificalem apicem necesse sit honoribus extolli, quam in nullo vilescere decet vel egere; revocatis, si placet, in irritum alienationibus dictarum Ecclesiarum factis temporibus quibus vacavit sedes *Carleolensis*, ipsas eidem Ecclesiis restituere et confirmare velitis, in usus et honorem sui Pontificis, tanto benigniores nostris precibus aures accommodantes, quanto libentius et propensius nobis noscitur valuisse, et in posterum posse valere, ut de probatione sua, quæ nostra est, una cum cæteris Apostolicæ sedis beneficiis ad humillimas gratias et perpetuas devotiones vestræ debeamus assurgere sanctitati. Teste Com. apud *Westmonasterium*, Decimo septimo die *Februarii*.

Per eundem & P. Wint. & Justic.

Pat. 3 Hen. 3:  
m. 5. dorso.

**V**enerabilibus Patribus & amicis in Christo charissimis Sanctæ *Romane* Ecclesiæ Cardinalibus suis in omnibus. *H.* Dei gratia Rex *Angliæ*, &c. salutem & debitam Sanctissimis Patribus devotionem. Cum adhuc in nostris ageret partibus Venerabilis Pater *G.* titulo Sancti *Martini* Presbyter Cardinalis, merito nobis semper diligendus, de mandato Domini Papæ *Carleolensi* Ecclesiæ, tunc vacanti Pontificem præfecit idoneum, videlicet, *H.* quondam Abbatem *Belli loci*, virum utique in fidelitate nostra multipliciter expertum, suæ perutilem Ecclesiæ, totique pariter Regno nostro. Sane cum suam inveneris Ecclesiam tantis tempore vacationis sue possessionibus & honoribus mutilatam, videlicet Ecclesiis de *Novo Castro*, cum Capellis & pertinentiis suis, & de *Newborne*, & de *Corbrigg*, & de *Reebriigg*, & de *Wittingham*, & de *Penred*, quæ sibi concessa fuerant in usus proprios in prima fundatione sua a Rege *Henrico primo*, & aliis prædecessoribus nostris Regibus *Angliæ*, & per privilegia Romanorum Pontificum confirmata, ut Pontificali non sufficiant quæ sibi sunt reservata, de Concilio nostro, cui innotuerunt hæc omnia vestra duximus Sanctitati devotissime supplicandum, ut eidem Episcopo fidei nostro cui multo tenemur debito, ac Sanctæ *Romane* Ecclesiæ devotissimo, ad reformationem Ecclesiæ suæ diligentius aspiranti. Si placet, assistere velitis in consiliis et auxiliis, quibus mediantibus ea quæ dispersa sunt, et ab Ecclesia sua per incuriam et negligentiam habitantium in ea Canonicozum alienata, sibi restituta fuisse gratuletur, ut suis sufficiat usibus Episcopalis dignitas, quæ nunc quasi vilescere cogitur et egere. Et quia probationem ejusdem Episcopi meritis fidelitatis suæ multipliciter exigentibus, proprium reputamus, et reputare debemus honorem, vestram sibi gaudeat in hac parte diligentiam taliter assuisse, ut ad obsequia & condignas devotiones vobis diebus perpetuis arctius teneamur obligati. Teste Domino *P. Wintoniensi* Episcopo, apud *Westmonasterium*, Vicefimo quarto die *Januarii*, Anno Regni nostri Tertio.

By

By these Records it is evident: 1. That King *Henry* the 1. originally founded the Bishoprick of *Kent*, and endowed it with several impropriations by his own Regal Authority: that he and his Successors sealed and confirmed by their Charters fundry Lands and impropriations thereon: and that it is the right duty of our Kings; (as founders of Bishopricks) to see the Lands and Revenues unduly alienated from them, restored, when there is just cause; which this King, (by reason of his infancy, being then under a Protector, and the Popes and Legates great usurped power in England at that season) could not easily effect by his Regal power, without the Popes and Cardinals assistance, the true occasion of these his Letters to them.

King *Henry* having continual occasions to make use of the Pope and Court of *Rome* about his Domestick and Foreign affairs, in the 4th. year of his reign constituted *W. de St. Albin*, his Proctor general therein, especially against the Son of the Earl of *March*, in *Picardy*, who against his faith to King *John* his Father, to marry his Sister, refused to do it, or to restore her without a ranfome; whereupon he desired the Pope to command him to marry or restore her, or else to give order to two Bishops he names, and a Dean, to Excommunicate him for his disobedience, as these three Records attest.

An.Dom. 1220

Pat. 4 Hen. 3.  
m. 5.

Venerabilibus in Christo Patribus & amicis charissimis, universis Episcopis, Presbyteris & Diaconis, Sacro-sanctæ Ecclesiæ Romanæ Cardinalibus, *H. Dei gratia Rex Angliæ*, &c. Eo ampliore de dilectione vestra gerentes fiduciam in nostris & nostrorum promovendis negotiis, novimus prudentiam vestram circa ea fidelius elaborasse, mittimus ad vos dilectum nostrum *Willielmum de Sancto Albino*, procuratorem nostrum, ad impetrandum et contradicendum in omnibus nostris et nostrorum negotiis quæ contra nos et nostros fuerint proposita in Curia Romana: Rogantes attentius sinceritatem vestram, ut cum fueritis super hiis, ab eo ex parte nostra requisiti, de solita clementia vestra velitis, ea quæ honoris nostri sunt consueta diligentia procurare. De negotio autem nostro quod exponet idem plenius de *Johan. primogenita sorore nostra H. de Liz.* per Dominum *J. Patrem nostrum* pridem commissa, de qua traducenda fidei præstitit Sacramentum; vos duximus exorandos, quatenus laborare velitis, si placet, pleno effectu erga Dominum Papam, ut soror ipsa nostra restitatur, quam ipse fidei spreta religione superinducta matre nostra nobis redere contradixit, volens nos per ipsius detentionem ad ejus redemptionem invitos compellere: Et rogamus vos, ut scribatur super hoc *Fancton. et Limovic. Episcopis, et Decanis Burdeg.* ut nisi muniti-one præmissa illam nobis curaverit restituere, ad id per \* censuram Ecclesiasticam rite compellatur. Teste *H. de Burgo*, Justiciario nostro, apud *Notingham* Vicesimo die *J. nii.*

\* Here p. 378.

REX Domino Papæ salutem, & se totum semper tam devotum, quam fidelem. Cum a sedis Apostolicæ gratia, dependeant si quæ sunt circa nos serena, si quæ prospera, necesse habemus vestræ dominationi proponere, quæ in dispendium nobis veniunt et gravamen. Dominus autem *I. Rex* genitor noster agens quondam in partibus *Pillavia*, *Johannem* filiam suam sororem nostram nuptui *H. de Lexim. fil. Com. de March.* concessit; qui licet eam de manibus ipsius Patris nostri Regis accepisset, et jurasset quod eam in Uxorē duceret, non observata tamen juramenti religione, spreta-que sorore nostra, matrem nostram Reginam *Maritall* sibi fœdere copulavit. Quam quidem sororem nostram nihilominus nobis redere contradixit, immo eam detinendo contra mandatum nostrum, ad ipsius redemptionem nos intemptat coercere. Hanc igitur injuriam passi sub vestra protectione, Sanctissimæ Paternitati vestræ supplicamus, quatenus scribere velitis Domino *Fancton. Domino Limovic. Episcopis, et Decano de Burdeg.* ut monitione præmissa nisi ei condescenderit, ad restituendam nobis dictam sororem nostram, spirituali Gladio *p.* compellant memoratum. Mittimus quidem ad pedes sancti-

Claus. 4 Hen.  
3. m. 8. doctsa.

Ccc

tatis



tatis vestrae dilectum Clericum nostrum Magistrum *W. de Sancto Albino*, quem procuratorem constituimus ad impetrandum pro nobis et contradicendum in omnibus negotiis nostris, et nostrorum quae contra nos et nostros fuerint proposita, in Curia vestra, supplicantes tota devotione mentis ut in hiis et aliis quae nos contingunt benignas et bellis aures accommodare, manum auxiliatricem eatenus porrigentes teneritudini nostrae, ut de pleniori respiratione nostra Ecclesiae Romanae cumulus accedat laudis et honoris. Teste H. &c. apud *Notingham*, Vicefimo die *Iunii*.

The same year, the King taking notice of divers Usurpations upon the Rights of his Crown in *Ireland*, by Covents, Deans and Chapters, electing Abbots and Bishops as they became voyd, and the chief Justices approving them without his privy, license, or Royal assent, issued this memorable Writ to his chief Justice of *Ireland*, to reform and prevent this dangerous Usurpation for the future.

Claus. 4 Hen.  
3. m. 3. incus.

**R**EX Justiciario *Hibernia* salutem. Cum fuerit bucusque per insolentiam tam diebus Patris nostri, quam nostris, de Collationibus Ecclesiarum quae nobis vacabant in *Hibernia*, plurimum iuri nostro et dignitati derogatum, utpote cum aliqua earum vacare contigisset, statim nobis inconsultis inde fieret collatio. Nolumus quod ex hinc quae sic in nostrum dispendium sunt attemptata, ex nostra permissione convalescant. Mandamus igitur vobis et firmiter in fide qua nobis tenemini praecipimus, quatenus cum de cetero aliquam Ecclesiam quae de nostra sit advocacione vel ad nostram spectat donationem vacare contigerit; vos eam nullo modo conferatis, nec inde sine nostro assensu et voluntate quicquam faciatis. Teste H. apud *Northampton*, xxiii. die *Septembris*. Per eundem.

Idem etiam vobis dicimus de Ecclesiis Cathedralibus.

This year the Earl of *Albemarle* refusing to deliver up to the King some of his Lands and Castles committed to his custody, at the time prefixed to him in the Kings Court, and fortifying them with Armes and Victuals without the Kings consent, for which he was excommunicated by the Bishop of *Norwich*, the Popes Legate, together with his Complices; thereupon the King issued this Prohibition to all his Barons and Subjects in *Lancashire*, and 5. Counties more, not to ayd, assist, or keep company with him or his Complices, but to avoid them as excommunicated persons, till they submitted to the King, and to be ready to obey the Kings commands if he still continued obstinate, under pain of forfeiting their goods, seizing their lands, and imprisonment of their persons: Ecclesiastical censures being by the Popes and his Legates Usurpations, commonly inflicted in that age for Temporal offences and Rebellions, to reduce men to obedience to the King, as well as to the Pope or Church.

Pat. 4 Hen. 3.  
dors. 7.

**R**EX Omnibus Comitibus, Baronibus, Militibus, & libere tenentibus in Comitatu *Lancastriae*, salutem. Quoniam *W. Comes Albemarl*, cui commissum fuerunt bona fide terrarum quaedam nostrae et Castra custodienda, quae contra voluntatem, et praecipuum nostrum non solum detinet, sed et ea de bladis et bonis vicinorum circumquaque illis invidis munit et firmat, licet de eisdem nobis reddendis certus dies ei fuerit in Curia nostra praefixus, quem respicere non curabit. Ipseque spretis omnibus mandatis nostris quibus obedire contempnit, torneamentum exercuit, & ei interfuit apud *Brackele*, ultimo habito, non formidans in sententiam illam incidisse quam ob hoc tulit in eum et complices et fautores suos nominatim, *Generabilis Pater Norwicensis* electus, Domini Papae camerarius Apostolicae sedis Legatus, praesertim cum contra pacem nostram, et Regni

Regni nostri exerceantur et fiant : vobis mandamus firmiter in fide qua nobis tenemini precipientes, quatenus sicut terras et tenementa vestra quæ in Regno nostro tenetis diligitis, et exheredationem vestram, et vestrorum evitare volueritis : Cum idem Comes, et complices, et fautores sui propter prædicta sententia sint excommunicationis sollemniter innodati, nec mandatis Domini Legati vel nostris velint obedire : Nos eidem Comiti vel fautoribus et complicitibus suis in nullo de cætero consilium vel favorem præbeat nec auxilium, et eis in nullo communicetis donec Sacro-sanctæ Ecclesiæ de inobedientia et nobis de contemptu satisfecerint ; Set potius tanquam excommunicatos et nobis inobedientes evitetis. Prohibentes omnibus vestris & illis qui de nobis tenent, quod ad Castrum de *Salvata* firmandum, vel muniendum nullum ei penitus consilium faciant vel auxilium, quod ut audivimus non minus de bonis & bladis vicinorum circumquaque eis invitis munit, quam de viribus hominum cujuscunque sint indefinenter firmare præsumit, non requisita voluntate aut præcepto nostro : Scituri pro certo, quod si quis post hanc prohibitionem nostram ei vel fautoribus et complicitibus suis auxilium ad hoc fecerint vel consilium, non solum ad eorum terras et tenementa, verum etiam ad eorum corpora graviter Nos capiemus : firmiter etiam vobis præcipimus, quod nisi dictus Comes ab hujusmodi inceptis et factis desierit, quod parati sitis et prompti ad ea exequenda versus ipsum Comitem et complices suos quæ vobis per Literas nostras demandaverimus exequenda. Et in hujus, &c. Teste H. &c. apud *Hereford*. xxx. die *Novembris*. Anno, &c. quarto.

Eodem modo scribitur omnibus Comitibus, Baronibus, &c. in Com. *Lincol.*

Et omnibus, &c. in Com. *Cumberl.*

Et omnibus, &c. in Com. *Rotel.*

Et omnibus, &c. in Com. *Leic.*

Et omnibus, &c. in Com. *Eborum.*

The Earl (it seems) little regarding this Prohibition, soon after (*Anno 1220.*) suddenly seized upon the Castles of *Rockingham* and *Samori*, whither the King speedily marching, found them utterly unfurnished of Victuals, they having not three loaves in them. After which the Earl and his Confederates pillaged the Commons of *Bodrington*, *Depinge*, and all the Country; putting men to ransoms, and with their plunders victualled the Castles of *Fotheringie* and *Bobun*; which the Kings forces besieged and took : At last the Earl came to the King; under the conduct of *Walter Archbishop of York*; and by the mediation of *Pandulphus* the Legate, was reconciled to him, because he had faithfully and powerfully served the King and his Father in their Wars.

\* Mat. Paris, p. 198, 199.

*Anno Dom. 1221.* The King being under the wardship of *Peter Bishop of Winchester*, was on Whitsonday Crowned the second time at *Westminster*, by *Stephen Archbishop of Canterbury* : Soon after which there being a difference concerning the Bishoprick of *Ely*, between *Galfridus de Burgo*, Archdeacon of *Norwich*, and *Robert of York*, the Pope at last nulled both their Elections; and conferred the Bishoprick upon *John Abbot of Fontain*, who was consecrated at *Westminster* : The same year and day, *Hugh Bishop of Lincoln* was canonized a Saint in this form.

An. Dom. 1221  
Mat. Paris, p. 198.  
Godwins Catalogue of Bps. p. 107.

**A**D natales Domini Sanctus *Hugo Lincolnensis* Episcopus a Papa *Honorio* canonizatus est, & in Catalogo Sanctorum admissus : facta prius *Miraculorum* ejus inquisitione a *Stephano Cantuariensi* Archiepiscopo, & Abbate de *Fontibus Johanni* ; sicut in hoc sequenti Domini Papæ authentico continetur.

Mat. Paris Hist. Angl. p. 198.  
Godwins Catalogue of Bps. p. 107.

**HONORIUS** Episcopus servus servorum Dei, dilectis filiis universis Christi fidelibus, præsertim paginam inspecturis, salutem & Apostolicam Benedictionem. Divinæ dignatio pietatis, Sanctos & electos suos, in cælestis Regni felicitate locatos, adhuc in terra miraculorum conusatione clarificat : ut fidelium per hoc excitata devotio, eorum suffragia digna veneratione deprecant. Cum igitur Sanctæ recordationis

C c c z

*Hugonem*

*Hugonem Lincolnensem Episcopum, quem sicut nobis plenarie constat, divini muneris largitas, tam \* in vita, quam etiam post vestem mortalitatis exutam, insignium miraculorum multitudine illustravit, Sanctoqum Catalogo ascriptimus, universitatem vestram monemus, & exhortamur in Domino, quatenus eius apud Deum patrocinia debote imploretis:* Ad hæc statuentes, ut die depositionis ipsius, ejusdem festivitatis annis singulis devote de cætero celebretur. Data *Viterbiæ*, xiiij. Kalend. *Marci*, Pontificatus nostri Anno quarto.

\* Mat. Paris, Hist. Angl. p. 219, 220. Godwins Catalogue of Bps. p. 298.

The transcendent virtues of this canonized Bishop, were his \* ingratitude and perfidiousness to King *John*, in resorting to this Arch-traytor *Stephen of Canterbury*, receiving his Consecration from, siding with him against, and deposing of the King, contrary to his Oath and duty, (for which the King seized his Temporalities, and kept them in his hands near five years space :) Yet for these virtues this Archbishop procured him to be canonized for a Saint. About the same time this Arch-traytor *Stephen* (to canonize *Treason* against our Kings, as demeriting the highest honour and Saintship) caused his Trayterous insolent Predecessor *Thomas Becket*, to be translated, enshrined, adored with great solemnity: Thus related by *Matthew Paris*.

Mat. Paris Hist. Angl. p. 298:

**E**odem tempore, levatum est de lapide marmoreo corpus Beati *Thoma* Archiepiscopi & Martyris, a *Stephano Cantuariensi* Archiepiscopo, præsentem Rege, & omnibus fere Episcopis totius Regni, cum Abbatibus, Prioribus, Comitibus, Baronibus, Clero & populo multo, in crastino Octavarum Apostolorum *Petri & Pauli*. Cujus corpus sanctissimum collocatum est honorifice in Pheretro, ex auro & lapidibus preciosis mirabiliter fabricato. Interfuerunt etiam huic translationi, Archiepiscopi, Episcopi, Abbates, Priores, & alii multi de Regno Francorum, aliarumque diversarum Regionum, qui ob honorem & reverentiam Beati Martyris, ut tanta adesset solemnitas, alacriter conveniunt. Nam dignissimum omnibus videbatur, ut Sanctum Martyrem Christi generaliter honorarent et colerent, qui pro universalis Ecclesie sanguinem suum fundere, et ad finem usque non timuit fideliter decertare.

It is observable, That most of the English, many of the French Archbishops, Bishops, Abbots, Priors, Clergy, and of other Countries, were by the Archbishops invitation present at the translation of this Arch-traytor *Becket*, as most worthy to be honoured and worshipped as a Saint and Martyr for the universal Church of Christ, for which he shed his blood, and truthfully contested against his Sovereign till the last, only to exempt Clergymen, (though Traytors, Rebels, Murderers, Sodomites, Theeves) from secular Jurisdiction, and overturn the ancient Rights, Prerogatives of the Crown, and Kingdom too, as the premises demonstrate. No wonder therefore that so many Archbishops, Bishops, and Clergymen, in our own and other Kingdoms, became Arch-traytors, Rebels to their Emperors and Kings, since it was the readiest way to procure the highest preferments that Popes could conferre upon them in their lives, and a canonization, adoration of them for Saints and holy Martyrs after their deaths.

King *Henry* the 3d. this year issued ou a memorable Prohibition and Proclamation to the Sheriffs of *Middlesex*, *Hertford*, and *Surry*, prohibiting any to enter into any the Lands of the Bishop of *London* under a penalty, as his Father King *John* had done before him.

Claus. 5 Hen. 3. m. 4. inus.

**R**EX Vicecomiti *Middlesex*, salutem. Constat nobis & consilio nostro, quod Dominus 7. Rex Pater noster per Literas suas Patentes, prohibuit ne quis Feoda III. quondam *London*. Episcopi ingrederetur, sive ex dono, sive ex venditione, sive ex invadatione, sive ex concessione alicujus sine assensu et voluntate ejusdem Episcopi. Nos autem Venerabili Patri *E. London*. Episcopo, idem concedentes, prohibemus super satisfacturam nostram ne quis Feoda ingrediatur, sive ex dono, sive ex venditione, sive ex invadatione, vel concessione alicujus sine assensu et voluntate ipsius Episcopi. Et ideo tibi præcipimus, quod hanc prohibitionem



hibitionem nostram clamari facias per totam Balliviam tuam, et firmiter observari. Si quis autem contra hanc prohibitionem nostram Feodum ipsius Episcopi ingredi præsumpserit sine assensu et voluntate ipsius Episcopi, sicut prædictum est, tu sine dilatione eidem Episcopo plenariam inde leisionem habere facias, capiens ad opus nostrum ab illo quod Feodum suum sic ingressus fuerit forisfacturam nostram in quam incidit ex hoc facto; ducent autem Literæ istæ usque ad statum nostrum. Teste H. &c. apud Turrim London. Tertio die Julii. Per eundem & Consilium Domini Regis.

Eodem modo scribitur Vicecomitibus Hereford. & Surr.

A pregnant evidence of our Kings Ecclesiastical Jurisdiction in and over Bishops and Bishopricks.

Soon after, the King having in his Temporal Court recovered by Judgement the Church of *Aley*, against the Prior and Canons of *St. Friswicks* in *Oxford*, they by false suggestions, to detain the possession of the Church against the King, procured Letters from the Pope to certain Delegates to examine the cause again, in prejudice of the Kings Court, Crown and Dignity; whereupon the King issued forth this memorable Prohibition to, and Appeal against them, to preserve his Right and Prerogative.

**R**EX Abbatibus de *Stanlege*, & de *Bordest*, & Priori de *Stant*. salutem. Sciatis quod Venerabilis Pater *P. Norwicensis* electus, publice recognovit coram vener. Patribus *E. London.* *P. Wintoniensi.* *J. Bathoniensi.* *W. Coventrensi.* *R. Sarisburiensi.* & *B. Rossensi* Episcopis, præsentem etiam Domino *Linc.* & aliis fidelibus de Consilio nostro: Quod nunquam per ipsum vel mandatum suum, Prior & Canonici Sancti *Friswicks Oxon.* missi fuerant in possessionem Ecclesiæ de *Aleya*, quam contra nos et iudicium Curie nostræ injuste detinent occupatam: Verum quia, sicut audivimus, prædicti Prior et Canonici ad tuendum, si possent, intrusionem suam Literas Domini Papæ ad vos tacite pernitius hac veritate impetraverunt, per quas memoratam Ecclesiam cum pertinentiis tanquam ipsam Canonice fuerint ingressi, retinere nituntur in præiudicium nostrum, et contra possessionem juris nostri quam per iudicium Curie nostræ contra ipsos districtionabimus, vos rogamus discretionis vestræ mandantes, et in fide qua nobis tenemini firmiter inhibentes, quatenus ad manutenendam prædictorum Prioris et Conventus maliciam qua nos nituntur exheredare, nihil statuere velitis unde ius nostrum vel possessio juris nostri nobis adjudicata possit aut debeat retardari: Cum suppressa veritate ut diximus Literæ prædictæ ad vos sint impetratæ: Nos igitur ne aliquid statuatis in præiudicium nostrum, et contra possessionem juris nostri, ut prædictum est, ad Dominum Papam, coram prædicto Legato, et prædictis Episcopis appellavimus et adhuc appellamus. Teste H. apud *Westmonasterium*, Vicefimo die Julii. Anno quinto.

Pat. 5 Hen. 3.  
m. 4. do. 10.

Per eundem & consilium Domini Regis.

You heard before how the Bishop of *Waterford* in *Ireland* was restored by the Kings Writ to the Bishoprick and Temporalities of *Lismore* upon complaint, which cause by reference from the Pope being referred again to the examination of the Popes Legate, Archbishop of *Canterbury*, and Bishop of *Rocheſter*, who gave a definitive sentence therein against the Bishop of *Waterford*; thereupon the King issued this Writ to restore the Temporalities again to the Bishop of *Lismore*.

**R**EX Justiciario *Hibernie*, salutem. Cum pridem Electus esset canonice in Claust. 5. H. 3. Episcopum *Lismorensen*, venerabilis vir Magister *R. de Bedeff.* nobisque m. 12. intus. fuisse

fuiſſet eius electio rite præſentata, et interbeniente aſſenſu noſtro debite prius requiſito, confirmata foret ipſius Electio, quo ſic erat idem R. in Episcop. Liſmorenſem conſecratus. Mandavimus vobis ut eidem de Episcopatu prædicto cum ſuis pertinentiis plenam poſſeſſionem habere faceretis: Verum præcedente tempore recurrente ad nos venerabili Patre Waterfordenſi Episcopo, qui ſe dicebat poſſeſſioni ejuſdem Episcopatus Liſmor, tanquam juri ſuo & Episcopatu ſuo Waterford unito & coniuncto, poſſeſſionem ſibi petebat inſtanter reſtitui, quia ut dicebat, ea fuerat iniuſte ſpoliatus, non vocatus, nec abſens per contumaciam, quique de præcepto domini G. quondam Legati Angliæ ad Conſecrationem Karleolenſis Episcopii tempore præfatæ electionis ſe tranſtuleraſſet, unde non potuit ſe adverſario ſuo oppoſuiſſe, et factum fuit de conſilio Comuni ut ei poſſeſſio ſua reſtitueretur. Suborta vero poſtmodum quaſtione inter præſatos Episcopos de Episcopatu Liſmorenſi, & cauſa illa fuiſſet de mandato Domini Papæ venerabilibus P. Norwicensi Electo, Apoſtolice ſedis Legato, S. Cantuarienſi Archiepiscopo, & B. Episcopo Roſſenſi, demandata, adjudicata fuit demum dicto Liſmor Episcopo, Episcopatus illius vera poſſeſſio & per ſententiam diffiniſſimam assignata: facta igitur nobis rei iſtius plena veritate & noticia conveniente, et concordante conſilii noſtri aſſenſu, Liſmorenſ. Episcopum, decrevimus ſua poſſeſſione inveſtire. Unde vobis mandamus, quatenus ipſi Episcopo Liſmor. de Episcopatu Liſmor. cum omnibus ſuis pertinentiis plenam ſeiſſinam ſine dilatione et occasione habere faciatis. Teſte H. &c. apud Weſtmonaſterium Octavo die Maii.

Per ipſum Juſticiarium & conſilium  
Domini Regis.

The Pope the ſame year ſent a Legat into Ireland, who procured theſe Letters Patents from the King to the cheif Juſtice and others of Ireland, to receive, honor, reverence and aſſiſt him, as the Popes Legate, and likewise to adviſe with him upon any new occaſion concerning the affaires of that Kingdom. A clear evidence the Pope could ſend no Legat thither without the Kings conſent, or Approbation to execute any Legatine Authority.

Pat. 5. Hen. 3.  
m. 3. intus.

**R**EX Juſticiario & Magnatibus & aliis de Hibernia ſalutem. Cum dominus Papi miſerat Magiſtrum Jacobum Capellanum & poenitentiarium ſuum Legatum in Hibernia, virum utique ſcientia & religione probatum, vobis præcipiendo Mandamus, quatenus ipſum recipiatis, honorem et reverentiam ei exhibentes tanquam Legato Domini Papæ, ac Conſilium etiam et auxilium opportunum ſicut expedierit ei impendatis: Ita quod ſuper hoc fidelitatem veſtram poſſimus commendare. Et ſi qua etiam nova emerſerint quæ nos et ſtatum Regni noſtri contingant, ipſius conſilium et auxilium requiratis. Teſte H. &c. apud Weſtm. Vicesimo die Novembris Anno Quinto.

You heard before, what a great conteſt there was between King John and the Monks of Durham, about the election of John Marisco for their Biſhop againſt the Monks will, yet impoſed on them by the power of the Pope and his Legate: how ill the Monks and this Biſhop accorded, this Narative will inform you.

Mat. Paris,  
Hiſt. Angl. p.  
299.

**S**ub his diebus, exorta eſt magna inter Richardum de Marisco Episcopum Dunelmensem, & ejuſdem Eccleſiæ monachos, diſſenſio: pro quibuſdam libertatibus antiquis & conſuetudinibus, quas iidem Monachi ſe gaviſi ſunt multis retro temporibus habuiſſe. Episcopus autem fraudulenter Monachis ſignificavit prædictis, venirent ad eum cum privilegiis ſuis & Eccleſiæ ſuæ instrumentis: ut ſi quid in eis eſſet corrigendum ad perfectam eorum libertatem, ipſius arbitrio ſuppleretur. Prior vero & Monachi fraudem Episcopii habentes ſuſpectam, instrumenta ſua ei nullatenus oſtendere voluerunt. Episcopus itaque cum munimentorum inſpectionem habere non poſſuit, juravit, quod omnia bona eorum in uſus ſuos converſerit: adjiciens, quod ſi aliquam ex Monachis extra portas curiæ ſuæ inveniret, non aliam quam

quam caput, redemptionem acciperet. Juravit etiam audientibus multis, quod eo vivente, pacem Dunelmensis Ecclesia non haberet. Nec multo post cum servientes Episcopi Monachum quendam ab Ecclesia quadam violenter extraxissent, & usque ad sanguinis effusionem flagellassent; Monacho conquerenti, & super hoc coram Episcopo querelam deponenti, respondit Episcopus, quod melius fecissent Ministri si Monachum occidissent. Sicque deinceps ita Monachis præfatis idem Episcopus injuriosus exitus & infestus, ut necessitate cogente, ad præsentiam Domini Papæ appellantes, sese & sua omnia sub ejus protectione ponerent. Ac deinde Romanam clericos mittentes & Monachos, Episcopum accusaverunt in multis. Contra quam accusationem, hoc sequens rescriptum impetraverunt a Papa.

**H**onorius Episcopus servus servorum Dei, &c. Saresberienfi & Elyensi, &c. Episcopis, Salutem, &c. Ita nobis in Odore bonæ opinionis fratrum & cooperarum, nostrorum conventus delectari, ut in pestilentibus, vitia non palpemus: cum non debeat pro reverentia ordinis sustinere peccantes, quorum culpa tot eos dignos mortibus facit, quot ad subiectas perditionis exempla transmittunt, qui sola quæ prævitatis exempla conspiciunt imitantur. Hinc est, quod cum de venerabili fratre nostro Dunelmensi Episcopo sapimus nobis insinuatæ fuissent quæ ab Episcopali honestate nimium dissonabant, tandem antea incensuræ funibus clamoris excitati, ut non pateremur cum perditionis multarum, quiescere amplius in suis enormitatibus Episcopum memoratum: de quo insinuatio clamorosa processit, quod postquam fuis ad officium Pontificale promotus, reus sanguinis, symonia, adulterii sacrelogii, rapina, perjurii, ac dilapidationis multiplex est effectus, non formidans clericos, orphanos, ac viros religiosos opprimere, testamenta decadentium impedire, Regia jura contra scientiam dilecti filii nostri Pandulphi Norwicensis electi minuire, ac excommunicationi ligatus, ingerere se divinis. Idem autem appellacionibus non desens ad Romanam Ecclesiam interpositis, statuta generalis concilii non observat, nunquam proponit populo verbum Dei, lingua & exemplo vitæ pravum subditis præbet exemplum. Coram multis juravit, quod pacem ipso vivente Dunelmensis Ecclesia non habebit. Conquerente sibi Monacho quodam Dunelmensi, se a servientibus suis ab Ecclesia quadam fuisse extractum, & usque ad sanguinis effusionem pulsatum, respondit ei, quod melius factum fuisset, si servientes Episcopi Monachum permississent. Ipse insuper Apostolicam regulam continentem qualis debeat esse Episcopus, penitus calcavit in cunctis. Nos ergo ne alienæ culpa simus auctores si clausis oculis tot & tanta prædicti Episcopi transeamus errata, cum adeo ad nos clamor super his ascenderit, ut dissimulationi amplius non sit locus, dignum duximus, ex officii nostri debito, descendere ut hæc an ita sint, vel aliter, videamus. Quocirca fraternitati vestræ per Apostolica scripta Mandamus, quatenus inquisita super his & cognita, sollicitè veritate quæ inventeritis, vestris fideliter inclusis sigillis ad nostram præsentiam remittatis: ut Auctore Deo, quod super hoc faciendum fuerit statuamus. Datum Viterbii, Pontificatus nostri Anno Quarto.

\* His Episcopali  
virtutes.

**C**UM autem literæ Domini Papæ ad notitiam executorum pervenissent, ex officio sibi injuncto, vocaverunt Episcopum Dunelmensem, cum Abbatibus, Prioribus, Archidiaconis, Decanis, apud Dunelmum, ad suum consistorium, & alios laicos & clericos illius provincie quoscunque hujus rei esse confcios crediderunt. Illis autem omnibus, die sibi & loco statuto coram executoribus, comparentibus, recitata fuerunt literæ Domini Papæ, audientibus cunctis, aperte & distincte ad intelligendum. Quibus perlectis & intellectis, surrexerunt Clerici Dunelmensis Episcopi quasdam refutationes frivolas & fallaces allegantes, contra executores prædictos, atque ne procederent in inquisitione prædicta, præsentiam Domini Papæ appellaverunt. Et sic facta appellatione episcopus cum Clericis suis recessit, diem statuentes adversariis, quæ contra eum in Domini Papæ præsentia comparerent. Interposita itaque appellatione, prædictus Episcopus Romanam adivit Curiam, præmissis Clericis suis, qui sibi supervenienti Domini Papæ gratiam præpararent. Unde contigit ut antequam Monachi Dunelmenses Romam venissent, clerici memorati actionem eorundem Monachorum non mediocriter infirmaverant. Unde post multas hinc inde coram Papa altercationes, tam Episcopi quam Monachi, immoderatis profusis expensis remissi sunt in Angliam ad executores supradictos, ut coram eis quod justum fuerit sententialiter statuatur. Duravit autem hæc diu inter eos semel suborta contentio, donec mors Episcopi litam sicut ipse prædixerat, terminavit. What was the general corruption of the Pope, Prelates, Monks, Clergy in that age, appears by this relation.

Mat. Paris,  
Hist. Angl.  
p. 350.

The



The Archbishop of *Cassel* in *Ir. land*, by his own usurped authority, interdicted the Kings Tenants and Lands there, without reasonable cause, and after an *Appeal*, whereof the King complaining to Pope *Honorius*, he thereupon enjoined him to release the Interdict within 15. dayes, or in case of his refusal, authorized other Bishops to release it, and finally to hear and determine the cause, by this ensuing Bull.

Clauſ. 6 H. 3.  
dorſ. 5.

**HONORIUS** Episcopus servus servorum Dei, &c. Archiepiscopo *Cassel* salutem, & Apostolicam Benedictionem. Charissimus in Christo filius *H. Rex Anglorum* illustris, suam ad nos querimoniam destinabit, quod tu in homines et terras ejus sine causa rationabili, post appellationem ad nos interpositam, Interdicti sententiam auctoritate propria contra statuta generalis Concilii promulgasti. Quocirca fraternitati tue per Apostolica scripta mandamus, quatenus si est ita, infra xv. dies post suspensionem presentium, sententiam ipsam sine difficultate relaxes. Alioquin Venerabilibus fratribus nostris *Dar. Midenſ. & Offer.* Episcopis, damus nostris Literis in mandatis ut ipsi extunc sufficienti ab eis super hiis pro quibus predicta sententia est prolata, recepta iuxta formam Ecclesie cautione, sententiam, relaxantes, eandem audiant, si quid postmodum remanserit questionis, & appellatione remota sine debito decident, & faciant quod decreverint auctoritate nostra firmiter observari. Dat. *Alatri* xiiij. Kalend. Junii. Pontificatus nostri Anno sexto.

Mat. Paris Hist.  
Angl. p. 301,  
305. Godwins  
Catalogue of  
Bishops, p.  
144.

Anno 1221. *William de Marisco* Bishop of *London*, of his own accord resigning his Bishoprick, *Eustachius de Fauconberge*, tunc *Scaccarii thesaurarius*, quinto Calendas Martii, in Episcopum Londinensem eligitur; cuius electio a Legato *Pandulpho* confirmatur; & vii. Calendas Maii apud Westmonasterium consecratur: Which Bishop soon after, petiit ab Abbate *Willielmo* & Conventu Westmonasteriensis processionem, procuracionem, visitacionem, & omnimodam jurisdictionem: propter quæ ad *Papam* fuit appellatum. After which Appeal, this difference was by consent of both parties referred to *Stephen Langhton* Archbishop of *Canterbury*, two other Bishops, and two Priors, as arbitrators to determine: Qui Monasterium Westmonasterii ab omnimoda subjectione & jurisdictione Episcopi Londinensis penitus exemplum declaraverunt, (by vertue of the Kings Charters) & ordinaverunt, quod Ecclesia de *Stanes*, cum pertinentiis suis, in usus proprios Ecclesie Westmonasteriensis commutaretur; & manerium de *Sunneb.* in proprietat. Episcopi Londinensis, & Ecclesia ejusdem manerii cedat in usus proprios Ecclesie Sancti Pauli in perpetuum: Which prevented all proceedings on this Appeal.

\* Here p. 377.

The same year, upon the \* forementioned complaint and Letters of King *Henry* to Pope *Honorius*, against *Henry de Lezimaco*, Earl of *March*, the Pope sent this Bull to him, and *Isabel* his Wife, (the original whereof I found amongst other ensuing Bulls, of his in the *White Tower*) threatening to Interdict his Lands, and Excommunicate his person, if he submitted not to the Kings just demands.

An. Dom. 1222  
6 Hen. 3.

**HONORIUS** Episcopus servus servorum Dei. Dilecto filio Nobili viro *Hugoni de Lezimaco* Comiti *Marchie*, & *Isabella* Uxori ejus, *Psilavenſ.* Dioc. salutem & Apostolicam Benedictionem. Intelleximus ex relatione Venerabilis fratris nostri *Pandulphi* Episcopi *Norwicensis*, quod tempore treugæ initæ, inter charissimum in Christo filium nostrum *Henricum* Regem *Anglorum* illustrem, ex parte una, & vos ex altera, mediante predicto Episcopo tunc electo, vos juxta intentionem Episcopi memorati pro vobis & complicibus vestris, mandatis nostris stare iurastis, super hiis pro quibus in personas vestras, et fautorum vestrorum, ac complicum excommunicationis et in terras vestras et ipsorum, Interdicti fuerant per Venerabiles fratres nostros, *Xantonen.* *Lemovicen.* Episc. & dilectum filium *Decanum* *Burdegaley*, sententia auctoritate Apostolica promulgata pro eo videlicet, quod dotem sororis ejusdem tu fili Comes, ea rejecta, reddere contempnebas, & quia *Castrum* de *Campniaco*, quo tu filia, priusquam invicem copularemini, spoliabas Regem & fideles ipsius, detinebatis indebite occupatum, & post inhibitionem nostram, ne Regem infestares eandem, *Castrum* suum *Merpisii*, tu Comes obsederas & occupaveras violenter; (all Temporal matters no wayes belonging to his Papal Jurisdiction) Verum quia pati nec volumus nec debemus, ut mandata nostra vel per

per alienam eludantur astutiam, vel per proterbiam contempnantur, nec vos decet abuti gratia in relaxatione prædictarum sententiarum vobis exhibita, cum potius expediat ut vos nostris et Regis ejusdem beneplacitis coaptetis, nobilitatem vestram monemus attente per Apostolica vobis scripta sub debito præstiti juramenti, præcipiendo mandantes, quatenus infra festum Sancti Andree futurum proximo, dotem et Castra prædicta cum fructibus inde perceptis, et aliis, necnon et Castrum Herpissi præfato Regi, vel cui mandaverit ipse, sublato cujuscumque difficultatis et appellationis objecto, reddatis; de dampnis et injuriis irrogatis sibi et ejus fidelibus nihilominus satisfaciendes eidem; alioquin prædictis Episcopis et Decano nostris damus Literis firmiter in præceptis, ut vos et Complices vestros, et vestras et ipsorum terras in prædictas sententias reducentes, ex tunc vos excommunicatos denuncient, et perjuros et sententias ipsas pulsatis campanis, et accensis candelis singulis diebus Dominicis et festivis publicari solemnius faciant, et usque ad satisfactionem condignam inviolabiliter observari. Prælatos, quoque ac Clericos, si qui vobis in hac parte faventes, sententias non servaverint memoratas, ad præsentiam nostram cum suis testimonialibus Literis suspensos venire compellant. Nos quoque contra vos severius spiritaliter et temporaliter procedemus. Dat. Lateran. vij. Kalend. Julii. Pontificatus nostri Anno sexto.

This Original Bull under seal (with sundry more) I found in the White Tower, with this in the leaden Seal,

§ Honorius  
2 Papa 3.

Thus did this insolent Pope in meer Temporal affairs cast abroad his Thunderbolt of Excommunication with highest arrogance, to terrifie and trample all Kings and Temporal Princes, Nobles, under his Papal feet. What Ecclesiastical censures were then inflicted upon *Impostors* and *Blasphemers*, this president will inform us.

Hoc Anno comprehensus fuit quidam, paucis diebus ante Concilium celebratum *Canthuariæ*, (mistaken for *Oxonia*) a Magistro *Stephano Cantuariensi* Archiepiscopo, habens in corpore & membris, scilicet in latere, manibus, & pedibus, quinque vulnera Crucifixi, & in dicto Concilio simul cum eo, utriusque sexus, scilicet Hermaphroditus, ejusdem erroris quo Prior obsecratus, fuit cum suo complice præsentatus. **Super quo convicti, et publice confessi, iudicio Ecclesiæ puniti fuerunt.** Similiter & quidam *Apostata Indanus*, factus ex Christiano Diaconus, qui similiter est iudicialiter punitus, quem *Falco* statim acceptum suspendi fecit: by Judgement of the Kings Temporal Court, (not Council) as *Bracton* informes us. The first impostor who counterfeited himself to be Christ, with two women his followers, counterfeiting themselves to be the Virgin *Mary*, the Mother of Christ, and *Mary Magdalen*, were immured together with him without any victuals, and starved to death, as some relate, and others that they were crucified.

An Dom. 1222.  
Mat. Paris Hist.  
Angl. p. 304.  
305. Mat.  
Westm. Anno  
1222. Walsingham  
Ypodigma  
Neustria, An.  
1222. Mat.  
Parker Antiqu.  
Eccles. Brit. p.  
25. Henri. de  
Bracton, l. 3. c.  
9. f. 123, 124.  
& c. 23. f. 144.  
b. Fleta l. 3. c.  
1. Polychron. l.  
7. c. 34. Holin-  
shed, Speed,  
Stow, Grafton,  
Anno 6 H. 3.

In this Council held at *Oxford* under Archbishop *Stephen*, many Constitutions were made, most of them very usefull to reform extortions, abuses, Procurations in *Visitations*, the taking of any Fees for Letters of Order, Funerals, or administering any Sacrament; as also against Pluralities, Non-residence, and other abuses of Clergy-men: Only it begins with this extravagant general form of Excommunication, encroaching upon the Kings Prerogative and Subjects Liberties in sundry particulars, warranted by no Authority from *God the Father*, or *Blessed Virgin*, as it pretends.

**E**X Autoritate Dei Patris omnipotentis, & Beatæ Virginis, & omnium Sanctorum, & præsentis Concilii, Excommunicamus omnes illos qui Ecclesias suo jure maliciose privare præsumunt: aut per maliciam earundem libertates infringere vel Regionis Anglicanæ, fol. 121. Galjelm. Lyncolne Provincialis, l. 5. De sententia Excommunicationis, fol. 249, 250, &c.

Johan. de Aton  
Constitutiones  
Legitimæ Ec-  
clesiæ totiusque

D d d

perturbare

perturbare contendunt. *Item*, omnes illos qui propria temeritate Ecclesiastica beneficia in *Cantuariens.* provincia absque diocesanorum autoritate, illicite occupant per intrusionem : & detinent sic occupata, cum eorundem fautoribus. *Item*, omnes illos, sive Clericos, sive Laicos, qui sequestum Domini Episcopi in vacantibus Ecclesiis vel aliis de causis justis interpositum violare præsumunt, Clericis nihilominus hujusmodi ulterius puniendis prout statutum est in Synodo Synodali. *Item*, omnes illos qui Ecclesias vel Cœmeteria, sive cætera refugia Ecclesiastica contra Ecclesiarum immunitates violare præsumunt, vel bona in eis causa refugii existentia invadendo, vel auferendo, sive incendendo ; homines in eis capiendo vel extrahendo ab eisdem. *Item*, omnes illos qui bona Clericorum aut hominum tenentium de Ecclesia, & præcipue manentium in terris Episcopalibus, injuste, aut violenter diripiunt : seu alias eos in propriis personis molestare præsumunt. *Item*, omnes illos fures, & latrones, & prædones publice diffamatos, qui de loco ad locum transeunt, furta & rapinas ac depredationes illicitas Dei timore postposito perpetrare non formidant. *Item*, incendiarios, sacrilegos, falsarios : cum omnibus prædictorum fautoribus, auctoribus, receptatoribus, defensoribus, complicitibus, participibus, consilium præstantibus, & scientibus de hujusmodi furtis, vel rapinas ementibus, illique maxime hac sententia involvant, qui latrones in terris, Castris vel domibus suis tenent, vel de eorum latrocinii participes sive Domini fiant. *Item*, omnes illos excommunicationis sententia innodamus, qui pacem & tranquillitatem Domini Regis & Regni injuriose perturbare præsumunt, & qui \* jura Domini Regis & Regni injuste detinere & continere contendunt. *Adjecimus*, omnes illos sibi sententia involutos, qui scienter & prudenter falsum perhibent testimonium, vel perhibere procurant, vel etiam qui tales testes scienter producant, & subornant, causa matrimoniali, ubi scilicet agitur contra matrimonium, vel ubi agitur ad alicujus exheredationem. Advocatos quoque omnes excommunicamus qui in causis matrimonialibus maliciose exceptiones proponunt, vel proponere procurant, ne matrimonia debitum sortiantur effectum, vel etiam ut contra justitiam processus ejus diutius suspendatur. *Item*, excommunicamus omnes illos qui gratia lucri, favoris, vel odii, vel alia quacunque de causa alicui maliciose crimen imponunt, cum infamatus non sit apud bonos & graves, ut sic saltem purgatio ei indicat vel alio modo gravet. Præterea omnes illos excommunicationis sententia innodamus qui vacante Ecclesia maliciose opponunt se, vel opponi procurant super jure patronatus, quatenus sic verum patronum illius Ecclesiæ collatione, saltem illa vice, defraudent. Excommunicamus omnes illos qui gratia lucri vel odii, vel aliter contemnunt exequi mandata Domini Regis contra excommunicatos edita, claves Ecclesiæ contemnentes. *Item*, omnes illos qui in solvendis decimis suis Ecclesiis suis Parochialibus debitis & consuetis scienter fraudem fecerint : videlicet de omnibus fructibus terrarum & arborum : de feno quocunque loco percepto, de pannagio porcorum, herbis ortorum, de apibus & nutrimentis animalium, & de feribus quos nutriunt, lana, lacte, caseis quocunque coagulatis, & de omnibus quæ renovantur per annum, piscationibus, venationibus, molendinis, & negotiationibus, artificii, cæterisque justis laboribus, & licite acquisitis, & de omnibus aliis de jure, sive de consuetudine decimandis. *Item*, omnes illos qui viros religiosos, Clericos Beneficiatos, & eorum homines in solo Ecclesiastico degentes, talliis, vestigalibus, muragiis, tributis, fossatis, cariagiis, vel aliis exactionibus indebitis, & inconsuetis per injustas & violentas extortiones non modicum Ecclesiasticæ libertatis præjudicium, aggravare præsumunt. Hæc generalis sententia excommunicationis supradicta singulis annis in quatuor festis majoribus, videlicet, Nativitatis Domini, Paschæ, Pentecostes, & diei Omnium Sanctorum, in singulis Ecclesiis innovetur, & solenniter recitetur a singulis Presbyteris Parochialibus, sacris vestibus indutis, pulsatis campanis, & accensis candelis, præsentem Parochianorum multitudine in lingua vulgari.

\* In Cantica  
Sermo 25. 77.  
& ad Clerum  
Sermo in Con-  
cil. Remensi.

These Excommunicators had quite forgot \* St. Bernard's Lesson. *Sciam boni fidelesque Pastores, languentium sibi creditam animarum curam, non Pompam; medicos se, & non Dominas agnoscentes: pauci autem confestim adversus heresim animæ, non vindictam sed medicinam. Audiant hæc Prelati, qui sibi commissis semper volunt esse formidini, utilitati rarè: studete magis amari quam metui: suspendite verba, producite ubera; peiora lacte pinguescant, non typho turgant.* And the people might justly take up his complaint. *Paucos habemus huius Pastores, multos autem excommunicatores. Parum est nostris vigilibus quod non serviant nos, nisi et periant*

Soon after this Archbishop and the Bishop of Lincoln, by their Usurped Ecclesiastical



allical Jurisdiction, without the Kings Royal Authority, commanded by their Injunctions that none should sell any victuals to the *Jews*, nor have any communion with them, whereupon they could find none that would sell any thing to them; of which the *Jews* complaining, the King by his Ecclesiastical Prerogative issued this Writ to the Mayors of *Canterbury*, *Oxford*, and *Norwich*, to countermand the Bishops Injunctions, that all should sell victuals and other necessities to them, and that they should imprison every one refusing to do it, till further order, as this Record informs us.

**R**EX Vicecomiti & Majori *Cantuarie* salutem. Ostenderunt nobis *Judei* nostri *Linc.* quod occasione præcepti Venerabilis Patris *S. Cantuariensis* Archiepiscopi, & Episcopi *Lincolniensis* facti de *Judeis*, ne qui eis victualia vendant, nec Communitatem habeant cum eis, nec inveniunt aliquem qui eis aliquid vendant. Et ideo vobis præcipimus, quod vobis Literis istis, præcipi et proclamari faciatis, ex parte nostra in Balliva vestra, quod vendantur eis victualia et alia necessaria: Et si quem inveneritis qui eis denegat victualia et necessaria alia vendere in Civitate *Lincolniæ*, et alibi, illum capiat, et corpus ejus salvo custodiat, donec aliud inde præceperimus. Teste *H. &c.* apud *Westmonasterium*, Decimo die *Novembris*.

Clauſ. 7 Hen.  
3. d. 29.

Eodem modo scribitur Majori & præpositis *Oxonie*, de *Judeis Oxon.* & *Ballis de Norwiche*, de *Judeis Norwic.*

The Archbishop *Stephen Langton* persevering in his treasonable seditious practices against King *Henry* the 3d. as he had done against his Father King *John*, Anno 1223. demanded of him a confirmation of the Great Charter, granted and ratified by his Father, on purpose to raise new Wars and Rebellions upon the same account, and in the same manner as he had formerly done; thus registred by *Matthew Paris*.

An.Dom. 1223

\* Here p. 283,  
283, 335.

**R**EX *Henricus* ad natale tenuit Curiam suam apud *Oxoniam*. Et postmodum, in octavis Epiphaniæ, apud *Londoniam* veniens cum Baronibus ad colloquium; requisitus est ab Archiepiscopo *Cantuariensi*, et Magnatibus aliis: ut Libertates, et liberas consuetudines, pro quibus guerra mota fuit contra Patrem suum, confirmaret. Et sicut Archiepiscopus ostendit evidenter, idem Rex diffugere non potuit, quin hoc faceret: cum in recessu *Lodovici* ab Anglia, juravit, et tota Nobilitas Regni cum eo; quod libertates præscriptas omnes observarent, et omnibus traderent observandas. Quod audiens *Willielmus Brimere*, qui unus erat ex Consiliariis Regis, pro Rege respondens, dixit: Libertates quas petitis, quia violentè extorta fuerunt, non debent de jure observari. Quod verbum Archiepiscopus moleste ferens, increpavit eum, dicens: *Willielme* (inquit) si Regem diligeres, pacem Regni non impedires. Videns autem Rex Archiepiscopum in iram commotum, dixit: Omnes libertates illas jurabimus, et omnes stricti sumus, ut quod jurabimus, observemus. Et Rex protinus habito super hoc consilio, misit Literas suas ad singulos Vicecomites Regni; ut per Milites duodecim, vel legales homines, uniuscujusque Comitatus, per sacramentum facerent inquiri, quæ fuerunt libertates in Anglia, tempore Regis *Henrici* avi sui; & factam inquisitionem ad *Londoniam* mitterent ad Regem, in quindecim diebus post *Pa'cha*.

Mat. Paris Hist.  
Angl. p. 309.

Soon after, this Archbishop with 3. more Bishops came to *Lewes* the French King, to demand *Normandy*, and other transmarin Lands to be rendred to King *Henry*, according to his Oath upon the Peace made between them: He refusing to perform it, replied, (most probably by the Archbishops direction, whose words he used) That King *Henry* himself had violated his Oath and agreement between them, especially concerning their Liberties and Laws. De Libertatibus autem Regni Angliæ, pro quibus guerra mota fuerat, quæ in recessu suo concessa erant, & ab omnibus jurata, ita allum est;

Mat. Paris Hist.  
Angl. p. 309,  
306.

quod non solum illa leg-<sup>s</sup> pessima ad statum pristinum sunt redacta, sed & illis nequiores per totum Regnum Angliæ sunt generaliter constituta. Quod audientis Archiepiscopus & Episcopi, cum aliud responsum habere nequiverant, ad propria sunt reversi, Regi Angliæ ea qua audierant referentes: dealing here as he \* formerly dealt between King John and the Barons.

\* Here p. 335, 336.

Besides, this Archbishop and his Officials usurping upon the Rights of the Crown on the one hand, as the Pope and his Legates did on the other, prohibited the payment of certain Rents, annually due to the Crown, during the vacancy of the Bishoprick of *Coventry*, arising out of the Archdeaconries of that Diocese, in derogation of the Rights of the Crown; Whereupon the King issued forth this Writ unto him, running in a milde stile, in nature of a Prohibition, to redresse this injurious encroachment, and preserve his Royalties.

Claus. 8. H. 3.  
m. 29. dorso.

**R**EX *Canthuariensi* Archiepiscopo salutem. Ex insinuatione custodum nostrorum Episcopatus *Coventrensis*, accepimus, quod Officiales vestri redditus quosdam provenientes ex Archidiaconatibus *Coventrensis* Diocesis capiendo eos, ad manus prædictorum Custodum venire non permittunt; Unde tanto vehementius admiramur quanto certius per inspectionem Rotulorum de scaccario nostro, didicimus quod temporibus prædecessorum nostrorum Regum Angliæ, videlicet *Avi*, *Avunculi*, & patris nostri hujusmodi redditus simul cum aliis exitibus ejusdem Episcopatus, cum ipsum temporibus illis vacare contigisset, de quibus etiam ad scaccarium nostrum responderunt. Rogamus igitur paternitatem vestram, quatenus non permittatis ab officialibus vestris aliquid attemptari, quo minus redditus hujusmodi ad manus Baillivorum custodum nostrorum perveniant, immo potius juxta spem certam quam dilectione vestra gerimus, nos investitis, observetis et lætantes de hiis quæ antecessores nostri sicut prædiximus, auctoritate regia sunt gavisi. Teste *H.* apud *Westmonasterium* Octavo die *Novembris*.

The Bishop of *Durham* likewise exceeding the bounds of his Jurisdiction, to the prejudice of the Rights of the Crown, the King for redresse thereof sent this memorable Prohibition to his Officers.

Claus. 8. H. 3.  
m. 11. dorso.

**R**EX *Adæ de Ieland*, *Rogero Dandre*, *Jordano Hayron*, *Willielmo Eritton*, & *Roberto de Ieland*, salutem. Præcipimus vobis ne teneatis placitum per aliquod breve *Venerabilis Patris R. Dunholm. Episcopi*, *Cancellarii nostri*, quali prædecessores sui temporibus prædecessorum nostrorum usi non fuerunt, et quale ad ipsum non pertinet, Jure Episcopatus sui; et ne idem Episcopus utatur libertate aliqua in curia sua contra Coronam et dignitatem qua prædecessores sui jure Episcopatus sui usi non fuerunt temporibus Antecessorum nostrorum Regum Angliæ, donec discussum fuerit in Curia nostra, utrum hujusmodi brevicia et libertates pertineant ad ipsum Episcopum jure Episcopatus sui, vel non. Teste meipso apud *Bed.* xxx. de *Junii*.

The King likewise issued this subsequent Prohibition to the Archbishop of *York*, against trying the right of Advousons in Spiritual Courts, and to admit a Clerk.

Claus. 8 Hen.  
3. m. 4. dorso.

**R**EX Archiepiscopo *Eborum* salutem. Monstravit nobis Prior *Dunholm.* quod cum *Venerabilis Pater Dunholm. Episcopus*, *Cancellarius noster*, impetrasset quasdam Literas de Advocationibus Ecclesiarum de *Kirkel*, *Hovedon*, & *Bretenham*, *Welleston*, & de *Waketon*, quas, sicut dicit, idem Prior ei injuste detinet, ipse postmodum alias Literas obtinuit vobis directas, ne ad Ecclesias illas personas admittatis donec in Curia nostra discussum fuerit, ad quem illorum pertineat illarum Ecclesiarum advocatio. Acum quoniam visum est Consilio nostro, quod ultimæ Literæ de prohibitione locum habere non

non debeant, nisi ubi agitur de ultima præsentatione, et Prior sibi timeat quod vestris de vacantibus Authoritate Concilii disponere si ultra tempus sex mensium eas vacare contigerit. Vobis mandamus rogantes, quatenus nisi alia iusta subsit causa præter dictam prohibitionem ad Ecclesiam de *Hovedon* vacantem, ad dicti Prioris præsentationem personam idoneam admittere non differatis. Teste Rege apud *Wigorn*. Vicesimo die *Septembris*, coram Domino *Cantuariensi*, *Lincolniensi*, & *Bathoniensi* Episcopis, & *M. de Pateshull*.

These proceedings of the Archbishop and Bishops, (then most intrusted by the King) made him jealous of their Loyalty, and some secret designs against him, which by reason of their present power he durst not openly discover, but rather endeavoured to oblige them by commending their Loyalty: For which end, *Anno* 1223. King *Henry* having a resolution to resume the Castles and Lands belonging to the Crown of *England*, in the possession of his Barons and others, by advise of *Hugh de Burgo* his chief Justice, dispatched special trusty Messengers with Letters to the Pope and *Gualo* his Legate, commending the fidelity of the Archbishop and some other Bishops to him, and beseeching him to command them by his special Bulls to assist him against, and excommunicate all such as should rebell, or disturb the peace of the Kingdom, and to send particular Letters to the Earls and others there named, to ayd him if there were occasion with their Forces; the chief design being not committed to writing, but privately to be imparted by word of mouth, by the Agents who carried the Letters, which I find thus entred in the Records.

**D**omino Papæ salutem. De beneficiis immensa pietatis vestra multimodis quibus suffragantibus de nullo redicimur in serenum, supra regna constituti quæ merito vestra sunt, sed ex hoc maxime, quod transmissis in Angliam Sanctitatis vestræ literis liberam nos ministrationem Cantuorum et rerum nostrarum voluistis, paternitati vestræ, quas et quales possumus ad effusas assurgimus gratiarum Actiones eidem, quæ de nobis et statu regni nostri semper sollicita est, pro certo referentes, postquam de pace nobis & terræ nostræ reddita gavisi sumus, nunquam maiorem spem concepimus de prosperitate & melioratione status nostri & Regni nostri quem venerabilis & dilectus nobis in Christo Pater Cantuariensis Archiepiscopus, una cum *Dunholm*. Episcopo Cancellario nostro & Coepiscopis suis, & ceteris Angliæ prælatiis adhibita circa nos, & agenda nostra vigilant cura, Assistente semper Lateri nostro potenter & patenter in omni fidelitate Dilectissimo nobis *H. de Burgo* Justiciario nostro, cum cæteris fidelibus nostris quos inferius nominabimus, prosperum efficere & tranquillum. Set cum non dormiat ille qui pacifica semper Corda turbare nititur, si qua ex parte quorundam ex magnatibus simulantium se velle negotia nostra promovere, sicut vobis poterunt, si placet, præsentium bajuli plenius enarrare, vobis suggesta fuerint nimis audacter hiis contraria, inania et fide minus digna reputare velitis, quoniam cum multorum diversa sit plerumque voluntas non omnibus omnia quæ circa nos versantur sunt accepta, si quid autem contradictionis emersum fuerit, quod absit, in Regno nostro facile sedare poterimus propitiante Domino, ex memorati Domini Cantuariensis Archiepiscopi Coepiscoporumque ejus, nec non et Justic. nostri et aliorum nobis assistentium Consilio et auxilio. Petimus igitur a sancta Paternitate vestra quatenus Nuncios nostros videlicet, dilectos & fideles nostros Magistrum *Stephanum de Lucy*, & *G. de Crancomb*, qui vos plenius instruere poterunt de statu nostro, & Regni vestri, benigne audiat, & negotia nostra quæ ipsi vobis exponent expedire, velitis. Diligentiam Domini Cantuariensis & coepiscoporum ejus agentis nostris expediendis appositum propensius habentes Commendatum, dantes eis in mandatis, ut nobis assistant, rebellesque nobis et adversantes per Censuram Ecclesiasticam appellatione remota Compescant: scribere etiam velitis. *H. de Burgo* Justic. W. Com. Sarr. Com. W. Marr. Com. Warren. Com. de Ferrariis Com. W. de

Claus. 8. H. 3.  
m. 27. dorso



*W. de Mandevill, Com. H. le Bigod, Com. H. de Warwick, Comiti Hereford, Comiti Arundel, Roberto filio Walteri, Roberto de Ros, Galfrido de Say, W. de Bello Campo, W. de Albin, Waltero de Clifford, Rogero de Clifford, Thoma de Multon, H. de Vivon, firmiter injungentes, ut agenda nostra solita diligentia promoveant, et nobis semper viriliter assistant, quos etiam de inceptis diligentia et fidelitatis suae laudabilibus commendare velitis. Scribere etiam velitis certis personis (2) nunciis nostris vobis nominandis, quod si quid in animo conceperint contra nos, vel Justiciarium nostrum, vel alios de nostris qui nobis assistant, a proposito tali resiliant et nobis firmiter adhæreant. Alloquin juxta providentiam vestram compescantur. Ut autem hiis quae vobis scribimus major fides adhibeatur, Paternitati vestrae notum facimus, quod litterae praesentes a voluntate & praecepto nostro emanaverunt, & in praesentia nostra confecta & sigillata fuerunt. Plura autem posuimus in ore dictorum Nunciorum vobis exponenda, quae si placet solita benignitate velitis exaudire, quae quidem propter marium pericula scripto volumus commendare. Teste meipso apud London xix. Die Decembris coram H. de Burgo Justiciario, & Bath. & Sarr. Episcopis.*

The like Letter (with little variation) to the same effect, he then sent to *Gualo* formerly the Popes Legat in England.

Clauſ. 8 Hen.  
3. m. 27. doſſ.

**D***omino Gual. salutem.* De multiplici & solito suffragio vestro quo de Nubilo reducimur in serenum, in multis promoti, quas & quales possimus vobis effundimus gratiarum Actiones, dilectioni vestrae pro certo referentes, quod postquam de pace nobis & terrae nostrae reddita gavisi sumus, nunquam Majorem spein concepimus de tranquillitate & melioratione status nostri & regni nostri, quem venerabilis & dilectus nobis in Christo Pater, *Cantuariensis Archiepiscopus*, una cum *Dunholm Cancellario nostro*, & Coepiscopis suis, & ceteris *Angliae* praelatis, assistente semper lateri nostro potenter & patenter in omni fidelitate, *H. de Burgo* Justiciario nostro, cum ceteris fidelibus nostris, prosperum effecit & tranquillum. Sed cum non dormiat ille qui pacifica corda turbare nititur, supplicavimus Domino Papae, ut si quae ex parte quorundam ex Magnatibus nostris simulancium se velle negotia nostra promovere sicut presentium bajuli, sibi poterunt, & vobis si placet plenius enarrare, tribus Domini Papae *† suggesta* fuerint hiis contraria inania & fide minus digna velit reputari, quoniam cum multorum diversa sit plerunque voluntas, non omnibus omnia quae circa nos geruntur, sunt accepta; si quid autem contradictionis emersum fuerit, quod absit, in Regno nostro, facile sedare poterimus propitiante Domino ex memorati Domini *Cantuariensis* Archiepiscopi, Coepiscoporum ejus, nec non & Justiciarii nostri & aliorum fidelium nostrorum nobis assistentium consilio & auxilio. Petimus igitur a dilectione vestra ut Nuncios nostros videlicet dilectos & fideles nostros Magistrum *Stephanum de Lucy*, & *G. de Crancumb*, qui vos plenius instruere poterunt, de statu nostro & regni nostri, benigne audire & in conspectum Domini Papae solita pro nobis facta intercessione reddere velitis expeditos; efficientes, si placet, quod diligentiam Domini *Cantuariensis* & Coepiscoporum ejus, Justic. etiam, & fidelium nostrorum specialius nobis assistentium, quod vobis expressius nominabunt praesentes Nuncii, circa nos appositum ut praediximus, habeat Dominus Papa Commendatum, istis ut *spirituali gladio rebelles nobis, appellatione remota, compescant, ut secundum vires temporales nobis fideliter et potenter obsequendo laudabilibus inceptis suis firmiter insistant: scribi etiam impetretis a Domino Papa certis personis & nunciis nostris nominandis, quod si quid in animo conceperint contra nos vel Justiciarium nostrum, vel alios de nostris qui nobis assistant, a proposito tali resiliant, et nobis firmiter adhæreant, alioquin juxta providentiam Domini Papae et vestram compescantur*: Ut autem hiis quae vobis scribimus Major fides adhibeatur Paternitati vestrae nobis dilectae notum facimus quod tam praesentes litterae quam aliae Litterae nostrae Domino Papae directae, a conscientia & praecepto nostro emanaverunt & in praesentia nostra confecta & sigillata fuerunt. Teste meipso apud London. Decimo Nono die Decembris coram *H. de Burgo* Justic. & *Bath & Sarr. Episcopis*.

\*Inimicis.

Be-

The effect of these Letters concerning the Kings Lands and Castles, is thus related by *Mat. Paris*.

Eodem Anno surrexit murmuratio non modica a Magnatibus *Anglia*, contra *Henricum de Burgo* Justitiarium, qui pacem Regni conati sunt perturbare. Dicebant enim adinvicem, quod animum Regis exasperabat contra illos, & quod similiter non æquis legibus Regnum regebat. Accessit præterea ad majoris odii incentivum, adventus nuntiorum Regis, quos Romam miserat, qui *Vuliam Domini Papæ Archiepiscopis Angliæ*, et eorum *Suffraganeis* deferebant, quæ talem continebat sententiam, videlicet, quod Dominus Papa Regem Angliæ plenæ ætatis adjudicaverat, quod ex tunc negotia Regni idem Rex principaliter cum suorum domesticorum consilio ordinaret. Significavit etiam executoribus prælibatis Dominus Papa in Literis supradictis; quatenus auctoritate Apostolica denunciarent Comitibus, Baronibus, Militibus, et aliis universis, qui custodias habebant Castrorum, honorum et villarum, quæ ad Regis dominium spectabant, ut continuo visis Literis, Regi illas redderent: Contradictores autem per censuram Ecclesiasticam ad satisfactionem compellerent. Unde pars maxima Comitum & Baronum, quorum corda concupiscentia possidebat, hujusmodi præcepta indigne ferens, bellumque suscitare disponens, convenit in unum, & conspiratione absque solibus confata, supradictas occasiones prætendebat, ut pacem Regni perturbaret. Custodias autem jam dictas, per admonitionem Archiepiscoporum et Episcoporum, Regi reddere supersevit, volens potius arma movere, quam Regi satisfacere de præmissis.

Mat. Paris,  
Hist. Angl. p.  
306.

Hæc uppon, Anno Domini 1224. Rex *Henricus* ad natale tenuit Curiam suam apud *Northamptonam*, præsentem Archiepiscopo *Cantuariensi*, cum suis Suffraganeis, & militia magna nimis. Comes vero *Cestrensis*, cum suis conspiratoribus, apud *Leicestriam* tenuit festum suum; tumens, & minas contra Regem & Justitiarium intendens, pro custodiis Castrorum ac terrarum, quas idem Rex exigebat ab illo. In crastino autem post *Missarum* solemniam, Archiepiscopus *Cantuariensis*, cum suis Suffraganeis Episcopis albis induti vestibus, et candelis accensis, excommunicaverunt omnes Regis et Regni perturbatores, et Sanctæ Ecclesiæ, et rerum Ecclesiasticarum invasores. Deinde idem Archiepiscopus misit solemnem nuncios apud *Leicestriam* ad Comitem *Cestrie* et suos complices; firmiter denuntians singulis et universis, quod nisi in crastino resignarent in manus Regis omnia Castella et honores ad Coronam spectantia; ipse et omnes Episcopi nominatim excommunicarent illos, sicut a Domino Papa fuerat demandatum. Tunc Comes *Cestrensis* & ejus complices, cum per exploratores edocti fuissent, quod Rex majorem quam ipsi, haberet numerum armatorum, consternati sunt valde: quia si facultas eis suppeteret, in Regem propter Justitiarium potenter arma moverent. Sed cum proprium conspexissent defectum, verebantur dubium certamen mittere: et præterea timuerunt Archiepiscopum et Episcopos, ne forte illos excommunicarent, nisi desisterent ab inceptis. Unde saluberimo usi consilio, venerunt apud *Northamptonam* ad Regem universi, et a Comite *Cestrensi* incipientes, reddiderunt singuli Castella et municipia, honores et custodias Regi, quæ ad Coronam spectare videbantur.

An. Dom. 1224  
Mat. Paris,  
Ibidem.

Thus the Popes Bulls, and Bishops Excommunications, (which here accidentally produced the best effect I read of, for want of power in the Barons to resist the Kings Temporal Sword Forces, nor this Ecclesiastical Thunderbolt) were then made use of in most secular affairs, and not only the Temporal Lords and Commons thereby subjected, enthralled to the Popes and Prelates Jurisdctions, but the King and Kingdom

too,

\* Mat. Paris  
Hist. Angl. p.  
209, 310. Mat.  
Westm. Anno  
1224. p. 115;  
116.

too, upon meer politick and secular concerns and affairs. The same year, \* *Falcatus de Brent* seizing upon *Henry de Braybroc*, one of the Kings Justices Itinerant, for giving Judgement against, and imposing Fines upon him in Assizes of *Novel-disseisin*, for Lands and houses he had forcibly entred into in *Luton*, and afterwards carrying him Prisoner to *Bedford Castle*: The King, Bishops and Barons then sitting in a Parliamentary Council at *Northampton*, presently went and besieged the Castle, *Tunc Archiepiscopus, & Episcopi universi*; (after a treble summons and admonition to surrender it, withstood) *ipsum Falcatum, & omnes qui in Castellis praesidio erant, candelis accensis, excommunicationis mactone percusserunt*: Which Excommunication they flighting and deriding, manfully defended the Castle near 9. weeks space, till taken by force. *Falcatus* by judgement abjured the Realm for ever, and lost all his goods. After which, *Romanam Curiam adiit, qui sciebat eam pro pecunia sibi de facili in quacunque causa propiciandam. Sed machinatio sua non est a Deo permissa, vel a sanctis quibus tot irrogavit injurias*, writes *Matthew Westminster*. Yet *Alexander de Savenesby* sped better, who was then consecrated Bishop of *Chester, Roma a Domino Papa Honorio, die Pasche*; no doubt for current money.

King *Henry* to pacify and gratify the Archbishop (of whose fidelity he formerly had cause to doubt) writ this ensuing Letter to the Pope, to give way for the return of his Brother *Simon Langton*, into *England*, out of which (it seems) he was formerly banished, (as well as \* excommunicated, and deprived of all his Ecclesiastical Benefices) for adhering to *Lewes* and contemning the Popes excommunications.

\* Here p. 371.  
372.

Claus. 8. Hen.  
3. m. 27. dorso.

**D**omino Papæ salutem. Quod Venerabilis Pater S. *Cantuariensis* Archiepiscopus, firmiter & fideliter nobis adhereat, nos & agenda nostra ea sollicitudine promovendo, qua circa nos cuncta fuerint prospera, cuncta tranquilla, sicut paternitati vestræ notum fieri volumus, tam præsentium attestazione Literarum, quam nunciorum fidelium nostrorum viva voce. Volentes igitur sicut debemus, Sinceritate vestra digna vicissitudine respondere, ad ea ex multiplici merito suo nitimur qua sibi grata fuerint & accepta. Verum quia placeret ei plurimum sicut humanum est, Magistri *Simonis* fratris sui regressus in Terram nostram, regressum ipsius & moram libenter concederemus, si ad hoc vester assensus preveniret, quod ex multismoda affectione, sicut decet, exoramus, quia in nostra & multorum magnatum & fidelium nostrorum præsentia constitutus, idem Archiepiscopus promisit & manucepit, quod regressio ipsius, sive mora, nobis vel Regno nostro in nullo erit damosa. Beneplacitum igitur voluntatis vestre quam circa hoc expellendum duximus, recurrentibus sanctitatis vestre Literis nobis petimus intimari. Teste meipso apud *North.* xix. die Decembris Coram H. de *Burg.* Justic. & *Bathon.* & *Surr.* Episcopis.

I cannot finde that the Pope consented to this request, esteeming it very dangerous for this firebrand to return or continue in *England*, in this juncture of Affairs.

What a Power the Pope then usurped in making and commanding Truces between *England* and *France*, (in which cases he frequently interposed his advice, and Papal Authority upon request, and sometimes by meer intrusion) will in part appear by this Record.

Claus. 8. H. 3.  
m. 27. dorso.

**R**EX, Venerabilibus viris & Amicis in Christo Charissimis, Episcopo *Senon.* & Episcopo *Silvanectensis*, salutem. Paternitati vestræ referimus de hiis qua de Mandato Domini Papæ nobis duxistis per Literas vestras intimanda, de Trugis inter Dominum Regem *Francia* & nos prorogandis, & vobis significamus, quod nuncios nostros per dei gratiam ad concilium *Parisiense* ad tres septimanas Paschæ mitteremus ad audiendum inde per vos voluntatem & responsum ipsius Regis *Francia*. Noveritis autem quod nos non interim intercipientus erga ipsum Regem vel suos in trugis nisi ex parte sua prius fuerit interceptum. Nos autem ex parte Domini Papæ mandatum accepimus per Literas suas, de Trugis prorogandis usque ad Quadrimestrium sicut ipse recepit. Teste Rege apud *Westmonasterium* Vicefimo Octavo die *Aprilis*.

How the Pope recommended persons to the Bishopricks in *Ireland*, when voyd



voyd ( yet with the Kings royal assent and approbation, ( which he complementally requested ) who then durst deny him nothing ) these Records will informe us.

**R**EX *Dublinensi* Archiepiscopo salutem. Noveritis quod nos, juxta petitionem *Domini Papæ* ad nos directam pro dilecto nobis in Christo *G. Artfertin*. Episcopo, ipsum Episcopum **Durimus habere commendatum**. Unde vos rogamus, quatinus ipsum benigne admittatis juxta mandatum Domini Papæ, nobis pro eo directum, de facto suo ipsum habentes **Commendatum**: Et quod vestrum est in hac parte exequi, velitis. Teste Rege apud *Wodestock* Decimo Quinto die Septembris Coram Justiciario & *Bathoniensi* Episcopo.

Claus. 8. H. 3.  
m. 3. dorso.

**D**ominus Rex adhibuit assensum & regium favorem ad petitionem Domini Papæ Electioni de *Mauritio* quondam Episcopo *Cork* in Archiepiscopum *Cassell*. Et Mandatum est omnibus, &c. quod ei tanquam Domino suo in omnibus intendentes sint & respondentes: In cujus, &c. Teste Rege apud *London*. Vicesimo Quinto die Augusti.

Par. 8. Hen. 3.  
part. 3. m. 4.  
incus.

**D**ominus Rex adhibuit assensum regium Electioni factæ de *Florentio olim Beleghatens. Archid. in Cleonsensem Episcopum*. Et Mandatum est Electo *Cassell*. quod id quod suum est in hac parte exequatur. Teste ut supra.

But though the King consented to these Papal requests, yet he would by no means admit the transmission of an Appeal to the Pope in a case of *Bastardy* in *Ireland*, pleaded in a Writ of *Mortdaucesse*, after due proof and examination thereof in the Ecclesiastical Court there before the Archbp. of *Dublin*, who ought to certify the same, it being both dishonourable, of dangerous example; and prejudicial to his Crown and publike Justice, to transmit that which belong'd to his own jurisdiction Dignity, Court, to a forraign Papal Tribunal, as this memorable Record will evidence.

**R**EX *Dublinensi* Archiepiscopo, Justiciario *Hibernia* salutem. Ad ea quæ vobis nuper nostris dedimus in mandatis, ut nobis rescriberetis quatenus fuisset processum in causa *Nicholai de Felda*, qui contra Abbatem & Canonicos sacri *Thoma Dublin*. in Curia nostra Coram Justiciariis nostris petit duas Carrucas terræ cum pertinentiis, in *Kelredheri* per *Assisam de Morte antecessoris*; Cui etiam coram eisdem Justiciariis objecta fuit *bastardia*, per quod ab ip[s]is Justiciariis ad vos fuit transmissus, ut in foro Ecclesiastico de ejus *Bastardia* sive legitimitate agnosceretis; nobis per Literas vestras significastis, Quod cum foro Civili terram prædictam peteret per Literas nostras, de morte Antecessorum versus memoratos Abbatem & Canonicos, objectæ fuit nota *Bastardiæ*, quare in foro eodem tunc non fuit ulterius processum; Remoratus etiam *Nicholaus*, de Mandato Justic. nostrorum in foro Ecclesiastico coram vobis volens probare se esse Legitimum, testes produxit, et publicatis attestacionibus suis post diutinas altercationes et disputationes, tam ex parte Abbatis quam ipsius *Nicholai*, cum ad Calculum diffinitivæ sententiæ procedere velletis, comparuerunt duæ puellæ minoris Etatis, filiæ *Richardi de la Felle*, Patris prædicti *Nicholai*, et appellaverunt, ne ad sententiam ferendam procederetis, quia in hoc manifestum earum verteretur præjudicium, eo quod alias præcluderetur eis via petendi Hereditatem petitam, nec possit eis subveniri per restitutionem in integrum, unde de Consilio virorum prudentium, ut dicitis, appellationi deferentes, causam secundum quod coram vobis agitata est, Domino Papæ transmissistis instructam; De quo plurimum admirantes, non immerito movemur, cum de legitimitate prædicti *Nicholai* per Testamentum productiones et attestacionum publicationem, puellarum prædictarum contra quas non agebatur, vel etiam de quibus nulla

Claus. 8. H. 3.  
m. 29. dorso.

Ecc

stebat

Nota.

fi erat mentio in Affisa memorata, nec fuerunt aliquæ partes illarum in Causa prædicta, sententiam diffinitivam pro eo diffusis pronunciare, et male, quasi nostrum declinantes examen, et Volentes id quod per nostram determinandum esset Jurisdictionem et dignitatem, ad Alienam transferretur dignitatem. Quod valde perniciosum esset exempla. Cum etiam si adeptus esset prædictus Nicholaus possessionem terræ prædictæ per Affisam prædictam, beneficium petitionis hereditatis prædictis puellis plane suppetere in Curia nostra per hæc de Recto, maxime cum per Literas de morte Antecessoris agatur de possessione, et non de proprietate, et ex officio vestro in Casu proposito nihil aliud ad has pertinebat nisi tantum de ipsius Nicholai Legitimitate probationes admittere, et ipsum cum Literis vestris testimonialibus ad Justiciarios nostros remittere: De consilio igitur Magnatum et fidelium nobis assistentium, Nobis Mandamus firmiter injungentes, quatinus non obstantè appellatione præmissa, non differatis pro eo sententiare, ipsum ad Justiciarios nostros remittentes cum Literis vestris testimonialibus, ut eis de loquela postmodum agitata, postmodum possint secundum Legem et Consuetudinem terræ nostræ Hiberniæ Justitiæ plenitudinem exhibere. Teste H. apud Glouc. Decimo Nono die Novembris.

\* Britton. c. 34.  
Surius Concil.  
Tom. 3. p. 467.  
b.

The Pope and Bishops by their Canons had prohibited all secular Powers, Juries, Oaths, and Suites at Law, \* during the time of *Advent*, *Sexagesima* and *Lent*, upon pain of excommunication, as times devoted for prayers unto God, and to appease and accord discords, to the great obstruction of Justice, especiall in Affises and Inquests before the Kings Justices in Eires, requiring speedy remedy: whereupon the King was enforced to procure this special License only for this year, for his Justices to take Oaths and proceed to trials of Affises of *Darrein Presentment*, *Novel-disseisin*, *Grand Affises*, and Inquisitions, and to promise that it should not be drawn into consequence for the future, as this Patent resolves.

Pat. 8. Hen. 3.  
m. 2. vel 1. anteq.

**R**EX universis presentes literas inspecturis salutem. Cum venerabilis Pater S. Cantuariensis Archiepiscopus, Auctoritate Domini Papæ, et de consilio fratrum suorum, fecerit nobis gratiam de Juramentis præstandis, coram Justiciariis nostris de præcepto nostro itinerantibus, ab instanti Adventu Domini usque ad vigiliam sancti Thome Apostoli, & a principio septuagesimæ usque ad Dominicam qua Cantatur: *Isti sunt dies*, duntaxat in causis subcriptis, videlicet: in Affisis ultimæ præsentationis, de Morte Antecessoris, Novæ disseisinæ, de Magna Affisa, & Inquisitionibus quæ de terris emergunt, coram eisdem Justiciariis nostris, vel per Judicium, vel de Consensu partium, Ita quod hæc concessio tantum hoc anno durabit usque ad diem Dominicam prædictam; Nos per has Literas Patentes eis protestamur, quod hæc concessio nobis ad præsens facta usque ad diem dominicam prædictam, non trahetur ad consequentiam post diem eundem: In cujus rei Testimonium eidem Domino Cantuariensi Archiepiscopo dedimus has Literas nostras Patentes sigillo nostro signatas. Teste meipso apud Westmonasterium Vicesimo Quarto die Novemb. Anno regni nostri Octavo.

\* Britton c. 35.  
Cooke 2. Infit.  
p. 264. 265.

This restraint \* continued (unlesse specially dispensed with) till abolished (as to these Actions) by the Statute of 3. Ed. 1. c. 48. (or 50. as some distinguish it) being a very high usurpation upon the Justice, Rights, Prerogative of the King, and prejudicial to the subjects.

Our Kings by reason of their manifold affaires in the Court of Rome, relating to their own transactions, Warres, Treaties, Realms, and Correspondences with the Pope and other forreign states, usually constituted sometimes general, other-times special *Proctors* by their Letters Patents, to implead and defend in their name;

names and rights all matters there depending for or against them, of which there are many different formes and præsidents in our Records, take this (the shortest of any) for one.

**D**omino Papæ Salutem. Dilectos & fideles nostros Magistrum *Stephanum de Lucy, & G. de Crancumb*, Militem, **Constituimus Procuretores in Curia vestra, ad impetrandum et contradicendum.** In cujus rei Testimonium has Literas nostras Patentes fieri fecimus, duraturas usque ad festum sancti *Johannis Baptistæ* Anno, &c. Octavo. Teste meipso apud *London*. Duodecimo die *Decembris* coram *H. de Burg.* Justiciario & Bathonenli & Saresburiensi Episcopis. Pat. 8. H. 3. m. 3.

King *John* had granted a Pension of 50. Marks by the year to *Stephen* a Cardinal in *Rome*, to promote his affairs there: King *Henry* the 3d. withdrew it, whereupon Pope *Honorius* sent this impotunate Bull to the King, to continue this pension to him for the good service he had done his father and him, and which he might do him for the future, with menaces to crosse him in his designs and proceed rigorously against him, if he refused to continue this salary. By which we may clearly discern, that our Kings could do nothing at *Rome* in their affairs, but by granting pensions and money both to the Pope and Cardinals.

**HONORIUS** Episcopus servus servorum Dei, Charissimo in Christo filio An. 8. H. 3.  
Illustri Regi Anglorum, salutem & Apostolicam benedictionem. Etsi beneficiorum collatio principaliter de gratia provenire habeat liberali gratia, tamen in justitiam transeunte, nequeunt revocari collata, quin utraque manifeste ledatur. Quare honori suo consulit liberalis, cum donata munifice nulla patiens poenitudine deformari, ea solvit hilariter & libenter, cum nonnunquam affectus effectui præferatur. Sane dilectus filius noster *Stephanus*, sancti *Adriani* Diaconus Cardinalis expositus coram nobis, quod cum *Claræ* memoriz Pater tuus ei adhuc in minori officio constituto, Annuum redditum Quinquaginta Marcarum contulerit, tu eum sibi, quod non decuit, hæcenus subtraxisti; & licet ut eum sibi exolveres te rogantes pluries, & moventes etiam per alium fecerimus commoveri; Nihil tamen nobis exinde respondere curasti. Qui si \* beneficia quæ felicis recordationis, *Innocentius* Papa prædecessor noster patruus ejus, patri tuo contulit, recoleres, ut deceret, & attenderes grata obsequia quæ tibi dictus Cardinalis impendit, & potest impendere in futurum, multo majora sibi deberes offerre, ne dum quod debitum subtraheres requisitus, quod sine turpatione gratiæ præcedentis & turbatione subsequentis justitiæ, nec non absque offensa nostra non poteris retinere. Ut igitur ex iteratione precum expressius agnoscas precantis affectum, Serenitatem tuam rogamus, monemus & hortamur sicut iterum, sic attentius, quatenus prudenter advertens, quod dona & gratiæ sine poenitentia debent esse, dicto Cardinali subtrahæ redditum facias sine aliqua difficultate persolveri. Ita quod de Justitia gratiam sibi faciens, ipsum ad devotionem tuam reddas merito promptiorem, & nos tuam debemus munificentiam commendare: alioquin præter id quod ipsum a tua devotione perturbans, rem amittes & meritum, nos (qui eidem in suo jure deesse non possumus, cui potius volumus gratiam impertiri) aliter exinde contra te procedere compellemur, & potuissemus procedere; Nisi nuntii tui nunc apud sedem Apostolicam existentes aliud suassissent. Dat *Latteran* 4. Kal. Martii, Pontificatus nostri Anno Octavo.

In dorso, Scribendæ quia redditu annuo *Stephan.* de sancto *Adriano*.

The like Bull verbatim, and of the same date, he directed; Dilectis filiis Nobilibus viris, *Huberto de Burgo*, Justiciario, & *Wilhelmo Brigner*, Consiliario illustris Regis Anglorum; concluding it thus *Quocirca Nobilitati (vestræ) per Apostolica scripta mandamus, quatenus dictum Regem ad hoc moneatis attentius, & efficaciter inducere procuretis.* So importunately eager were these Roman Harpyes to detain all pensions once granted by the King, though determined by King *John's* death, who granted them, not binding his successor in Law or conscience to continue them.

The Pope and See of *Rome* reaping much advantage by addresses from *England*, the King of *France* putting some stop to the King of *England's* Messengers free passage



to *Rome* through his territories, thereupon *Honorius* dispatched this Bull to his Legate in *France*, to remove this obstruction as very prejudicial to his interest, the originals both of the former and this Bull I found in the Tower.

An. g. H. 3.

**HONORIUS** Episcopus servus servorum dei, Dilecto filio R. sancti Angeli Diacono Cardinali Apostolicæ sedis Legato, salutem & Apostolicam benedictionem. Cum hii qui ad Apostolicam sedem accedunt absque ipsius Injuria nequeant impediti, discretionis tuæ præsentium Autoritate mandamus, quatinus provideas Efficaciter, quod Nuncii Charissimi in Christo filii nostri *Henrici* Regis *Anglorum* Illustris ad nostram præsentiam venientes, transitum habeant per Regnum *Francia* veniendo, ac redeundo securum: habens super hoc cum Charissimo in Christo filio nostro *Lodovico*, Rege *Francorum* illustri, tractatum, & studens ita disponere cum eodem, quod Nuntios ipsius Regis *Anglia* non contingat in *Francia* impediti, quia id in nostram redundaret injuriam manifeste. Dat Laterani 16. Kal. Julii, Pontificatus nostri anno Decimo.

in sigill. } *Honorius*  
Papa 3.

King *Henry* the 3d. standing in need of a subsidy from the Bishops and Clergy, who of themselves were very unwilling to supply him, Pope *Honorius* thereupon sent this Bull to the Archbishops, Bishops, Abbots, Priors and Clergy, intreating them to grant him a competent subsidy, to be disposed off by common consent only for the publick benefit of the Realm; and not vainly expended, promising that this grant of his and theirs should not be drawn into consequence for the future, leaving the grant free to the Bishops and Clergy to impose and proportion it.

Par. 9. Hen. 3.  
part. 1. dorf. 3.

**HONORIUS** Episcopus servus Servorum Dei, Venerabilibus fratribus Archiepiscopis & dilectis filiis Abbatibus, Præpositis, ac aliis Ecclesiarum Prælatiisque Rectoribus per Regnum *Anglia* constitutis, salutem & Apostolicam Benedictionem. Cum Ecclesia secularium Principum necessitatibus sponte communicat, necessarium eis subsidium liberaliter impendendo, non est id liber tatis Ecclesiasticæ præjudicium, sed officium potius charitatis. Cum ergo Charissimus in Christo filius noster *Henricus* Rex *Anglie* Illustris, nostræ subventionis auxilio dicatur plurimum indigere; Universitatem vestram rogamus et hortamur attentius, ac per Apostolica vobis scripta mandamus, quatinus juxta facultates, Ecclesiarum vestrarum competens et subsidium impendatis; proviso ut in singulis Dioc. congruæ fiant hæc de causa Collectæ, et quæ collecta fuerint sub testimonialibus literis Diocesani Episcopi et aliquorum Abbatum, aliorumve Prælatorum Diocesis, assignentur viris fidelibus et discretis, quos hujusmodi curæ videritis deputandos, ipsique illa illibata conserbent, donec deliberato consilio expendant ubi, quando, et quo modo Regi et Regno videbitur amplius expedire, unde, quem ad modum de receptis sic Literas testimoniales recipiant de Redditibus vel expensis, quatinus omnis suspensionis tollatur occasio. Et collecta pecunia non in superfluas et inutiles prodigatur expensas, sed in necessarias et utiles provide convertatur. Nolumus autem quod hæc nostra gratia, nostraq; Charitativa subventio, trahatur in Consequentiam vel exemplum. Vestra igitur sollicitudo provideat ut hæc fiant ita \* Hilariter, fideliter, diligenter, quod vestra Charitas et prudentia ex hoc merito debeat commendari. Dat Lateran. 3. Non. Februarii. The issue hereof you shall hear in due place.

\* Hilariter.

An. Dom. 1225

This year the Archbishop of *Canterbury* and his Suffragans, instead of granting the King a Subsidie, or punishing incontinent lecherous Clerks, passed these severe Decrees against their Concubines only, principally intended against the Wives of Clergy-men, whom they deemed and stiled Concubines in that age.

Eodem

**E**odem Anno exivit decretum ab Archiepiscopo *Canuariensi* & Episcopis ejus Suffraganeis in hunc modum: Concubinæ Sacerdotum & Clericorum, qui infra sacros ordines constituti & beneficiati sunt, Ecclesiastica taceant sepultura: nisi sane se correxerint, & (quia scriptum est, Vivens, vivens, ipse confitebitur tibi) incolumes, vel tanta earum in extremis appareat poenitentia; propter quam non immerito cum eis debeat dispensari. Item, non recipiantur ad osculum pacis; nec panem benedictum percipiant in Ecclesia, quamdiu Concubinarij eas detinent in domibus suis, vel publice extra domos. Item, si pepererint, non purificentur, nisi prius sufficientem præstiterint cautionem Archidiacono, vel ejus Officiali, de satisfactione in proximo Capitulo, post purificationem earum, faciendam. Item, Sacerdotes, in quorum Parochiis Concubinæ talium commorantur, si non hoc ostenderint Archidiacono, vel ejus Officiali, suspendantur. Et priusquam relaxentur, gravi poenitentiae subjaceant. Item, quæ convincti poterit, quod Sacerdos eam carnaliter cognoverit, publicam agat poenitentiam, & solennem, ac si de adulterio esset convicta, tanquam pro duplici adulterio puniatur, ne tanti reatus impunitas, aliis transeat in materiam delinquendi.

Mat. Paris Hist. Angl. p. 313.

The Bishop of *Cork* in *Ireland*, having obtained the Kings Royal assent, at the Popes request, to be Archbishop of *Cassell*, taking a Journey to *Rome* to procure it, received this Writ for the restitution of his Temporalties after his return.

**M**andatum est Justiciario *Hibernia*, quod reddi faciat Archiepiscopo *Cassell*, ea quæ Ballivi ceperunt de Archiepiscopatu & terris Clericorum suorum, postquam Dominus Rex præcepit ei seisinam fieri de eodem Archiepiscopatu, & terris, & possessionibus ad eundem Archiepiscopatum pertinentibus, post iter suum arripit versus Curiam *Romanam*. Teste Rege apud *Westmonasterium*, Quinto die *Februarii*.

Claus. 9 H. 3. m. 13. inus.

Some persons in *Ireland* detaining the Kings Castles from him, Pope *Honorius* thereupon sent this Bull ( extant under his Seal ) to \* excommunicate such who refused to deliver them upon demand to the King, far different from some Bulls of later ages to the *Irish* Rebels.

\* Here p. 378; 379.

**HONORIUS** Episcopus servus servorum Dei, Venerabili Fratri Archiepiscopo *Dublinensi*, salutem & Apostolicam Benedictionem. Cum Castra quædam *Hibernia*, ad dominium illustris Regis *Anglia*, ut dicitur, pertinentia contra voluntatem detineantur ejusdem, sicut ex parte sua fuit propositum coram nobis, fraternitati tuæ per Apostolica scripta mandamus, quatinus ipsorum Castrorum Illicitos detentores, ut ea ipsi Regi, vel ejus Nunciis sine difficultate resignent, moneas efficaciter & inducas. **Eos ad id summonitos si acquiescere non curaverint, per censuram Ecclesiasticam, appellatione remota, cognita veritate compellens.** Dat. *Lateran.* ii. Idus *Maii*, Pontificatus nostri Anno Decimo.

Anno 9 H. 3.

in sigill. { *Honorius*  
Papa 3.

There being a controversie concerning the Liberties and Franchises of the Bishoprick of *Ely*, the King issued forth this Writ of Inquisition, to make diligent enquiry thereof by the Oathes of twelve indifferent Knights, and to settle the Bishop in quiet possession of them after the Inquisition made.

**R**EX Vicecomiti *Norff. & Suff.* salutem. Præcipimus tibi quod diligenter inquiri facias in pleno Com. tuo per Sacramentum duodecim de legalioribus Militibus Ballivæ tuæ, qui non sint de Libertatibus *Elensis* Episcopi, qui melius sciant ac velint dicere veritatem, qualem seisinam Ecclesia sua *Elensis* habuit de Libertatibus suis, in initio guerræ motæ inter Dominum *J.* Regem Patrem nostrum, & Barones suos, & qualem Prædecessores sui habuerint tempore *R.* Regis Avunculi nostri, & tempore Domini *J.* Regis Patris nostri, scilicet, de Returno brevium, & de averiis captis, & de placitis infra Hundredum & Dimid. de *Midford*, & infra quinque

Claus. 9 H. 3. m. 11.

que Hundreda & Dimid. de *Wickelaw*, & *Trilig*. de *Wineftim*. & de *Ameyciamentis* colligendis, tam de aliis feodis, quam fuis, exceptis *Thefauro* & *murdro*, de quibus idem Episcopus nullam Libertatem vel Curiam habere potest; & sicut idem Episcopus cognovit placita illa debeant presentari ad Comitatu. de omnibus Hundredis predictis, sicut de Hundredo *Midford*. Inquisitione autem illa diligenter facta sicut predictum est, habere facias dicto Episcopo talem seisinam de Libertatibus predictis, qualem secundum eandem Inquisitionem inde habere debuerit & predicto modo. Teste Rege apud *Westmonasterium*, Decimo septimo die *Februarii*. Anno, &c. Nono.

Per ipsum Dominum Regem, & Justic. coram *London*, *Bathon*, & *Sarr*. Episcopis, & *M. de Patish*. & aliis de Consilio Domini Regis.

Pope *Honorius* having formerly courted King *Henry* with a grant of a competent Subsidy from the Clergy to supply his necessities, soon after discovered his design therein, by dispatching *Otto* his Legate into *England* with Letters to the King for his own filthy lucre; the King knowing their contents, refused to give him any answer alone, it concerning the whole Church and Kingdom of *England*, but only in a Parliamentary Council of his Prelates and Nobles; thus related by *Matthew Paris*.

Mat. Paris,  
Hist. Angl. p.  
313, 314.

**E**odem Anno, Magister *Otto*, Domini Papæ Nuncius, in *Angliam* veniens; pro magnis Ecclesiæ *Romane* negotiis Regi Literas presentavit: Sed Rex cognito Literarum tenore, respondit, quod solus non potuit diffinire, nec debuit, negotium quod omnes Clericos et Laicos generaliter totius Regni tangebatur. Tunc per consilium *Stephani Cantuariensis* Archiepiscopi, datus est dies a Rege in octavis Epiphaniæ; ut convocatis omnibus Clericis et Laicis, super prefato negotio tunc tractarent apud *Westmonasterium*, et ibidem fieret quod justum singulis videretur.

In the meantime the Pope and his Legate, bribed by *Falcasius*, made intercession for him to the King, for his return into *England*, from \* whence he was judicially banished, abjured, and restitution to his Wife, and what lands and goods he had lost.

Mat. Paris, Hist.  
Angl. p. 314.

**E**odem tempore, Magister *Otto*, ex parte Domini Papæ, Regem *Anglia* humiliter rogavit, ut *Falcasio* sibi reconciliato, Uxorem cum terris, & omnibus rebus amissis ad integrum restitueret, & ipsum, qui Patri suo, & sibi in guerra sua tam fideliter servierat, pura, ut decebat, diligeret charitate. Ad hoc quoque respondit Rex, Quod propter prodicionem manifestam ab omni Clero & populo Regni, per judicium Curia sua, ab *Anglia* fuerat in exilium pulsus; & licet Regni cura specialiter ad ipsum spectare videretur, debet legis quidem & bonas Regni consuetudines observare. Hæc autem cum audisset Magister *Otto*, cessavit ulterius de *Falcasio* sollicitare Regem, (having gotten his money before hand.) And then like a Popes Legate sent to fleece the Clergy, tunc idem *Otto*, cepit ab omnibus Ecclesiis *Angliæ* Conventualibus, nomine Procuratoris, duas Marcas Argentii. Et sciendum est, quod tempore quo Magister *Otto* venit in *Angliam*, Dominus Papa misit Nuncios per orbem universum, exactiones ubique indebitas erigens, sicut inferius dicitur: Not fishing with St. *Peters* net to catch souls, the least of his care, but to extort monies from the Clergy and Laity throughout the world, by indirect and unapostolical means, to maintain his Pomp, Pride, Wars, and Antichristian designs.

An. Dom. 1226.

When the Parliamentary Council assembled, *Otto* read the Popes Letter and Proposals, wherein the detestable *Bribery*, *Synmoney*, *Extortion*, *Avarice*, *Rapine* of the Pope and Court of *Rome*, are so clearly confessed, discovered, and such a remedy to prevent them for the future prescribed by the Pope and Cardinals, as might justly induce all conscientious Christians, Kings, Kingdoms, for ever to abominate both the Court and Prelates of *Rome*: thus recorded by our Monkish Historians.

Mat. Paris, Hist.  
Angl. p. 316.  
Mat. Westm.  
Anno 1226. p.  
188.

**A**nno Domini 1226. Venit terminus Concilii ad festum Sancti *Hilarii* apud *Westmonasterium* prefixus, ubi Rex cum Clero & Magnatibus Regni comparere debuit,



debuerat, ut Domini Papæ mandatum audiret. Multis igitur in loco præfato congregatis Episcopis, cum aliis Prælati & Laicorum turbis; Magister Otto, Domini Papæ Nuntius, Literas apertè coram omnibus recitauit. In quibus idem Papa allegans, scandalum Sanctæ Romanæ Ecclesiæ, et opprobrium vetustissimum; notam scilicet concupiscentiæ, quæ radicè dicitur omnium malorum; et in hoc præcipue, quod nullus potest aliquod negotium in Romana Curia expedire, nisi cum magna effusione pecuniæ, et donorum exhibitione. Sed quoniam scandali hujus et infamiæ Romana \* paupertas causa est, debent matris inopiam subleuare, ut filii naturales. Quia nisi a vobis et aliis viris bonis et honestis dona reciperemus, † deficerent nobis necessaria vitæ, quod esset omnino Romanæ incongruum dignitati. Ad istud itaque scandalum penitus eradicandum, per consilium fratrum nostrorum, Sanctæ Romanæ Ecclesiæ Cardinalium, quandam prouidimus formam: cui si volueritis consentire, a scandalo matrem vestram poteritis liberare, et in \* Curia Romana sine donorum obsequio exhibitionem iustitiæ obtinere. Forma autem prouisa hæc est: Petimus in primis ab omnibus Ecclesiis Cathedralibus, duas nobis præbendas exhiberi, unam de portione Episcopi, et alteram de Capitulo. Et similiter de cœnobitis, ubi diuersæ sunt portiones Abbatibus et Conuentibus: a Conuentibus, quantum pertinet ad unum Monachum æquali facta distributione bonorum suorum, et ab Abbate tantundem. (All these (if granted) must certainly be sold by the Pope, to those who would give most money for them to him, (which was most notorious Symoney) or else the Pope and his Successors must receive the Annual profits of them, without performing any Divine Service to God or the Church for them, contrary to all rules of Piety, Equity, Justice, Beneficium propter Officium, being the very dictate of Nature, as well as Law.)

Nota.

\* St. Peter was far poorer then any of his Successors, yet took no bribes.  
† Popes cannot live without bribes.

\* What security had they for this?

**H**is in hunc modum propositis, persuasit ex parte Domini Papæ Magister Otto, ut consentirent Prælati, allegans supradicta commoda, quæ in Literis continentur. Hæc autem omnia audientes Episcopi, & Ecclesiarum Prælati, qui personaliter interfuerunt, divertentes seorsum ad colloquendum, cum super rebus propositis diutius deliberassent, responsum suum in ore Magistri Johannis Bedesfordensis Archidiaconi communiter posuerunt. Qui veniens in præsentia Magistri Ottonis, per hæc verba respondit: Domine, ista quæ nobis proponitis, Regem Angliæ specialiter tangunt, generaliter vero omnes Ecclesiarum patronos Regni: tangunt Archiepiscopos, et eorum Suffraganeos, nec non innumeros Angliæ Prælatos. Cum ergo Rex propter infirmitatem, et Archiepiscopi nonnulli et Episcopi, et alii Ecclesiarum Prælati sunt absentes, in eorum absentia vobis respondere non possumus, nec debemus: quia si id facere præsumeremus, in præjudicium omnium absentium fieret Prælatorum. Et his dictis, venit Johannes Marescallus, et alii nuntii Regis, ad omnes Prælatos, qui de Rege Baronias tenebant in capite, destinati: districte inhibentes, ne Laicum feudum suum Romanæ Ecclesiæ obligarent, unde a seruitio sibi debito præuaretur. (A just and prudent action in the King, to preserve the old Rights of his Crown, Kingdom, against all Papal and Prelatical Usarpations.) Hæc autem cum Magister Otto intellexisset, statuit his qui aderant diem ibi in media quadragesima, dum ipse procuraret Regis aduentum & absentium Prælatorum, ut tunc negotium sortiretur effectum. Sed illi absque Regis et aliorum, qui absentes erant; assensu, præfixum diem admittere noluerunt: unde singuli ad propria sunt reuersi. And so by delays defeated this Papal design in England.

Mat. Paris, &  
Mat. Westm.  
Ibidem.

The like proposalls the Pope by his Legate made to the King and Bishops of France, at the same time, thus related by Mat. Paris; and pertinent to our History.

Hoc

Mat. Paris Hist.  
Angl. p. 317.

**H**oc eodem tempore venit Magister *Romanus* ad partes *Gallicanas*, a Domino Papa missus ut ibi Legationis officio fungeretur. Quo cum pervenisset, fecit convocare Regem *Francorum*, cum Archiepiscopis, Episcopis, & Clero *Gallicano* ad Concilium, cum Comite *Tholosano*; pro quo specialiter ad partes illas missus fuerat, sicut sequens relatio declarabit. Convenerunt igitur ad *Bituricam* Civitatem ad Concilium, *Lugdunensis*, *Remensis*, *Rothomagensis*, *Thuronensis*, *Bituricensis*, *Anxianensis* Archiepiscopi: *Burdgalensis* vero *Roma* fuit, & *Narbonensis* Ecclesia vacabat. Convenerunt igitur novem provinciarum, Suffraganei circiter centum, cum Abbatibus, & Prioribus, & singulorum procuratoribus Capitulorum, mandatum summi Pontificis audituri. Sed quoniam *Lugdunensis* Archiepiscopus vendicabat sibi primatiam super Archiepiscopum *Senonensem*, & *Rothomagensis* super *Bituricensem*, *Anxianensem*, *Narbonensem*, & eorum Suffraganeos; timebatur de discordia, & ideo non fuit sessum ut in Concilio, sed quasi in Concilio. Quibus sedentibus, & lectis in publico Legationis Literis, (to divert them from this business) apparuerunt Comes *Tholosanus* ex una parte, & *Simon de Monte forti* ex altera; qui petiit sibi restitui terram *Reimundi* Comitis *Tholosani*, quam Dominus Papa & Rex *Francorum Philippus* sibi & Patri suo contulerunt, exhibens supra donatione facta utriusque, Papæ scilicet & Regis, munimenta. Cumque hinc inde fuisset plurimum altercatum; (about this private business) præcepit Archiepiscopis singulis Legatus tunc presentibus, ut convocatis seorsum unusquisque Suffraganeis, cum eis deliberarent super negotio præfato, & traderent Legato consilium suum redactum in scripto. Quo facto, Legatus excommunicavit omnes qui super hoc sua consilia revelarent; dicens se ea velle Domino Papa significare, & *Francorum Regi* ostendere.

Mat. Paris,  
Ibidem.

**P**ost hæc, Legatus dedit in dolo procuratoribus Capitulorum licentiam ad propria revertendi, retentis tantum Archiepiscopis, Episcopis, & Abbatibus, & simplicibus Prælatibus. Unde non immerito timuerunt, ne procurata eorum absentia, qui majoris prudentiæ erant & experientiæ, præ multitudine potentiores ad contradicendum, aliquid statueretur in præjudicium absentium Prælatorum. Quocirca dicti procuratores, post deliberationem diutinam, miserunt ad Legatum procuratores Metropolitanarum Ecclesiarum, qui coram eo sic allegaverunt: Domine, audivimus quod habetis Literas speciales a Curia *Romana*, de exhibendis præbendis in omnibus Ecclesiis Conventualibus, sive Cathedralibus. Quocirca multum miramur, quod non in hoc Concilio proposuistis eas nobis audientibus, quos specialiter tangunt. Unde rogamus in Domino, ne istud scandalum oriatur per vos in Ecclesia *Gallicana*, scientes quod sine maximo scandalo et inestimabili damno, non posset hic ad effectum perducì. Quia esto quod aliquis assentiret, nullus esset ejus assensus in rebus quæ omnes tangunt, cum fere omnes majores, et generaliter omnes subditi, necnon et ipse Rex, et omnes Principes parati sunt contradicere, et resistere usque ad Capituli expositionem, et omnis honozis privationem, præsertim cum videatur imminere propter hoc scandalum, subversio Regni et Ecclesiæ generalis. Ratio autem nostri timoris est, quod cum cæteris Regnis non habuistis sermonem; et quibusdam Episcopis præceperitis et Abbatibus, ut cum præbendæ vacaverint, ad opus Domini Papæ reservarent.

Nota.

Mat. Paris Hist.  
Angl. p. 318.

**H**is auditis, cum niteretur Legatus persuadere ut omnes consentirent, ostendit tunc primo Domini Papæ authenticum, in quo exegit a singulis Ecclesiis Cathedralibus duas præbendas, unam a Capitulo, et alteram ab Episcopo. Et in Cœnobiis similiter, ubi sunt diversæ portiones, Abbatis scilicet et Conventus, duas exegit præbendas, unam ab Abbate, et aliam a Conventu; æquali facta distributione bonorum suorum a Conventibus, quantum pertinet ad unum Monachum, (sicut ipse interpretatus fuerat Legatus) et ab Abbate tantundem. Tunc allegavit commoda, quæ possent inde provenire, illud

illud videlicet, quod amoveretur scandalum a Romana Ecclesia, quæ mater est omnium Ecclesiarum, concupiscentia scilicet, quæ radit est omnium malorum, cum nullus pro aliquo negotio in Curia Romana faciendo aliquid offerret, vel aliquis oblata reciperet. (A very prevailing argument to redeem, exiate one Symoney and Extortion, by and with ahothet :) To which this memorable answer was returned.

**A**D hoc respondit procurator Archiepiscopi *Lugdunensis*. Domine, nullo modo volumus esse sine amicis in Curia, & largitate donorum. Alii æque sua incommoda allegabant, damna scilicet rerum, consiliorum, auxiliorum, obsequiorum, in hunc modum: Erit enim in qualibet Diocæsi, vel ad minus in provincia, duntius unus continuus, procurator *Romanus*, qui non vivet de proprio, sed graves exactiões & procuraciones exiget ab Ecclesiis majoribus, & forte minoribus, ut nullus remaneat impunitus, nomenque procuratoris habens, Legati officio fungetur. Item dixerunt, imminere turbationes Capitulorum, forte enim demandaret Dominus Papa, cum vellet, procuratori suo, vel alii, ut vice sua interesset electionibus, qui eas turbaret. Et sic lapso tempore devolveretur electio ad Curiam *Romanam*, quæ in omnibus vel pluribus Ecclesiis *Romanis* poneret, vel tales qui eis plurimum essent devoti. Et sic nullæ essent partes indigenarum Prælatorum vel Principum, cum multi sint viri Ecclesiastici, qui potius Curie *Romane*, quam Regi vel Regno providerent. Item addiderunt, quod si proportionaliter fieret bonorum distributio, omnes in Curia fierent divites, cum multo plus essent recepturi, quam Rex proprius. Et sic majores non solum divites, sed et dissimiles fierent. Cum igitur vermis divitum sit superbia, majores vix causas audirent, sed eas in immensum differrent, & minores scriberent inviti: Cujus rei experimentum in evidenti est, quia & modo negotia protrahunt, etiam post percepta obsequia, & securitate percipiendi; & sic periclitaretur justitia, & deberet conquirentes mori in januis *Romanorum*, tunc plenissime dominantium. Item, cum vix possibile sit fontem cupiditatis desicari; quod nunc faciunt per se, tunc facerent per alios, & suis multo majora quam nunc dari munera procurarent; modica enim nulla sunt, in conspectu divitum cupidorum. Item, multæ divitiæ facerent *Romanos* insanire, & sic inter diversas parentelas tantæ orirentur seditiones, quod posset timeri totius excidium Civitatis, cujus etiam & modo penitus expers non est. Item dixerunt, quod licet se obligarent qui modo præfentes sunt, id non susciperent eorum successores, nec illam obligationem ratam haberent. Novissime autem, sic negotium concluderunt: Domine, moveat vos zelus universalis Ecclesiæ, et Sanctæ sedis *Romane*; quia si omnium esset universalis oppressio, posset timeri ne immineret generalis discessio, quod Deus avertat. His auditis, respondit Legatus (ut videbatur, plurimum commotus in his omnibus) se cum esset in Curia nunquam huic exactiōi consensisse; & ipsum Literas accepisse, postquam *Galliam* fuerat ingressus, & se multum super hæc doluisse. Addidit etiam, super hæc quicquid præcepit, tali conditione, licet tacita, intellexisse, si Imperium & alia Regna consentirent. Adjunxit insuper, se nihil amplius super hæc attentaturum, donec per Regna alia Prælati consenserint, quod credit provenire non posse.

Mar. Paris, P. 318, 319.

The greatest Votaries to the Pope, Court and Church of *Rome*, who shall seriously consider the premises, must needs (if they have any sparks of Christianity, Ingenuity, or common honesty remaining in their breasts) abominate these Papal demands, as most impious, and scandalous to Christian Religion.

Whiles these things were acted in *France*, *Otto* pursuing his rapines in *England*, by exacting Procurations from the Clergy, was by the Archbishops means suddenly recalled thence by the Pope, to his great discontent, and the prosecuting the Popes former proposals committed to his trust, committed to the Archbishop; thus related by our Historian.

**E**odem Anno, cum Magister *Otto* Domini Papæ Nuntius, tempore quadragesimali ad *Northamptoniam* profecturus, & procuraciones desideratas exacturus; *Northamptonam* usque pervenisset, venerunt ad eum (*Canuariensi* Archiepiscopo procurante)

An. Dom. 1126.  
Mar. Paris H. 8.  
Angl. p. 318,  
319.



\* The Popes  
own Legates  
little regarded  
his Letters when  
they crossed  
their designs.

procurante) Literæ Domini Papæ, in quibus continebatur expressum, ut statim visis Literis *Romani* veniret, ejus potestate penitus enervata. Obliquo igitur oculo Literis inspectis, demisso vultu \* eas projecit in ignem. Atque illico proposito mutato, clitelis vacuis ab *Anglia* recessit confusus, in juncto *Stephano Cantuariensi* Archiepiscopo, sicut erat in Literis Domini Papæ expressum: ut convocatis Rege et omnibus *Angliæ* Prælatiis, responsum eorum super negotiis, pro quo idem *Otto* missus fuerat, Domino Papæ transmittere non omittat. Magistro igitur *Ottone Angliam* a tergo salutante, *Stephanus Cantuariensis* Archiepiscopus, vocatis ad Concilium cunctis apud *Westmonasterium*, post Pascha, quos negotium tangebatur, recitari fecit Literas supradictas, de beneficiis *Romana* Ecclesiæ conferendis, coram Rege & Prælatiis *Angliæ*, qui ad ejus vocationem plene convenerant. Sed illis auditis, ac diligenter intellectis, singuli singulos ad visum monebant super concupiscentia *Romanorum*; qui illud morale non intelligunt, videlicet,

*Quod virtus reddit, non copia, sufficientem;  
Et non paupertas, sed mentis hiatus egentem.*

Tunc Rex, convocatis seorsum Prælatiis & quibusdam Magnatibus, hoc Archiepiscopo dedit responsum: *Ista quæ suadet nobis Dominus Papa, universam Christianitatis latitudinem respiciunt: et quia nos quasi in extremis orbis constituti sumus partibus, cum viderimus qualiter cætera Regna erga tales se habuerint exactiones, Dominus Papa, cum ab aliis Regnis habuerimus exemplum in obsequiis, nos inveniet promptiores. Et his dictis, concessa est omnibus licentia recedendi.*

This was the issue of this Papal design, which miscarried both in *England* and elsewhere.

King *Henry* to prevent the Usurpations of the Archbishops and Bishops of *Ireland* upon the rights of his Crown, in conferring Prebendaries belonging to the King, issued this Inhibition to them.

Pat. 10 H. 3.  
m. 3. intus.

**R**EX omnibus Archiepiscopis & Episcopis in *Hibernia* constitutis, salutem. Mandamus vobis quod nihil attemptetis in præjudicium dignitatis nostræ circa collationes Præbendarum Ecclesiarum quæ ad nos pertinent in *Hibernia*, sedibus ibidem vacantibus. Tantum inde facientes ne oporteat nos manum ad hoc apponere. In cujus, &c. Teste Rege apud *Westmonasterium*, Quarto die Julii.

In his *Conge des livers* to Deans and Chapters in *Ireland*, to elect their Bishops, he did by his supreme Ecclesiastical Prerogative, restrain them from electing any Irish, (they being for the most part treacherous to the King, and injurious to the rights of his Crown) but only Englishmen, as this short Record demonstrates.

Pat. 10 H. 3.  
m. 2. intus.

**D**ecanus & Capitulum *Clovens.* habent licentiam eligendi, dum tamen talem eligant, qui *Anglicus* sit. Teste ipso R. apud *Brugg.* xxxi. die Augusti, Anno, &c. Decimo.

This year Pope *Honorius* the 3d. sent this memorable Bull to *Geoffry de Lizimaco*, the Kings sworn Vassal, absolutely subverting all Papal dispensations, with Subjects just Oathes to their Sovereigns.

Anno 10 H. 3.

**H**ONORII S Episcopus servus servorum Dei, Dilecto filio nobili viro *Galfrido de Lizimaco*, salutem & Apostolicam Benedictionem. Fidelitatis vinculum quo vassallus tenetur Domino, est adeo celebre apud omnes, ut etiam religione Juramenti, qua vassalli assolet circumscripta, ipsum per se vinculum quasi pro sacro, ubique terrarum et gentium habeatur, nec extimetur levem notam incurrere, quicumque aliis extitit

titerit violator; unde qui veteres reholbere volet \* istorias, inveniet \* historias.  
multos pro illo servando inhumanis cibus, urgente obsidionis angustia, esse usos, et illis quoque deficientibus elegisse, potius fame deficere, quam ipsum fidelitatis vinculum violare. (How then can Popes dispense with such Oathes, and absolve Subjects from them, as Pope Innocent and others have done?) Tu vero (sicut charissimo in Christo filio nostro *Henrico* illustri Rege *Anglorum* conquerente didicimus) hæc nequaquam prout te decuisset attendens, fidelitatem qua ipse Regi tenebaris astrictus, & adhuc quoque teneris, cum ab ea, ut creditur, te nequaquam absolveret nulla famis, nulla obsidionis coactus angustia, violasti, contra Juramentum quo te ad illam servandam astricteras, fame ac salutis tue prodigus veniendo. Cum igitur totiens pecces quotiens facis contra fidelitatis Juramentum (tuum) dicto Regi nos qui ex debito Pastoralis officii tenemur Deo de anima tua reddere (rationem) tam manifestum ipsius animæ tue periculum sine nostris dissimulare periculo non valentes, prudentiam tuam sollicitandam durimus et monendam, per Apostolica tibi scripta firmiter injungendo mandantes, quatenus fame tue providens, et salutis, ad fidelitatem ipsius Regis occasione ac excusatione cessantibus, redeas, ut teneris, servetque sibi inviolabiliter præstitum Juramentum, Juramento contrariis non obstantibus, si quod forsitan præstitisti, cum illicitum fuerit, et ideo non servandum; salubres monitiones nostras taliter auditurus, quod reconciliatus terreno, Cœlesti quoque reconciliari Domino merearis. Sciens nos Venerabilibus fratribus nostris *Aquens. & Vacatens.* Episcopis, & dilecto filio Arc. Dec. *Vasaten.* per nostras Literas mandavisse, ut nisi cavueris infra mensem post receptionem presentium nostrum in hoc adimplere Mandatum, ipsi te ad id per censuram Ecclesiasticam, sublato appellacionis impedimento compellant. Tu ergo, sicut vix providus, potius eligas errorem tuum humiliter satisfaciendo corrigere, quam illi pertinaciter insistendo, inducere temetipsum in ejus necessitatis articulum de quo non facile te valeas expedire. Dat. *Rear.* Quint. Idus *Januarii.* Pontificatus nostri Anno Decimo.

The consideration of this Bull (the original whereof I found buried in rubbish in the White Tower) may for ever refute the impiety and presumption of Popes absolving Subjects from their Oath of allegiance to their Sovereigns, and discovers the nullity, impiety, and absurdity of such absolutions.

The same year, the Pope by his Legate and Instruments published a Crossado in France, against the Earl of *Tholouse*, and *Albigenses*, contrary to all rules of Justice, Equity, Christianity, & thereupon inhibited the King of England to invade the French Kings Territories, whiles employed in this War: Thus related by *Matthew Paris*.

An. Dom. 1216

Per idem tempus facta est prædicatio in partibus *Gallicanis* a Legato *Romano* generaliter, ut omnes qui possent arma movere, se cruce signarent super Comitum *holosannum* & populum ejus, qui omnes *Hæretica* fœditate dicebantur infecti. Ad ejus quoque prædicationem, multitudo maxima Prælatorum & Laicorum crucis signaculum susceperunt, plus metu Regis *Francorum*, vel favore Legati, quam zelo justitiæ inducti. Videbatur enim multis abusus, ut hominem fidelem Christianum infestarent: præcipue cum constaret cunctis, eum in Concilio, nuper apud Civitatem *Bituricam* habito, multis precibus persuasisse Legato, ut veniret ad singulas terras sue Civitates, inquirens a singulis articulos fidei: et si quempiam contra fidem inveniret sentientem Catholicam, ipse secundum judicium Sanctæ Ecclesiæ, justitiæ ex eis plenitudinem exhiberet. Et si Civitatem aliquam inveniret Rebellem, ipse pro posse suo eam cum habitatoribus suis ad satisfactionem compelleret. Pro se ipso autem obtulit,

Mat. Paris Hist. Angl. p. 319. Mar. Westm. p. 120.

Nota.

obtulit, si in aliquo deliquit, (quod se fecisse non recoluit) plenam Deo et Sanctæ Ecclesiæ satisfactionem, ut fidelis Christianus; et si Legatus vellet, etiam fidei examen subiret. Hæc quoque omnia Legatus contempsit, nec potuit Comes Catholicus gratiam invenire, nisi pro se et hæredibus suis, hæreditatem suam deferens, abjuraret. (Such was this Popes and his Legates Tyranny, Injustice, Cruelty in this age and case.) Rex vero Francorum ad ejusdem Legati exhortationem cruce signatus, noluit expeditionem bellicam promovere, nisi Literis prius a Domino Papa impetratis ad Regem Anglorum inhibitoriis, ne sub pœna excommunicationis Regem Francorum inquietaret, vel arma contra eum moveret de aliqua terra quam in presenti possidebat, sive iuste, sive iniuste; dum idem Rex esset in servicio suo, et Ecclesiæ Romanæ, ad exterminandum hæreticos Albigeneses, et eorum fautores et complices Comitem Tholosanum; sed eidem Regi, ad exaltationem fidei, consilium et auxilium impendere non tardaret. Et his ita gestis, Rex Francorum *Lodovicus* & Legatus, omnibus cruce signatis, diem statuerunt peremptorium, ut in Ascensione Domini apud *Lyodanum*, cum equis & armis, sub pœna excommunicationis, venirent; ipsos ad expeditionem propositam sequuturi.

In the mean time the Pope by his Tyrannical Usurped power, sent prohibitory Letters to the King of *England*, to stop his intended Military Voyage into *France*, to recover his just Rights: Whereupon,

Mat. Paris Hist.  
Angl. p. 319,  
320.

**R**EX Anglorum interea, qui ardenti desiderio sitiebat ad partes transmarinas hostiliter transfretare; Convocatis Consiliariis suis, fecit recitari Literas sibi a Domino Papa transmissas, quærens ab eis consilium, quid super tali inhibitione sibi foret agendum? Placuit itaque Prelatis et Magnatibus universis, ut differretur negotium desideratum, donec constaret de Rege Francorum, qui tam difficile opus et propositum habebat, adeoque sumptuosum, quem res esset exitum habitura. Such an awfull power had the Pope then encroached over the King, Bishops, and Nobles of the Realm, that they durst not incur the displeasure, by disobeying his Inhibition, though never so illegal and unjust.

Mat. Paris Hist.  
Angl. p. 320.  
Godwins Catalogue of Bps. p. 515, 516.

*Richard de Marisco*, Bishop of *Durham*, dying suddenly at *Peterborough* Abby, as he was posting to *London* with a great Troop of Lawyers, to prosecute his suits against the Monks of *Durham*; thereupon they bestowed this Epitaph upon him, worthy all ambitious Prelates consideration.

Culmina qui cupi  
Est sedata si  
Quis populos regi  
Quod mors immi  
Vobis prapose  
Quod sum vos eri

laudes pompasque sibi  
si me pensare veli  
memores super omnia si  
non parit honoris pot  
fmalis fueram, bene sci  
ad me currendo veni

\* Here p. 262,  
366.

The Monks out of their malice to him and King *John*, feigned this Monkish Vision, concerning both their Torments in Hell, for oppressing the *Cistercians*, and taking their Woods from them by this Bishops advice, which I shall here insert, because it hath relation to King *Johns* death, poisoned by a Monk of this Order.

Mat. Paris Hist.  
Angl. p. 320.

**D**E hoc quoque Episcopo non credimus fore tacendum, quod circa biennium ante mortem ejus, Rex quondam Anglorum *Johannes* apparuit in visione nocturna cuidam Monacho de Sancto *Albano*, apud *Thimam* tunc commoranti: qui familiaris fuerat Regibus Anglorum, tam Regi *Richardo*, quam huic *Johanni*; ita quod in eorum negotiis exequendis aliquando *Roman*, aliquando in *Scotiam*, & ad



ad alia loca plurima missus, propensioribus sibi studiis eorundem Regum gratiam comparavit, cujus nomen fuit *Reimundus*, quondam Prior Ecclesie Sancti *Albani*. Monacho itaque in lecto quiescente, assistit ei Rex *præfatus in vestibus Regalibus, de panno videlicet qui Imperialis vulgariter appellatur*. Quem Monachus recognoscens, ac memoriter recolens, quod mortuus fuisset, sciscitabatur ab eo, qualiter se haberet. Cui Rex: *Ita me habeo, quod nemo pæsus*. Nam hæc mea quæ vides indumenta, ad id ardentia sunt & ponderosa, ut nullus qui in sæculo vivit, illa tangere sufficeret præ ardore, vel propter ponderositate portare, quin proximus moreretur. Sed tamen per *D. Clementiam* spero, & gratiam ineffabilem, & filii mei *Henrici* largam Eleemosynarum distributionem, necnon servitii divini honorem, quem Domino devotus impendis, me quandoque misericordiam adepturum. Quæso igitur obnixius fraternitatem tuam, ut dicas *Richardo de Marisco*, nunc *Dunelmensi* Episcopo, quod nisi ante mortem suam correxerit flagitiosam vitam, & eam per penitentiam & satisfactionem condignam emendaverit: sedes ejus, quæ in inferno est, cum expectat preparata. Et si his dictis tuis, & mandatis meis fidem adhibere contempserit, per hæc intersignia omnem deponat ambiguitatem: Quod dum soli essemus in loco illo sibi notissimo dedit mihi consilium, tam mihi, quam sibi nimis damnosum, ut videlicet a *Monachis* Cisterciensis ordinis auferrem lanam suam unius anni, & quod multa alia de his mihi consilia iniqua, pro quibus nunc perfero inenarrabilia, quæ etiam & illi debentur turrimus. Quod si adhuc dubitaverit credere mandatis meis, recolat quod in illo loco, & hora eadem, dedit mihi unum lapidem pretiosum, quem pro ingenti pecunia comparavit. Et his dictis, Rex disparuit, & Monachus expergefactus evigilavit.

• Here p. 161.

Upon his decease, there grew as great a difference between King *Henry* the 3d. and the Monks of *Durham*, about the election of a Successor, the King recommending one, and they electing another, as there was between King *John* and them, about the election of this *Richard*; thus related by *Matthew Paris*, and *Godwin*.

• Here, p. 352, 353, 354.

Defuncto itaque *Richardo Dunelmensi* Episcopo, Prior et Conventus, cum a Rege peterent licentiam eligendi Pastorem, Rex obtulit eis *Lucam* Capellanum suum: multa rogans supplicatione, ut illum reciperent in Pastorem. Monachi vero ad hoc responderunt, quod nullum reciperent, nisi Canonica electione præmissa. Rex autem e contra cum Juramento affirmavit, ipsos futuros per septennium sine Episcopo, nisi præfatum *Lucam* admitterent ad Pontificatus honorem. Conventus vero illum ad tantam dignitatem indignum judicantes, de communi consensu fratrum elegerunt Magistrum *Willielmum* Clericum suum, virum literatum, et honestum, *Wigornensem* Archidiaconum, et ipsum Regi præsentaverunt. Quem cum Rex objectis quibusdam frivolis exceptionibus, recusasset; Monachi quosdam de Conventu *Romam* miserunt, ut electionem factam Auctoritate Apostolica confirmarent. Rex autem, cum talia cognovisset, misit *Romam* contra Monachos, Episcopum scilicet *Cestrensem*, et *Lentonia* Priorem, ut eorundem Monachorum propositum irritum facerent: Et sic diu illis altercantibus, negotium dilationem accepit.

Mat. Paris Hist. Angl. p. 320, 321. Godwin's Catalogue of Bishops, p. 516.

I find there was an Appeal about this Election, pending before the Archbishop of *Tork*, before whom the King constituted his Proctor by this Patent.

REX, Venerabili Patri in Christo *W. eadem gratia Eboracensi* Archiepiscopo, Anglie Primati, salutem. Quoniam prosecutioni negotii Electionis facta de Magistro *W. Archidiacono Wigorn.* in Episcopum *Dunholm.* a Priore & Monachis *Dunholm.* quod coram vobis vertitur inter nos ex una parte, & dictos Priorem & Monachos, & Magistrum *W. Archidiaconum* ex altera, personaliter interesse non possumus, dilectum & fidelem nostrum Magistrum *Stephanum de Lucy*, procuratorem nostrum constituimus, ratum habituri quicquid in dicto negotio coram vobis mediante Justitia duxeris faciendum. Teste Rege apud *Westminsterium*, primo die Decembris.

Pat. 11 H. 3. pars 1. m. 12, intus.

Per Justiciarium.

The

Mat. Paris Hist.  
Angl. p. 332.  
Godwins Cata-  
logue of Bps. p.  
516.

The issue of this Appeal to *Rome* was this: After two years expensive contests, the Monks election of *William* was cancelled at *Rome*, *Luke* the Kings Chaplain put by, and *Richard* Bishop of *Salisbury* elected Bishop by the Popes favour, *Anno* 1228. the Pope only gaining by such contests.

An. Dom. 1227  
Mat. Paris Hist.  
Angl. p. 336.  
Edit. Lond.  
1640. Mat.  
Westm. p. 121.

*Anno Domini* 1227. The King requiring the fifteenth part of mens goods generally throughout *England*; *Compulsi sunt etiam viri Religiosi, & Clerici beneficiati, hanc quintam decimam dare omnium bonorum suorum, tam rerum Ecclesiasticarum, quam Laicarum. Nec profuit eis appellatio ad Dominum Papam interposita. Sed ordine turbato, Archiepiscopi & Episcopi, auctoritate Papali, per censuram Ecclesiasticam, quos Laica potestas non potuit; ad solutionem, omni destitutos solatio, compulerunt*: being thus extorted by pretext of the Popes \* forecited Bull. This fifteenth thus extorted perforce, against the wills of the generality of the Clergy of *England*, was made a president for the like Ayd in *Ireland*, by virtue of the Popes Bulls, and this forced extorting it, stiled a free and laudable grant of the English Clergy themselves, as this Patent assures us.

\* Here p. 396.

Par. II H. 3. m.  
10.

**R**EX Abbatibus, Prioribus, Prælatibus, ac Rectoribus Ecclesiarum in Provincia *Dublin* constitutis, salutem. Cum Dominus Papa statu rerum et temporum exigente multiplici nos viderit auxilio indigere, ac propter hoc, tanquam pius Pater et providus, auxilium nobis fieri mandaverit de bonis et possessionibus Ecclesiasticis, tam in *Hibernia* quam in *Anglia*, ad quod Archiepiscopi, Episcopi, Abbates, et Priores, Domorum religiosarum Magistri per *Angliam* constituti, quintam Decimam partem omnium mobilium suorum, et Clericus inferior, æstimato Anno valore singularum Ecclesiarum suarum, sextam Decimam partem inde nobis concesserunt \* facile et laudabiliter inducti, liberalitatem vestram rogandam duximus & monendam, quatenus pensatis expensarum oneribus quibus nos supponere necesse habemus, opportunitate recuperandi Jura nostra per mortem Regis *Francia* præventi, ad impendendum nobis auxilium, saltem quale Abbates, Priores, ac cæteri prælati & Rectores Ecclesiarum *Anglie*, nobis liberaliter impenderunt, faciles vos exhibere velitis & benignos, sub tanta liberalitate & festinatione, prout nobis plurimum expedit huic negotio finem debitum quantum in vobis est, imponentes, ut præter gratiam Domini Papæ, quam inde merebitur devotio vestra, a Regia Serenitate futuris temporibus debeatis expectare Gratiam & favorem, Venerabiles autem Patres Archiepiscopum *Dublin*, & *Fernensem* Episcopum, ut secundum eorum dispositionem colligatur, & reservetur, & per eorum manus nobis exhibeatur dictum auxilium totius *Hibernie*, & de singulis receptionibus eis ratio reddatur, constituimus loco nostro. Ut autem vos & totum *Hibernie* Clerum securo efficiamus & certos, quod non trahetur in consequentiam, vel præjudicium generabit Ecclesiastica Libertati subventionis hujus exhibitio, super hac immunitate vestra & totius *Hibernie* Cleri, Literas nostras Patentes conceptas in forma qua Prælatibus & Clero *Anglie* literas nostras consimiles dedimus, Venerabili Patri *Dublinensi* Archiepiscopo & suffraganeis suis duximus transmittendas, Teste Rege Apud *Westmonasterium* 21. Die Decembris.

\* Mat. Paris  
avers the con-  
trary.

Eodem modo Scribitur Abbatibus, &c. in Provincia *Cassell*. constitutis, Abbatibus, &c. in Provincia *Armacan*. Abbatibus, &c. in Provincia *Tuamensi* constitutis.

The like Patents issued to all the Archbishops of *Ireland* concerning this Ayde.

Par. II Hen. 3.  
part. I. m. 12.  
intus.

**R**EX Archiepiscopo *Dublinensi* & Episcopo *Fernensi* salutem. De fide & diligentia vestra præcipuam gerentes fiduciam, constituimus vos & rogamus vos ad hoc velle constitui, ut secundum dispositionem vestram colligatur, & reservetur, & per manus vestras nobis exhibeatur impendendum nobis a Prælatibus & Clero *Hibernie* subsidium totius *Hibernie*, & de singulis receptionibus vobis ratio reddatur. Ad quod juxta fiduciam quam de vobis gerimus, vigilantes vos exhibere & sollicitos ut (propter) executionem hujus negotii si debite facta fueris & mature, vestra debeamus assurgere diligentia

*cum condigna vicissitudinis promptitudine & speciali gratiarum actione. Teste Rege apud Westmonasterium 21. die Decembris.*

**R**EX *Cassal.* Archiepiscopo salutem. *Rogamus vos attentius quatenus certo die quem vobis scire facient venerabiles Patres H. Dublinensis, & J. Fernensis Episcopus, conveniant apud Dublin ad audiendum Mandatum Domini Papæ, et petitionem nostram, quam nobis facimus super eodem Mandato de competenti auxilio nobis a Clero terræ nostræ Hiberniæ faciendis, ad pacis terræ nostræ conseruationem, et hæreditatis nostræ in partibus transmarinis recuperationem.* Teste ut supra.

\* The Pope commands, but the King only petitions his Bishops.

*Eodem modo Scribitur Tuamensi & Armacano Archiepiscopis.*

How backward they were to levy this Ayde notwithstanding these Patents, and Letters you shall hear anon.

The Archbishops and Clergy of *Ireland*, having much encroached upon the Kings Prerogative, in electing, admitting, and consecrating Bishops and Abbots, upon vacancies, without the Kings precedent License and Approbation; thereupon the King to prevent this growing Visurpation (least it should by connivance and custom be challenged as a Right) issued forth this memorable writ of Prohibition to all the Archbishops of *Ireland*.

**R**EX *Dublinensi Archiepiscopo salutem.* Mandamus vobis firmiter inuigentes, quatenus cum Ecclesiam Cathedralē vacare contigerit in Diocesi vestrā quæ sit de advocacione nostra, nullatenus personam aliquam ad dictas dignitates habentes admittatis. Ponet vobis per Literas nostras Patentes considerit eos quorum interest eligere a nobis licentiam eligendi postulare, et eam obtinere a nobis, et nos postmodum in eisdem eorum assensum regium præbuisse. Teste meipso apud Westmonasterium octavo die Decembris.

Claus. 11 H. 3. m. 7. incus.

*Eodem modo scribitur Armac. Archiepiscopo, Tuamensi & Cassal. Archiepiscopis. Teste ut supra.*

This year the Archbishop of *Canterbury*, (encouraged by a \* former president) without the Popes order, by his own Authority, granted a License for the Kings Justices Itinerant, to take Oathes and hold Pleas in some cases in Advent and Lent; upon the Kings Letters Patentes to him, that it should not turn to his prejudice; which not extending to the Archbishop of *Tork*, the King endeavored to gaine the same License from him upon like terms, as this Record informs us.

\* Here p. 394.

**R**EX *M. de Passenull, & sociis suis Justiciariis Itinerantibus in Comitibus Eborum, Lanc. Westmess. Northumberl. & Cumbri. salutem.* Scias, quod Venerabilis Pater S. Cantuariensis Archiepiscopus concessit, quod Juramenta præstentur coram Justiciariis nostris Itinerantibus, ab instanti Adventu Domini, usque ad vigiliam sancti Thome Apostoli, & a Principio Septuag. usque ad Dominicam qua cantatur. *Isti sunt dies*, videlicet in Assis ultimæ præsentationis, de morte Antecessorum, Novæ diss. de magna Assisa, & de Inquisitionibus quæ emergent, de terris, sicut plenius vobis constabit ex inspectione Literarum Domini Cant. quas inde vobis mittimus. Rogavimus autem Venerabilem Patrem W. Eborum Archiepiscopum, per Literas nostras, quas vobis mittimus ei porrigendas, quatenus concedens Juramenta in consimilibus causis præstari infra prædictum suum usque ad prædictum Terminum, Literas suas Patentes consimiles Literis Domini Cant. vobis inde habere faciat: ut autem liberius & facilius hoc velit facere, mittimus ei Literas nostras Patentes quas fieri fecimus Domino Cantuariensi, protestantes, quod post terminum prædictum concessio prædicta ab eo nobis facta non poterit valere in consequentiam. Vobis igitur Mandamus, quod cum prædictus Archiepiscopus hoc nobis concesserit, & Literas suas Patentes nobis habere fecerit Itiner. Justiciar. nostris in dictis Com. qui sub sunt Jurisdictioni prædict. Cant. Archiepiscopi usque, ad prædictum Terminum, si opus fuerit continuetis sollicitudine & prudentia solita, quod non dubitamus vos esse faci-  
turos

Claus. 11 H. 3. m. 8. incus.



turos, negotiis nostris expediendis ad commodum & honorem nostrum intendentes. Teste meipso apud *Westmonasterium* tertio die *Novembris*.

The King of *France*, by reason of the differences with King *Henry*, interrupted the free passage and return of his Messengers to and from *Rome*, which Pope *Gregory* the 9th. (then newly elected Pope) like his predecessor by this Bull (ex- tant under his seal) directed to the French Bishops, endeavoured to remove, as very prejudicial to his See, by their mediation to the French King.

\* Here p. 369.

An. 11 H. 3.

**G**REGORIUS Episcopus servorum Dei, Venerabilibus fratribus *Archebasen. & Ambracen.* Episcopis salutem & Apostolicam benedictionem. Cum Ecclesia Romana sit mater omnium Christi fidelium generalis, cunctis ad eam liber & securus esse debet accessus, quia si non permitteretur a filiis visitari, licet alii graviter læderentur, totaliter tamen in eam injuria redundaret. Unde licet inter Charissimos in Christo filios nostros, *Francorum & H. Anglorum* Reges Illustres, inimico super seminante Zizania, materia videatur discordiæ pullulare, nequaquam tamen Nuntios dicti Regis *Anglorum* vel alios *Anglicos* ad sedem Apostolicam venientes, vel redeuntes ab eo, memoratus *Francorum* Rex præpedire debet, aut pati etiam ab aliis præpediri, si a nostri vult injuria, sicut convenit, abstinere; præsertim cum in omnes illos qui accedentes ad sedem Apostolicam, vel recedentes ab ea capere vel spoliare præsumperint, lata sit excommunicationis sententia generalis. Quare vos eundem Regem per literas nostras rogavimus, mounimus, & hortati sumus attente, ut prudenter attendens, quod non expedit ut illius occasione vos provocet: Nuntios ejusdem Regis *Anglorum*, & quoslibet alios *Anglicos* per Regnum *Francie* ad sedem Apostolicam accedere, vel ab ipsa recedere libere ac secure permittat: ita quod ipsius cognoscentes devotionis affectum, grata sibi ex hoc debeamus vicissitudini respondere. Quocirca fraternitati vestræ per Apostolica scripta mandamus, quatenus ipsum ad id moveatis attentius & efficaciter inducatis. Dat. *Lateran.* 2. Ids. *Maii* Pontificatus nostri primo. The Leadén Bull hereto affixed hath this inscription;

} *Gregorius*  
} Papa Nonus.

Pope *Gregory* the 9. newly settled in his See, to promote his Antichristian malicious designs against the Emperour *Fredrick*, under a sacred pretence of zeal to rescue the holy land from the Saracens; set his instruments on work in all places to persuade all sorts of people to take the Crosse upon them for this holy war, thus related by our Historians.

Mat. Paris, Hist.  
Angl. p. 325.  
326.

**E**odem anno, in fine mensis Junii, facta est motio magna in opus Crucis per orbem universum Cruce signatorum, quæ adeo fuit numerosa, ut ex solo *Anglorum* regno plusquam sexaginta milia proborum hominum, præter *se- nes et mulieres, profecti ceterantur.* Hoc enim professus est Magister *Hubertus*, unus ex prædicatoribus in *Anglia*; asserens veraciter tot in suo rotulo conscripsisse. Qui omnes, & præcipue pauperes in quibus voluntas divina quiescere solet, & negotium Crucis magis prosperari, cum tanta devotione opus Crucis assumpserunt, ut sibi inde proculdubio Tonantis favorem acquirerent, quod signis constat evidenti- bus declaratum. The multitude and proceedings of those who crossed themselves for this War, out of a blind zeal, are at large recited in this Popes own Bull, directed this year, *Omnibus Christi fidelibus*, (recited at large in *Matthew Paris*) wherein there is this memorable passage, That the Pope engaged these his Votaries to break off the Truce that the Christians had made with the Saracens, and ratified with an Oath, two years before its expiration, contrary the judgement of the Duke of *Lemburge*, (whom the Emperour appointed General of the Army) and some of his Council, who upon advise had, resolved, *Quod Trengam pericu- lum esset infringere, et cum fuisset Juramento firmata, penitus inhon- estum.* To which was answered, *Quod Dominus Papa excommunicaverat omnes Cruce signatos, qui in isto passagio non transirent, qui sciebat adhuc Trengam per biennium dura- turam, & per hoc intelligebant, quod non volebat Trengam observari:* Upon which ground they violated it, to the great scandal of Christianity, and damage of the Christians,

Christians, whom he excited with all possible speed to hasten to *Jerusalem*; concluding his Bull thus: *Clamat autem ad singulos Christi sanguis de terra, applicat p n v m* & humilis exercitus, sed devotus, sibi celeriter subveniri: sperans in Domino, & confidens, quod negotium humiliter inchoatum, debeat ipso concedente feliciter terminari. **Undersit igitur et singuli, qui Christum induitis per fidem, viriliter accingimini ad Terræ Sanctæ succursum:** cum hic causa communis agatur, vestra scilicet fidei, ac totius fidei Christiana: Nos enim promotioni huius negotii, provisorio Domino & auctore, non cessamus intendere: sperantes fiducialiter, quod in manibus fidelium, fideliter perseverantium, res debeat prosperari. Data Laterani, x. Calendas Januarii, Pontificatus nostri anno primo.

\* Did not the blood of Christians, shed in this needless War, cry louder?

The Pope in pursuance of this design, enjoined the Emperour *Frederick* the 3d. and others who had crossed themselves, by a set day to begin their passage to the Holy Land, under pain of Excommunication; in obedience whereunto, the Emperour to perform his vow, set sail with a small retinue toward the Land of Promise; but after 3. dayes sail, falling sick by the distemper of the Sea, and corruption of the Air, he turned his sails, and landed at a designed Haven, as if he would return; which those who passed over before him, and hoped to have him their General; hearing of, animo nimis consternati, in eisdem navibus quibus venerant, plusquam xl. armatorum milia sunt r. versi. Quod factum Imperatoris damnose nimis redundavit in aedecus & in praedicium totius negotii crucifixi. Hereupon this Pope (discovering the real design of this Crossado to be only to affront and trample upon the Emperour, and all other Christian Princes, who disobeyed his Papal Edicts) excommunicated the Emperour for his pretended contempt, and sent abroad Letters of this his Excommunication, to be published in all parts, every Lords-day and Holy-day, but more especially in *England*, to his great defamation; as this his Antimonarchical, Antichristian Bull, sent from *Rome* to the Archbishop of *Canterbury*, (the original whereof I found in the *White Tower*) not extant in any Writers I have seen, will at large demonstrate, being worthy the knowledge, consideration of all Christian Princes.

Anno 1228.  
Mar. Paris, p.  
327.

**G**REGORIUS Episcopus servus servorum Dei; Venerabilibus fratribus Archiepiscopo *Canuariensi* sanctæ Romanæ Ecclesiæ Cardinali, & suffraganeis ejus salutem & Apostolicam Benedictionem. Quanto nobilius membrum in Ecclesiæ Corpore laeditur, tanto acrioribus doloribus cruciamur, qui Cephæ locum, licet insufficientibus meritis, obtinemus, verum quia tectum vulnus si dimittatur in actum, solet in scandalum Corporis latius evagari; nos olim viso quod *F. Romanus* imperator salutem propriam negligebat; dum salubre votum quod Domino Deo volebat additis juramentis decretabat exolvere, non sine detrimento fidei & gravi scandalo totius populi Christiani, qui juxta sapientiæ edictum, Vulnera dum sanas dolor est Medicina doloris, medicinalem Petri Gladium in eum exercuimus spiritu lenitatis, excommunicationis sententiam publicando, quam ipse in se voluntarius fecerat promulgari, nisi statuto termino transiretaret in terræ sanctæ subsidium, et alia promissa fideliter adimpleret; sperantes ut percussus dolens, ad percutientem se in humilitate rediret, Domino exercituum requirendo; sed quod dolentes referimus, indurato Corde medicinam exhorrens et increpationem abhominans, discipline immo malleum velut stipulam reputans, non solum nulla penititudine se correxit; verum etiam adiciens peccata peccatis, contra se dominum prediciter irritare ultra quam recensere nos deceat, ne videamur in ejus convitiis delectari, qui conversionem ejus desiderabiliter expectamus. Inter alia namque Claves contempnens Ecclesiæ, quibus Dominus beato Petro et successoribus suis ligandi et solvendi contulit potestatem, sibi facit celebrari, vel potius quantum in ipso est profanari divina enormius, in animæ suæ periculum et enervationem totius Ecclesiasticæ Discipline: Unde timentes ne Plaga ejus fieret penitus desperabilis si male permitteremus obduci, neglecto vulnere cicatricem, & eo insanabile quo insensibile redderet malignia, studuimus apponere sanativum. Ut nam studium nostrum oblatum habuisset effectum. Cum enim pie recordationis H: Papa Predecessor per bonæ memoriæ *Tusculanensis* & *Sabinensis* Episcopos

An. Dom. 1228.  
13 Hen. 3.

\* Were not the Popes usuall dispensations with such vowes and Oathes, yea the Oathes of subjects Allegiance to their Sovereign, a far greater scandal and detriment to Christianit?

\* He preferred his own arbitrary Papal will before God or the Emperor.

Episcopos & Rosfridum Clericum Camere nostræ & dilectos filios G. Notarium nostrum & Abbatem sancti Martini Viterbien. & Cicestrien. ordinis cum Imperatorem diversis temporibus super diversis Articulis, in quibus Deum & Ecclesiam graviter offendebar, diligenter commoveri fecisset. Nos adhuc humiliantes cum Autoritatis Ecclesie ad præsentiam ejus dilectos filios nostros, Titulo Sancti Sabini Presbyterum & sancti Nichol. in Carcere Tullian. Decan. Card. curavimus destinari, ut cum super præmissis & subsequens vice nostra salubriter commoveret, qui licet de contingentibus nihil omiserit, nequaquam tamen cum potuerunt ad poenitentiam revocare, utinam ad nequiora nequaquam manus illicitas extendisset. **Quare ne videremur deferre\* homini contra Deum, ecce Justitiam in judicium convertentes, in proximo præterito festo Cœnæ Dominicæ in prædictum Imperatorem excommunicationis sententiam durissimam sollemniter promulgandam;** tum pro eo quod, ut præmissum est, non transfretavit in subsidium *Terra sancta*, nec promissum numerum militum in expensis suis tenet vel transmit, nec pecuniam quam promiserat destinavit; tum quia venerabilem fratrem nostrum, *Taraten*. Archiepiscopum ad sedem propriam accedere non permittens, eum populum suum non patitur visitare, tum etiam quia Templarios Hospitalarios bonis mobilibus, immobilibus, quæ habebant in Regno, temere spoliavit, & quia Compositionem factam inter ipsum & Comites *Celaunen.* & *Rainaldum de Aversa*, pro cujus observatione *Romana* Ecclesie ad precum ejus instantium fide jussit, servare contemnit. Et quia Comitem *Rogerum* cruce signatum sub Apostolicæ sedis protectione receptum, Comitatu, & aliis terris indebite spoliavit, & filium ejus in Captivitate detentum, ad mandatum Apostolicum sæpius iteratum reddere denegavit: **Adjecimus quoque ut loca quælibet ad quæ ipse perveniret Ecclesiastico subjaceant interdito, ut quam diu præsens fuerit ibidem nulla divina officia celebrentur, officio beneficioque præbantes omnes cujuscunque professionis vel ordinis, qui ei postquam denunciatus fuit excommunicatus a nobis, divina ausu temerario celebrant, vel antequam ad mandatum Ecclesie redeat, de cætero celebrabunt,** (O the Atheistical Impiety of Popes thus to rob God and man of Divine Service, Sacraments, out of meer pretended contempts against their unjust commands, wills!) **Illud quoque non durissimum omittendum, quod si de cætero se officiis divinis ingesserit, contra eum, tanquam contra hæreticum, et Clavum Ecclesie contemptorem severitate debita procedamus. Et si ab Ecclesiarum, et Ecclesiasticarum personarum oppressionibus non desisterit, aut non cessaverit a conculcatione Ecclesiasticæ Libertatis, vel excommunicatione contempta redire non curaverit ad mandatum Ecclesie, omnes qui sunt ei Juramento fidelitatis astricti, et specialiter homines Regni, Juramento quo sibi tenentur absolvemus et denunciabimus absolutos, quia juxta\* decretum felcis recordationis Urbani Papæ secundi prædecessoris nostri fidelitatem, quam homines Christiano Principi juraverint, Deo ejusque sanctis adversanti, et eorum præcepta calcanti, nulla auctoritate persolvere cōhibentur. Et si non cessaverit ab oppressionibus pupillorum, orphanorum, viduarum, seu Nobilium, aut aliorum hominum Regni, vel ejus destructione, quod ad Romanam Ecclesiam specialiter noscitur pertinere, pro quo etiam prædecessoribus nostris et Ecclesie Romanæ Juramentum fidelitatis exhibuit, et homagium præstitit, merito poterit formidare se nostr. feudi præstandum. Idemque Universitatem vestram movemus attente, per Apostolica vobis scripta districte præcipiendo mandantes, quatenus singuli prædictam sententiam sollemniter publicantes, denuncietis eam singulis diebus dominicis et festis.** Dat. *Roma* apud sanctum Petrum iiij. Non. *Aprilis*. Pontificatus nostri Anno secundo.

*Nota.*  
\* By what Decrees of God?

*In Dorso.*

De Excommunicatione sollemniter lata die Cœnæ, & destinatur Litera Archiepiscopo Cantuariensi & ejus suffraganeis.

Thofe



Those who will seriously consider the Contents of this Popes Antimonarchical Bull, must needs acknowledge it repugnant not only to Monarchy, Loyalty, Fidelity, Verity, and Common honesty; but to Christianity it self in the highest degree: yet his Antichristian pleasure and command must be preferred; obeyed by all our Bishops and Clergy; before all Laws of God; Nature, Nations, rules of Christianity, Oathes of allegiance, and Common Justice.

The sentence, Excommunication and Bull of the Pope against the Emperour, is thus registred by *Matthew Paris* (much different from this in the contents.)

**C**irca dies istos, Papa *Gregorius*, cum Imperatoris *Romanorum Frederici* contumaciam, simul & crucifixi contemptum, ut sibi videbatur, impunitum diutius distulisset; tandem ne canis videretur latrare non valens, de consilio Cardinalium suorum, ipsum Imperatorem excommunicavit, & latam sententiam per literas Apostolicas in diversis mundi partibus publicari præcepit. Inter ceteros autem hujus sententiæ publicatores, *Stephano* scripsit Archiepiscopo in hæc verba: *Gregorius* Episcopus, *Stephano Cantuariensi* Archiepiscopo, salutem; &c. In maris amplitudine spatiosa navicula *Petri* posita, vel potius exposita turbinibus tempestatum, sæ jugiter procellis & fluctibus agitatur, ut ejus gubernatores ac remiges vix contingat aliquando inter inundantium imbrium angustias respirare; vix *Carybdæ* voragines transire, vix a *Scylla* declinare. Nam quandoque prospero statu plenis velis ad portum velitur, subito ventus irruens ex adverso, impulsus ab illo, cujus halitus ardore facit, ad altitudinem maris & turbulentis profunditatis Oceanum, navis rapitur, quæ cincta fluctibus mergitur, nec submergitur: quia in ea Dominus residens, discipulorum tandem clamoribus excitatur, dum fugat spiritus insufflantes, & mari ventisque imperat, sit tranquillum. Quatuor quidem procellæ quatunt navem istam. Nam perfidia *Paganorum* turba Terram inclytam, *Christi* sanguine consecratam impie detinere contendunt; rabies tyrannorum temporalia rapiens, exterminat justiciam, & conculcat Ecclesiasticam libertatem: hæreticorum infania *Christi* tunicam scindere nititur, & subvertere fidei Sacramentum: falsorum fratrum & filiorum dolosa perversitas concutit viscera, & latus dilacerat matris suæ. Sicque fores pugne, intus timores: extra inscit Gladius, & domibus mors similiter intentatur. Sicque frequenter fit, quod *Christi* Ecclesia tot angustis perturbatur, dum alere credit filios, nutrit in sinu ignem, serpentes, & regulos; qui statu, & morsu, & incendio cuncta vastare nituntur. Hinc est, quod ad monstra hujusmodi perimenda, & expugnandas acies inimica, ac tempestatum inquietudines mitigandas, Apostolica sedes his temporibus cum multa diligentia quendam alumnum, Imperatorem videlicet *Fredericum*, quem quasi a matris utero exceperit, uberibus lactavit, humeris bajulavit, de manibus quærentium animum ejus frequenter eripuit, educare studuit, multis laboribus & expensis usque ad virum perfectum perduxit, ad Regiæ dignitatis decorem, & tandem ad fastigium culminis Imperialis propevit; credens illum habere defensionis virgam, & baculum senectutis. Ipse autem dum in *Theutoniam* se transtulit, ad habenas Imperii obtinendas, jucunda, ut credebatur, auspicia, sed verius pericula matris obtutibus inferebat. Nam sponte, non monitu sede Apostolica ignorante, crucem suis affixit humeris, vovens solemniter se in *Terra sancta* subsidium profecturum. Deinde se & alios cruce signatos excommunicari obtinuit, nisi certo proficerentur tempore. Sed incidenter absolutionem petiit, & accepit, de parendo super hæc mandatis Ecclesiæ, prius præstito juramento. Exuberantem autem gratiam super ipsum Apostolica sedes infundens, ut festinantius ad *Terra sancta* transiret subsidium, ipsum contra morem ad coronam vocavit, qui ad hoc non invitatus, sed multiplicatis intercessoribus intercessoris invitari per magnificos nuncios consuevit. Sicque idem sub crucis vexillo usque ad hæc tempora propria negotia plenius, & perfectus consummavit. Tandem cum manibus sceleris recordationis *Honorii* Papæ, prædecessoris nostri in beati *Petri* basilica recepisset dia-dema, de manibus nostris, tunc in minori officio constitutus, crucem resumpsit, voto publice innovato. Plures sub spe sui subsidii ad sumendam induxit, & certum recipit terminum transfretandi. Habito quoquo postmodum apud *Verulam* cum Ecclesia *Romana* colloquio, juravit publice, se in certo termino, a *Romana* sibi Ecclesia præfigendo, & tanquam Imperatorem honorifice profecturum. Exinde apud *Ferentium* in colloquio simili, duorum annorum transfretandi elegit sibi terminum, & præfixit. Sicque transiturum, & nobilem mulierem, natam Charissimi filii nostri in *Christo Johannis* Regis *Hierosolymorum*, illustri ipsius regni hæredem, in con-

An. Dom. 1228.  
Mat. Paris, Hist.  
Angl. P. 332.  
333.  
Mat. Westm.  
Anno 1228.

\* Did not this Pope and others who preceeded and succeeded him, much more do it, then this Emperor?

jugem recepturum solemniter præstito juramento spondit. Adjungentis, quod per hoc ad obsequium *Terra sancta*, non ut cæteri peregrini, sed ut *Templarii & Hospitalarii* se in perpetuum obligaret. Appropinquante itaque termino prælibato, cepit excusationes multiplices prætere, se ad transitum asserens non paratum, & ut denuo terminum sibi daretur terminus annorum, grandia obtulit obsequia *Terra sancta* cum obligationibus satis magnis. Apostolica vero sedes ne tantis laboribus exufflatis & inutiliter sic exhaustis, totum dissolveretur negotium, quod huic Principi post *Romanam* Ecclesiam principaliter incumberebat: habeo plurimum Episcoporum & aliorum virorum consilio, de contingentibus nil omittens, venerabilem fratrem nostrum *P. Albansum* Episcopum, & bonæ memoriæ *G.* titulo sancti *Martini* Presbyterum Cardinalem, ad Confirmanda illa, quæ Imperator pro crucis obsequio spontaneus promittebat transmisit. Cumque apud sanctum *Germanum* cum pluribus *Alemannia* Principibus pariter convenissent, Imperator propria manu juravit, quod inde ad biennium, id est, in passagio Augusti, nunc proximo transacto, omni excusatione & dilatione cessantibus, transfretaret, mille milites ibidem per biennium teneret ad suum stipendium, pro subsidio *Terra sancta* centum millia unciarum auri, in quinque passagiis tunc proximo futuris illuc destinares certis assignanda personis. **Et tunc Cardinales Presbyteri, de Imperatoris consensu, in conspectu Principum ac populi circumstantis, excommunicationis sententiam publice Auctoritate Apostolica protulerunt in quam incideret Imperator, si forte in aliquo defecerit prædictorum.** Obligavit insuper se Imperator ad centum chelendras, & quinquaginta galleas ducendas & tenendas ultra mare: & quod insuper duobus millibus militum passagium certis terminis largiretur, in animam suam jurari faciens, se ista quæ diximus impleturum, & sponte consentiens in se & regnum suum ferri sententiam, si non fuerint observata. Qualiter autem hæc impleverit, advertas, Nam cum ad ejus frequentem instantiam, multa cruce signatorum millia per excommunicationis sententiam coarctati in termino destinato ad portum *Brundisii* properassent, quia gratiam suam Imperator subtraxerat civitatibus serie cunctis in portibus constitutis, & idem a prædecessore nostro, ac a nobis frequentius monitus, ut diligenter pararet omnia, & fideliter quæ sponderat adimpleret: ipse præmissorum, quæ sedi Apostolicæ & cruce signatis per prædicatores & literas suas fecerat, de sponione passagii necessariorum & victus, suæ salutis immemor, tamdiu in æstivi fervoris incendio, in regione mortis & aeris corruptela detinuit *Christianum* exercitum, ut non solum magna pars plebis, verum etiam non modica multitudo nobilium & magnatum, pestilentia, sitis ariditate, ardoris incendio, ac multis incommoditatibus expiravit. Inter quos defecerunt bonæ memoriæ Episcopi *Andegavensis & Augustensis*. Pars vero non modica infirmitate gravata regrediens, in viis, in silvis, & in planitiis, in montibus & speluncis occubuit jam ex parte. Sane reliqui vix obtenta licentia, licet galeæ, chalendræ ac naves sufficientes ad transitum victualium, hominum, & equorum, ut promiserat, non adessent, in festo tamen beatæ Virginis cum jam temporis instantia immineret, ut naves transmarinis partibus inciperent remeare, sulcare maria inchoarunt: sed pro nomine *Jesu Christi* se discrimini committentes, ac credentes Imperatorem cominus eorum vestigia secuturum, Idem vero, evacuatis promissionibus, ruptis vinculis quibus tenebatur astrictus, calcato timore divino, contempta reverentia *Jesu Christi*, censura Ecclesiastica vilipensa, ac relicto exercitu *Christianum*, exposita infidelibus *Terra Sancta*, devotione populi *Christiani* abjecta; in suum & totius *Christianitatis* opprobrium retrorsum abstractus & illectus est ad consuetas Regni delicias objectionem corporis sui frivolis excusationibus, ut dicitur, gestiens palliare *Astendite ergo, & videte, si est dolor sicut dolor sedis Apostolica, matris vestræ*, sic crudeliter & toties deceptæ in filio, quem lactaverat, in quem posuit in hoc facto spei suæ fiduciam, in quem tot beneficiorum abundantiam cumulavit, Dissimulans interim, ne occasione inventa, se averteret a *Terra sancta* subsidio, exilia Præsulum, spoliaciones, captivitates, & injurias multiplices, quas Ecclesiis, viris religiosis, clericis irrogavit, & obaudiens querelas multiplices pauperum, populorum, & nobilium patrimonii Ecclesiæ clamantium contra ipsum, quas in aures Domini *Sabaos* credimus introisse. **Et quamvis Ecclesiæ Romana tueri debeat filium tanta diligentia educatum, et magnificentia exaltatum; nunc ipsum gemit sine Marte victum, absque hoste prostratum: et in suæ confusionis opprobrium,**

probitum, tam ignominiose defectum. Non minus gemit exterminium exercitus Christiani qui non inimicorum gladius, vel veritate defecit; sed calamitate tam miserabili est consumptus. Gemit etiam quod residua bellatorum, exposita maris periculis & fluctibus tempestatum, absque duce, præceptore, & principe ducitur, quo ignorat, modicum profectura terræ sanctæ utilitatibus. Quibus debita consolationis solitum & opportuna subjectioni saulium, impredientibus jam maris frementis procellis, temporisque angustia juxta votum non possumus ministrare. Gemit insuper excidium *Terræ sanctæ* utilitatibus, quibus debita consolationis solatium, & opportuna subjectionis auxilium, impredientibus jam maris frementis procellis, temporisque angustia, juxta votum non possumus ministrare. Gemit insuper excidium *Terræ sanctæ*, quam nunc eripi de manibus *Paganorum* sperabamus; quam olim, ut asseritur, recuperasset *Christiani* exercitus per concambium *Damiata*, nisi semel eis & iterum Imperialibus fuisset Literis Interdictum. Qui etiam non fuisset in manibus *Paganorum* inclusus, si galeiarum subsidium, ut ex parte sua promissum fuerat, & fieri poterat, subsecutum esset. Nam *Damiata*, quæ ut astruitur, suo tradita nuncio, & aquilis Imperialibus insignata; eodem die crudeliter spoliata, & per suas deteriorata, viliter & ignominiose, per ipsos fuit infidelibus restituta. Recurrit etiam ad rediviva suspiria, & amissionem præscriptam, recolens *Damiata* tot laborum angustias, tot expensarum dispendia, tot mortes fidelium, & tot excursus temporum, quæ inutiliter affluerunt, subortis lachrymis flere non cessat; nec est qui consoletur eam ex omnibus charis ejus, nec abstergat lachrymas a maxillis. Cum ergo vox ejus in *Rama* jam sonuerit, & *Rachel* non solum filios, sed hæc omnia irremediabili lamentatione deploret; quis fidelium a gemitibus & suspiriis continebit? quis filiorum, cernens aquarum profluvia de matris oculis prodeuntia, lachrymas non effunder? quis matris non compatiatur angustias? nec immensis ejus doloribus condolebit? quis fidelium propter hæc non ardentius inflammabitur ad subsidium *Terræ sanctæ*, ne *Christiana* juvenus ex insperato casu penitus prostrata videatur, & ignominiose animo consternata? Nonne viri cordati, & filii *Jesu Christi*, debent ad subsidium *Terræ sanctæ* tanto fortius animari, quanto ignominiam jam amplius resultare conspiciunt ex insperata ruina in patrem & filium, in redemptorem atque redemptos, in *Christum* & populum *Christianum*? Nos igitur hoc negotium tanto ardentius resumere affectamus, & ex multis inflata doloribus nostram grandis angustia mentem pavit: & sic cum Dominus populo suo modicum ostendit se iratum, de illius manu hoc tempore sacrificium non acceptans, qui prudentiam non est imitatus illorum, per quem salus in *Israel* consuevit. Non tamen misericordiarum Dei sunt consumptæ, nec ejus miserationes penitus defecerunt. Sperantes namque in misericordia Dei nostri, qui viam nobis ostendit, per quam in hoc opere prospere gradiamur: & viros secundum cor suum destinabit, qui præcedant in cordis puritate ac manuum munditia exercitum *Christianum*. Ideoque fraternitatem vestram obsecramus in Domino, per Apostolica scripta præcipientes mandantes: quatenus hæc clero et populis vobis commissis fideliter exponentes, ac inducentes eosdem ad hæc exequenda, suos studeant animas præparare; & ipsos ad vindicandam injuriam *Jesu Christi* sedulis exhortationibus invitetis, ut cum ipsos sedes Apostolica habito majori tractatu sollicitandos providerit, promptos inveniat & paratos. Porro, ne tanquam canes muti, non valentes latrare, videamur deferre homini contra Deum, non sinuentes ultionem de illo, qui tantam injuriam populo procuravit, Imperatorem videlicet *Fredericum*, qui nec transiret in termino constituto, nec illos in taxatis passagiis præscriptam pecuniam destinavit, nec mille duxit milites per biennium tenendos, ad suum stipendium, pro subsidio *Terræ sanctæ* ibidem, sed in tribus articulis manifeste deficiens, in his discriptæ excommunicationis laqueum ultroneus se ingessit, excommunicatum, quanquam infidelis, publice nunciamus, et mandamus ab omnibus arctius evitari: contra ipsam, si contumacia ejus exigerit, gravibus processuri. Constatimus tamen adhuc in ipsi patris clementia, qui neminem vult perire, quod oculi mentis caligantes, hoc Ecclesiastico delibuti collitio, si non fuerit animo rebellis, lumine poterant illustrari, ut suam aspiciat nuditatem, &

\* Excmbricm.

Nord.



& ignominiam suam, quam incurrit, avertat: Sicque recurrat ad medicum, & ad matrem Ecclesiam revertatur, per humilitatem debitam: & satisfactionem congruam, salutis remedia recepturus. Non enim ejus salutem in Domino affectamus interire, quem olim sincere dileximus, in minori etiam officio constituti. Data Laterani, Pontificatus nostri Anno secundo.

The Emperour justly incensed with the publication of these libellous, scandalous, and fabulous Excommunications against him in *England*, and all other Kingdoms, Churches, to his intollerable defamation; endeavoured to vindicate himself and his innocency, against the Popes calumnies, by dispatching Letters into all parts, and particularly into *England*, thus recorded by *Matthew Paris*.

Mat. Paris Hist.  
Angl. p. 335.

\* Nota.

Imperator itaque *Fredericus*, cum a referentibus se excommunicatum cognovisset, perturbatus est valde: & sicut Papa per Literas suas in omnibus Christianorum finibus latam fecerat sententiam publicari; ita dictus Imperator scripsit universis Regibus & Principibus Christianis, conquerens sententiam in eum fuisse injuriose latam. Denunciavit etiam singulis & universis, se non frivolis excusationibus, sicut ei Papa mendose imposuit, a peregrinatione reversum inchoata; sed maximè infirmitatis causa, illius super hoc testimonium invocans, qui est testis in cælo fidelis. Affirmavit insuper, quia quam citius sibi Deus prosperitatem præstiterit corporalem, votum suæ peregrinationis (sicut decet Imperatorem) cum honore congruo persolvere Domino procurabit. Inter cæteros siquidem Catholicos Regis, Literas auro Bullatas *Anglorum* Regi transmisit; proponens in eisdem Romanam Ecclesiam tanto jam avaritiæ succensam incendio, et concupiscentiâ manifestam; quod bonis Ecclesiasticis non sibi pro voto sufficientibus, Imperatores, Reges, et Principes exheredare, et Tributarios constituere non veretur. Habeat autem de præmissis Rex *Anglorum* ex se ipso exemplum, cujus \* Patrem, Regem scilicet *Johannem*, tandem excommunicatum tenuit, quousque ipsum et Regna ejus constituit sub Tributo. Habeant etiam generaliter omnes idem exemplum de Comite *Cholofano*, ut alios Principes multos; quorum terras et personas tandem sub Interdicto concludere molitur, donec illos in consimilem redigat servitutem. Simonias, exactiones diversas, et a sæculis inauditas, quas in Ecclesiasticas personas incessanter exercent; usuras manifestas, et palliatis, quibus hætenus incognitis totum mundum inficiunt, prætermitto. Sermones tamen super mel mellitos, et super oleum mollicos, insatiabiles sanguisugæ, dicentes Curiam Romanam esse Ecclesiam, matrem nostram, ac nutriticem: cum sit Curia prætarata omnium malorum Radix et Origō; non maternos, sed actus exercens nocivales, ex cognitis fructibus suis certum faciens argumentum. Revolbant hæc inclyti Barones Angliæ, quos Papa *Innocentius* Bullatis Literis communitos animavit, ut in Regem *Johannem* quasi Ecclesiæ inimicum insurgerent obstinatum. Sed postquam enormiter memoratus Rex est incurvatus, et se suumque Regnum Ecclesiæ Romanæ, velut effœminatus, mancipavit; prædictus Papa Proceres, quos prius sustinuit et excitaverat, postposito mundi pudore Dominiq; timore, conculcavit, morti expositos et miserabiliter exheredantos, ut more Romano, proterbo hiatu quod pinguis erat, pro dolo, absorberet! Et factum est; quod, incitante Romanorum avaritiâ, Princeps probraciarum facta est sub Tributo. Ecce mores Romanorum, ecce laquei Prælatorum; quibus universos ac singulos quærent illaqueare, nummos erungere, liberos subjugare, pacificos inquietare, in vestibitis obium, cum sint intus lupi rapaces; Legatos huc et illuc mittentes, excommunicare, suspendere, punire potestatem habentes;

habentes; non ut semen, id est, verbum Dei seminant fructificandum, sed ut pecuniam extorqueant, colligant, et metant quæ nunquam seminaverunt. Sicque fit, ut Ecclesias sacras, pauperum refugia Sanctorum Mansiones diripiant, quas pii ac simplices Patres nostri in refectionem pauperum ac peregrinorum et religiosorum sustentationem fundarunt. Ex nunc ad Imperia et Regna degeneres et ignobiles (quos solæ Literæ faciunt insanire) ausu temerario contendunt anhelari. In paupertate quidem & simplicitate fundata erat Ecclesia Primitiva, cum Sanctos quos Catalogus Sanctorum commemorat, fecunda paruriret. *Sed aliud fundamentum nemo potest ponere, præter illud quod positum est a Domino Jesu, ac stabilitum.* Porro quia in divitiis navigant, in divitiis volutantur, in divitiis ædificant, timendum ne paries inclinetur Ecclesiæ, ne maceria depulsa, ruina subsequatur. In nos etiam nobis scrutator omnium, injuste debagchantur, dicentes nos nolle terminis transfretasse constitutis: cum multa me de eo, et Ecclesia, et Imperio inevitabilia ac ardua negotia, præter infirmitatis incommoda, detinebant. Quorum primum fuit rebellium Siculorum insolentia. Nec videbatur nobis sanum fuisse consilium expediens Christianitati, nos in Terram Sanctam transisse, Bellum intestinum post terga relinquentes: sicut nec medico, ferro infixo vulnere, fomentum adhibere medicinæ. In conclusione quoque demum hæc adiecit, exhortans orbis Principes universos ut contra tantam sibi prospiciant avaritiam, et iniquitatem, quia

*Nota.*

*Tunc tua res agitur, paries cum proximus ardet.*

Ex hac itaque Imperator perturbatione commotus, excitavit contra Dominum Papam & Romanæ Ecclesiæ Patrimonium, seditionem gravissimam: invadens ejus Civitates, & occupans Castella. Sicut idem Papa per Literas suas Romano Legato Francorum directas, evidenter expressit; recorded at large by *Matthew Paris*, fraught with nothing but calumnies and lyes, to defame the Emperour.

These Antichristian proceedings against the Emperour, so exasperated the Citizens of Rome, that they expelled him the City, and chased him to *Perusium*.

Per idem tempus, populus Romanus in Papam Gregorium seditionem excitavit, & in sollemnitate Paschali illum ejecerunt ab urbe; insequentes eum usque *Viterbium* Castellum subm. Ubi fortiter invalescentes; fugaverunt eum usque *Perusium*. Papa, aliud vindictæ genus non habens, persecutores suos excommunicationis sententia innodavit. Which they dreaded not at all.

*Mat. Paris, Hist. Angl. p. 337.*

King *Henry* the 3d. upon receipt of the Popes Bulls against the Emperour, and the Emperours Letters against the Pope, sent this Letter to this Fire-brand, and another to the Emperour, advising an accommodation between them; for the better relief of the Holy-land.

**D**omino Papæ, Sanctitatis vestræ Literas devotione qua decuit recepimus contententes narratione brevi defectum succursus *Terra Sancta*, quem in præsentis sperabitis per Ministerium Imperatoris ordinatum fuisse: Sane dolorem vestrum, quem brevem esse decet, non audimus sine dolore, maxime, cum in salute vestra et Ecclesiæ statu pacifico regnantium pax consistat et Regnum. Recepimus autem postmodum Literas Imperatoris qui te multis gravaminibus & injuriis ei ut dicebat, præter suorum exigentiam meritorum, conquerendo, in eisdem Literis, notum fecit nobis, sicut & in aliis Regnis publicasse se dicit, quod in medio instantis Maii, proponit nihilominus transfretare. Literas easdem ostendimus Clerico vestro, Magistro *Stephano*, tunc præsentis nobiscum, de cujus consilio Imperatori rescripsimus consulendo, ut a debita vobis et Ecclesiæ devotione nullius temeritatis ausu recedens, humiliter obediat, et obsequatur vobis; Aquilæ

*Claus. 12 H. 3. m. 12. dorso.*

dem ut Patri et Domino, cui in totius fidelitatis et obsequii plenitudine adesse volumus et tenemur, consulimus in Domino pro negotio *Terra Sancta*, cujus liberationem mundus desiderare debet ardentius, quatenus eundem si cum humilitate debita ad cor reverti voluerit, vestrisque parere mandatis, misericorditer recipere velitis ad pacem. Teste Rege apud *Westmonasterium*, Vicesimo die *Februarii*.

The Emperour having recovered his health, to perform his vow, satisfie the Christians who had crossed and transported themselves to the Holy Land, pacifie the Pope, and wipe off all scandalous reproaches, and the Bulls of Excommunication, took shipping again for this expedition; yet the Pope would not absolve, but kept him still Excommunicated.

Mat. Paris,  
Hist. Angl. p.  
333.

**F**REDERICUS Imperator mare Mediterraneum ingressus, ut Domino votum peregrinationis persolveret, in vigilia Nativitatis Beatæ Virginis *Maria* apud *Achon* applicuit: venientes ei obviam Clerus terræ & populus cum magno honore, ut tantum dicebat virum, illum receperunt. *Verumtamen quoniam noberant eum a Papa excommunicatum, non ei communicaverunt in osculo, neque in mensa: sed consuluerunt, ut Domino Papæ satisfaciens, rediret ad Sanctæ Ecclesiæ unitatem.* *Templarii vero & Hospitalarii*, in adventu ejus flexis genibus adoraverunt eum, genua ejus deosculantes, & omnis fidelium, qui aderat exercitus, glorificabant Deum in adventu ipsius: sperantes quod per eum fieret salus in *Israel*. Tunc Imperator (as he had just reason) ad universum exercitum gravem deposuit querimoniam, de Pontifice *Romano*, quod injustam tulerat in eum sententiam: affirmans se gravissimæ infirmitatis causâ, & aliorum arduorum negotiorum, quæ totam tangebant Christianitatem, iter suum ad *Terra Sancta* subsidium distulisse.

This perverse Pope on the contrary, to evidence his implacable malice against the Emperour, instead of absolving him from his Excommunication for not going to the Holy Land, now resolves not only to continue it, but makes actual War upon his Territories, to deprive him of his Temporal Crown, as Contumacious and Rebellious, because he went thither, and set up *John de Brennes* (whom he made his Général) Emperour in his Throne: as *Matthew Paris* thus relates.

Anno 1219.  
Mat. Paris Hist.  
Angl. p. 346.

**C**irca dies istos, Papa *Gregorius* nimis moleste ferens, quod *Romanorum* Imperator excommunicatus & rebellis, ad *Terram Sanctam* transierat: de illius poenitentia & satisfactione, ut rediret ad Ecclesiæ unitatem, non mediocriter desperabat. Decevit ergo eum, quem contumacem vidit & rebellem, ab Imperiali fastigio depellere: & alium quemlibet filium pacis & obedientiæ, loco ejus subrogare. Sed quoniam hujus rei certitudo nobis non nisi per alios constare potuit, ponemus hic Literas *Thoma* cujusdam Comitis, quem Imperator cum quibusdam aliis in recessu suo, Imperii tutorem constituit & rectorem: quas Imperatori super hoc negotio in *Syriam* destinavit, & quas a quodam fide digno suscepimus peregrino.

*Excellentissimo Domino Frederico, Dei gratia Imperatori Romanorum, & semper Augusto, ac Siculorum Regi potentissimo; Thomas Comes Atteranensis, sumus in omnibus fidelis ac devotus, salutem, & de Hostibus triumphare. Post recessum vestrum, Domine Excellentissime, Gregorius Pontifex Romanus, & magnificentia vestra Hostium publicum, congregato exercitu copioso per Johannem de Brennes, Regem quondam Hierosolymorum, & alios quosdam viros strenuos, quos militia sua Principes constituit; terram vestram & hominum vestrorum hostiliter ingressus, contra Legem Christianam decrevit vos in gladio vincere materiali, quem non potuit desicere in gladio, ut asserit, spirituali. Nam Johannes prefatus, de Regno Francorum, & aliis conterminis regionibus, militiam contrahens non modicam; sub spe Imperii, si vos possis subigere, de Theauris Apostolicis, suis militibus stipendia ministrat. Itaque idem Johannes, & alii sedis Apostolica principes militum, terram vestram & hominum vestrorum Hostiliter ingressi: Ignem in adificiis & villis accumulunt, stola & armenta rapiunt, homines captos diversis cruciatibus torquent, & ad gravissimam redemptionem compellunt: nulli sexui parvum, nec cuiquam extra Ecclesiam vel Camiterium deserunt: Vicos*



*Vicos & Castellæ capiunt, non habentes ad hoc resp. cum, quod illi in servicio Jeshu Christi. Et si quis de Imperatore mentionem facit, Johannes d. Breunes affirmat, non esse alium Imperatorem præter ipsum. Mirantur super his amici vestri, Excellentissime Imperator, et præcipue Clerus Imperii vestri: quæ consideratione et conscientia talia facere potest Pontifex Romanus, et contra Christianos arma movere. Maxime cum Dominus dixerit Petro, in gladio materiali percutere volens: Mitte gladium tuum in vaginam. Omnis enim qui percusserit in gladio, peribit. Vel quo jure possit ille qui quasi diebus singulis prædones, incendiarios, et Christianorum tortores excommunicat, et ab Ecclesiæ unitate separat, talibus assensum præbere, et Auctoritatem præstare, similiter admirantur. Proinde nunc obsecro, Imperator potentissime, securitati vestra & honori super præmissis: quia inimicus vester sapeditus, Johannes de Brennes, omnes Portus cismarinos cum exploratoribus armatis non paucis munivit: ut si forte incautus a peregrinatione redires, ipsi vos sub captione conclusum in carceraret, quos Dominus avertat.*

Can any Romanist, Pontifician, Christian, Turk, or Sarazen read these unchristian extravagant proceedings of the Pope, but with highest detestation of his Diabolical impiety, malice, and injustice? But though this Pope unjustly persecuted him with fire and sword, and cursed him with Bell, Book and Candle, yet God so blessed him with successe, that he speedily recovered *Jerusalem* and the *Holy Land* out of the *Sarazens* hands, of which he gave a full account in his Letter to King *Henry* the 3d. which you may peruse at leisure in \* *Matthew Paris*; the form and inscriptions of the Golden Bull or Seal thereto affixed; (which are memorable) he thus describes.

\* Hist. Angl. p. 343, 344, 345.

**F**orma Bullæ Imperatoris aureæ erat talis: Ex una parte erat Imago Regia, & scriptum in circuitu, *Fredericus Dei gratia Romanorum Imperator, & semper Augustus*. Ex una parte vero Regalis Imaginis, scilicet super dextrum humerum, scriptum est, *Rex Jerusalem*. Ex alia parte ejusdem Imaginis, scilicet super sinistrum humerum, scriptum est, *Rex Sicilia*. Ex alia autem parte Bullæ, insculpitur quædam Civitas, scilicet *Roma*, & scribitur in circuitu, *Roma Caput Mundi, tenet orbis fræna rotundi*. Erat autem Bulla, aliquantulum major Bulla Papæ.

An. Dom. 1229.  
Mat. Paris Hist.  
Angl. p. 345.

It is evident by the last Motto in this Seal, That the Emperour esteemed himself, not the Pope, *The Head of the World, and of Rome is self*, of which he held the reins; that the Pope had no real Jurisdiction in or over it, but only by pretext of St. *Peter* usurped and abused Keys; which yet terrified his Superstitious Votaries of the Clergy so much, that none of the Bishops would or dared to say Masse within the walls of *Jerusalem* it self; when recovered from the *Sarazens*, so long as the Excommunicated Emperour was within it; so much did they obey and fear this unchristian Pope, more then God; or this Victorious Emperour: witnesse this relation.

Mat. Paris Hist.  
Angl. p. 345.

**I**ngressus est igitur, Sanctam Civitatem *Hierusalem* exercitus Christianus, & Patriarcha cum Episcopis suis Suffraganeis mundificavit Templum Domini & Ecclesiam Sancti Sepulchri, Sanctæque Resurrectionis ejusdem, cum aliis Ecclesiis Sanctisque locis Venerabilibus Civitatis, abluentes pavementum & parietes aqua benedicta, & agentes processiones in hymnis & canticis, reconciliaverunt Deo loca universa, diuturnis infidelium sordibus prophanata. **Verum, quamdum Imperator, qui excommunicatus fuerat, intra urbis mœnia moram fecit, nullus Prælatum** (such was their baseness and impiety) **Nullam celebrare præsumpsit.** Magister tamen *Walterus*, frater quidam de ordine prædicatorum, vir religiosus, providus, ac discretus, & in divina pagina eleganter eruditus, *Anglicus* natione, qui a Domino Papa officium prædicationis, in quo singulariter floruit, expeditus; in exercitu Christi susceperat, quod etiam per aliquod tempus feliciter impleverat, celebravit divina in Ecclesiis suburbanis: unde devotionem fidelium plurimum excitando, ad obsequium crucifixi arctius animavit.

\* Mat. Paris,  
Hist. Angl. p.  
346, 347.

The Pope enraged with (instead of rejoycing at) the Emperours Victorious proceedings against the Sarazens, as he invaded his Empire with fire and sword, to de-throne him at home, so he suborned the ambitious \* *Templers* and *Hospitalers* (who envyyed his successes) to betray him to the Sarazens, to murder, or take him Prisoner in the Holy Land, *sumpserunt cornua ex odio Papali; audierant enim, quod jam Papa Imperium hostiliter invaserat.* But this their Treachery was so execrable to the very *Soldan* of the Sarazens, made privy to it, that he revealed it to the Emperour, and so prevented his destruction; who thereupon gave more affectionately to this Pagan *Soldan*, then to this Antichristian Pope, or unchristian, perfidious *Templers*.

Mat. Paris Hist.  
Angl. p. 346,  
to 350.

Moreover the Pope procured *Geraldus* Patriarch of *Jerusalem*, to write a Letter to all Christians concerning his slow proceedings against the Sarazens, fraught with scandals, which the Pope disperseth into all parts, especially in *England*, to defame and withdraw the peoples affections from him: Which done, *Papa ad ejus dejectionem diligentius solito insurrexit, & collectioni pecunie haviit avidius*, both in *England* and elsewhere, of which more in its due place.

These Antichristian Papal Usurpations over, and proceedings against the Emperour abroad, were published by the Popes Legates and Instruments in *England*, to overawe, terrifie the King and Nobles, as well as Clergy, and abate their oppositions against his Usurpations and Encroachments on their Rights, especially in cases of Provisions, Appeals about Elections, and Church affairs, wherein he acted arbitrarily what he pleased, as these passages evidence.

Anno 1228.  
Mat. Paris Hist.  
Angl. p. 332.

**E**odem Anno, Cassata *Roma* electione Magistri *Wilhelmi Scoti Dunelmensis* electi, *Robertus Sarisburiensis* Episcopus ad eundem Episcopatum electus est, postulatus, & translatus: post cujus promotionem Canonici *Sarisburienses* elegerunt Magistrum *Robertum Bingham* Canonicum suum in animarum suarum Episcopum & Pastorem. Quo utique anno decisa est contentio inter Monachos *Coventrenses*, & Canonicos *Litchfeldenses*, super Episcopo eligendo, *Roma* per sententiam diffinitivam: Ita ut deinceps Episcopos alternatim eligant, Monachi primum, & Canonici eo defuncto alterum. Hoc tamen observato, ut Prior *Coventrensis* in electione primam semper habeat vocem. In hac autem sententia videtur plurimum juri Monachorum fuisse derogatum, qui eatenus semper Pontifices elegerant absque Canonicorum consensu.

\* Here p. 307.

This year there grew a new contest between the King and Monks of *Canterbury*, about the election of the Archbishop, which occasioned an Appeal and decision of the election by the Pope at *Rome*, whereby the Pope got two years payment of his Annual Pension granted by King *John*, (as you \* heard before) and a Tenth in promise the Historian will inform us.

Mat. Paris Hist.  
Angl. p. 337.  
Mat. Parker  
Antiqu. Eccles.  
Brit. p. 158. in  
Richardo, God-  
wins Catalogue  
of Bishops, p.  
64, 65.

**E**odem Anno, *Stephanus Cantuariensis* Archiepiscopus, apud *Stindonam* manerium suum vii. Idus *Julii* diem clausit extremum: & *Cantuarie* sepultus est pridie Nonas ejusdem. Quo sepulto, Monachi *Cantuarienses* impetrata a Rege licentia, elegerunt Monachum de gremio Ecclesie sue, Magistrum *Walterum de Hemesham*, iiij. Nonas *Augusti*; quem cum Monachi presentassent Regi, ipse post diutnam deliberationem, eundem electum certis objectionibus refutavit. Primo quidem, ipsis objecit, Monachis, Quod talem elegerunt, qui sibi inutilis erat in Regno. Secundo, Quod Pater ejusdem de furto convictus, patibulo suspensus fuit. Tertio, Quod steterat in causis contra Patrem suum Regem *Johannem*, tempore Interdicti. Episcopi preterea *Cantuariensis* Ecclesie Suffraganei, eidem electo objecerunt; quia Sanctimoniale quandam opprimerat, et ex illa pueros susceperat. (A very chaste Monk, fit to be Primate of all *England*.) Adjicientes insuper, Quod electus Archiepiscopi sine Moxum presentia non dederat celebrari. Electus vero prout, electioni factae firmiter adherens, post appellationem interpositam, assumptis sibi Monachis quibusdam *Cantuariensibus*, Domini Papae se conspectibus presentavit: petens instanter, ut electionem factam confirmaret. Sed Dominus Papa, cum cognovisset, quod a Rege et Episcopis electio contrabita fuisset, distulit negotium, donec rei certitudinem cognovisset. Rex autem & Episcopi, cum audissent, quod electus memoratus ad Curiam *Romanam* iter arripuerat: objectiones premissas in scriptum redactas, & tam Regio quam Episcoporum sigillo roboratas, per *Roffensem* & *Cestrensem* Episcopos Domino Papae transmiserunt, Magis-

strum *Johannem Bedefordensem* Archidiaconum hujus negotii constituentes patronum. Nunti tandem *Romam* pervenientes, Domino Papæ Regis & Episcoporum Literas porrexerunt. Quibus Papa diligenter inspectis, de consilio Cardinalium statuit paribus diem in crastino cinerum: ut tunc mediante justitia causam sententialiter diffiniret.

**E**odem tempore, instante die cinerum, qui electo *Cantuariensi* & Nuntiis Regis *Anglorum* fuerat præfixus; ut quid de Jure foret a Papa diffiniendum inter partes, procuratores dicti Regis, scilicet Magister *Alexander de Stavenesse* Episcopus *Cestrensis*, & Magister *Henricus de Sanford Rossensis* Episcopus, & præcipue Magister *Johannes de Henton*; Dominum Papam & Cardinales omnes assiduus petitionibus convenerunt: sed illos invenientes ex more difficiles, timuerunt valde a suo desiderio defraudari. Unde habito tractatu detestabili super præmissis, promiserunt Domino Papæ ex parte Regis *Anglorum*, ab universo Regno *Angliæ* et *Hybernæ* decimationem omnium rerum mobilium, ad guerram suam contra Imperatorem sustinendam, ut eos in Regis proposito exaudiret. At Dominus Papa, qui rebellem Imperatorem super omnia æstuabat desicere, tantis promissionibus exhilaratus, trahitur ad consensum, et \* sedens in Consistorio, hæc quæ sequuntur proposuit.

Anno 1129.  
Mat. Paris Hist.  
Angl. p. 342.  
Mat. Parker  
Antiqu. Eccles.  
Brit. and God-  
wins Catalogue  
of Bishops, in  
the life of  
Richard.

\* If Popes can  
Judge for meet  
bribes, promises,  
as here, why not  
erre likewise in  
Judgement sit-  
ting in their  
Chairs?  
Mat. Paris Hist.  
Angl. p. 342.

**N**uper ad audientiam nostram pervenit, electio *Cantuariensis* Ecclesiæ, de qua-  
dam Monacho *Waltero* nomine. Et postquam audivimus quæ pro se idem  
Monachus, & pro sua electione proposuit, auditis etiam objectionibus & exceptioni-  
bus Episcoporum *Angliæ*, tam contra electionem præfatam, quam in personam electi,  
per Venerabiles fratres nostros *Coventrensem* & *Rossensem* Episcopos, & dilectum fi-  
lium Archidiaconum *Bedefordensem*, in audientia nostra propositis, examinationem  
circa electi prænominati personam, Venerabilibus fratribus nostris Domino *Albanen-  
si*, Domino *Thoma de Sancta Sabina*, & Magistro *R.* Cardinalibus, commisimus faci-  
endam. Cumque electus coram illis constitutus, requisitus esset de descensu Domi-  
ni ad inferos, utrum in carne, vel sine carne descenderit? male respondit. Item, de  
confectione corporis *Christi* in altare? male respondit. Item requisitus, de *Rachele*  
qualiter plorabat filios suos; cum primo esset mortua? male respondit. Item re-  
quisitus, de sententiâ excommunicationis contra juris ordinem lata? male respondit.  
Item requisitus, de matrimonio si alter contrahentium infidelis decesserit? male re-  
spondit. Super his omnibus articulis diligenter examinatus est a Cardinalibus, quem  
non solum dicimus minus bene respondisse, sed pessime. Cum igitur, Nobilis  
sit Ecclesia *Cantuariensis* et nobilem habuisset Prælatum, vtrum  
discretum, modestum, et de gremio *Romanæ* Ecclesiæ assumptum:  
et iste modo electus, quem non solum pronunciamus indignum, imo si  
de rigore juris procederemus, aliud dicere cogere mur, ita insuffici-  
ens est, quod ad tantum honorem non debet assumi, electionem de ipso  
factam omnino cassamus, Provisionem nobis dictæ Ecclesiæ reservan-  
tes. Here he gives Judgement for himself in the cloze of his Bull, though against  
the elect Archbishop in the premises; robbing both the King and Monks of their  
Rights and Priviledges.

**C**assata sane in hunc modum electione præfata, procuratores Regis *Angliæ* &  
Episcoporum *Cantuariensis* Ecclesiæ Suffraganeorum, Literas de rato eorundem  
tam Regis quam Episcoporum, in Domini Papæ præsentia exhibentes: proposue-  
runt de Magistro *Richardo Lincolnienfis* Ecclesiæ Cancellario, quod esset vir eminen-  
tis scientiæ & literaturæ, ac conversationis honestæ, quodque tam Ecclesiæ *Ro-  
manæ*, quam et Regno *Angliæ* esset non mediocriter fructuosus: atque modis  
omnibus coram Domino Papa ejus personam commendantes, Dominum Papam tra-  
hunt cum suis Cardinalibus ad consensum. Sicque memorato *Richardo*, non electo  
ad Archiepiscopum, sed dato; Dominus Papa Suffraganeis *Cantuariensis* Ecclesiæ Li-  
teras in hæc verba direxit.

Mat. Paris Hist.  
Angl. p. 343.  
Mat. Parker  
Antiqu. Eccles.  
Brit. & God-  
win in the life  
of Richard the  
Great.



\* Let him shew by what Text such a plenitude of power, to conferre all Bishopricks by his Bulls and Provisions, without due election, or Kings consent, is granted to him or Peter.

\* Had it not been for this neither the Pope, nor King, nor Bishop elect would have contended for the bare Spiritual office.

\* Perfidiosissimi proditoris had been a truer Epichite.

\* In Treasons and Rebellions against his lawful Sovereign, and the Pope too at last.

\* Without any precedent election.

\* The Tenth, and money promised him, not Gods grace, procured his Provision.

**GREGORIUS** Episcopus, &c. Ex commissa nobis a \* Domino cura Pastoralis officii, et concessa ( licet immeritis ) plenitudine Ecclesiasticæ potestatis, cogimur Ecclesiarum omnium per quotidianam instantiam, sollicitudinem et curam gerere, eisque cum necessitas ingruerit, et ex iustitiæ debito, et ex gratiæ beneficio, paternam diligentiam providere. Inter cæteras autem particulares Ecclesias, & metropoles universas ad *Cantuariensem* Ecclesiam, tanquam ad nobilissimum sedis Apostolicæ membrum, in ejus opportunitatibus oculos considerationis expandimus; quam mater Ecclesiarum, Apostolica sedes, tanto benigniori debet favore prosequi, quanto eam inter alias divina dispositio in spiritualium plenitudine et \* temporalium ubertate gratia prætulit ampliori. Hanc etenim velut paradisum voluptatis, et hortum deliciarum, ordinati- one sua plantabit altissimus, de qua producere valuit lignum scientiæ boni et mali: in institutione dignitatis metropolitæ, lignum vitæ: in ordine religionis Monasticæ, et regularis observantiæ disciplina, ligna pomifera: in Suffraganeis, quæ per operationem Sanctam delectant in visu, per fidelem Doctrinam delectant in gustu, per optimonem bonam recreant in olfactu. De eodem loco subitus egreditur, per quem \* gloriosissimi Thomæ Martyris sanguis exprimitur; qui dum vitam mortuis, sanitatem ægrotis, libertatem servis, et audaciam timidis contulit; inde progrediens, in quatuor procububio capita derivatur. Cujus miraculorum excellentium signa dum sollicita meditatione discutimus, ratas & insolitas divinæ plantationis delicias invenimus. Hujus itaque paradisi custodiæ, bonæ memoriæ Stephano quondam Cantuariensi Archiepiscopo, Sanctæ Romanæ Ecclesiæ Cardinali, viro utique \* preminentissime donis scientiæ, et munere gratiæ, supernis carismatibus delibuto, et erepto de carnis ergastulo, et ad paradisi celestis jucunditatem et requiem, sicut speramus et credimus, evocato: dilecti filii Cantuariensis conventus, electionem celebratam ab eis de Waltero Monacho Cantuariensi, nobis præsentare curarunt. Qua primo electionis merita, et examinata personæ literatura, iustitiæ mediante, cassata: hominem culminis, quem per vitam et scientiam, intellectum pariter et affectum, ad imaginem et similitudinem Dei conditum, habentem per salutarem Doctrinam vitæ spiraculum, in paradiso, ut operetur et custodiat illum, duximus collocandum, Magistrum Richardum Lincolnæ Cancellarium; quem tam ex fratrum nostrorum, qui eum in scholis noverunt, quam ex venerabilium fratrum nostrorum Rossensis et Coventrensis Episcoporum, et aliorum plurium testimonio, virum doctissimum eminentis literaturæ, conversationis honestæ, sanctæ integerrimæ, excellentissimæ industriæ, zelatorum animarum et Ecclesiasticæ libertatis, Cantuariensis Ecclesiæ, de fratrum nostrorum consilio, præsentibus præfatis Episcopis, \* præficimus in Archiepiscopum et Pastorem. Quapropter fraternitatem vestram monemus, & hortamur, per Apostolica scripta mandantes, quatenus tanquam charitatis filii & devotionis, ipsam ad honorem omnipotentis Dei, & Apostolicæ sedis, & *Cantuariensis* Ecclesiæ recipientes, cum humilitate debita & devotione sincera, intendatis eidem, & tanquam Patri & Pastori animarum vestrarum, & Metropolitano vestro obediat humiliter & devote. Gaudete quidem debetis in Domino, quod \* illius gratia principaliter cooperante, qui inspirando prævenit, et adjuvantem prosequitur, provissum est laudabiliter Ecclesiæ viduatz. Data, &c.

This is the first instrument and form I find in History or Record, of a Popes Provision to a Bishoprick, which you see is very specious, lofty, Pontifical, rhetorical.

Though

Though the Pope by reason of the differences between the King and Monks, usurped by Provisions, thus to fill the See of *Canterbury* in the case of *Stephen Langton* before, and this *Richard* his immediate Successor, being of greatest concernment for the Popes interest on the one hand, and the Kings Church of *England* on the other, yet where the King gave his Royal assent to Bishops duly elected by his License, where there was no competition the Pope interposed not, as these two presidents in the self-same year attest.

**E**odem Anno, *Eustachius Londinensis* Episcopus diem clausit extremum. In cuius loco Canonici elegerunt Magistrum *Rogerm*, cognomento *Nigrum*; virum in literatura profundi pectoris, honestum, ac per omnia laudabilem, religionis amatorem ac defensorem, omni genere superbiz carentem, Canonicum de gremio Ecclesie sue: quem Dominus Rex sibi presentatum, sine difficultate recepit. Eodem tempore obiit *Galfridus Elyensis* Episcopus, mense *Decembri*, & sepultus est in Ecclesia Cathedrali sua, pridie Idus mensis ejusdem, sicut et predictus *Eustachius* in sua. Quo *Galfrido* defuncto, Monachi elegerunt communi assensu *Hugonem Sancti Edmundi* Abbatem. Qui Regi presentatus, grateranter susceptus est, et Episcopatus bonis omnibus investitus.

Mat. Paris. Hist. Angl. p. 340. Godwins Catalogue of Bps. p.

*Richard* Archbishop of *Canterbury* by Provision, and these two Bishops elect, were the next year consecrated all together, as *Matthew Paris* informs us.

**E**odem tempore, in die *Sancta Trinitatis*, Convenientibus *Canuariensis* Ecclesie Suffraganeis apud eandem Civitatem, consecratus est Magister *Richardus Cantuariensis* electus, per manum *Henrici Rossensis* Episcopi, \* sine pallio, (therefore not absolutely necessary) ita quod licuit ei vel ordines celebrare, vel Ecclesias dedicare. Consecrati sunt etiam cum eo eadem die, per ministerium ejusdem Episcopi, ante majus altare in Ecclesia *Sancta Trinitatis*, *Rogerus* electus *Londinensis*, & *Hugo Elyensis*, iii. Idus *Junii*.

Mat. Paris Hist. Angl. p. 350. \* He had not then paid for it, being never sent but for ready money paid down.

What Letters of recommendation and reception of other Bishops this Pope sent to the Bishops of *England*, you may discern by this relation.

**H**oc denique Anno venit in *Angliam* Archiepiscopus quidam *Armenia* majoris, gratia peregrinationis: ut Sanctorum *Aussicana* Regionis reliquias, & loca venerabilia, sicut & per alia Regia fecerat, visitare. Literas quoque Domini Papae ad commendationem persone sue, viris Religiosis et Prelatis Ecclesiasticis exhibuit, ut ab ipsis cum debita reverentia reciperetur, et honorifice tractaretur. Hic demum, cum apud *Sanctum Albanum* veniens, causa orandi *Anglia* proto-Martyrem, ab Abbate & Conventu reverenter susceptus est. His fabulous story of the life of *Joseph of Arimathea*, even at that day in *Armenia*, (therefore if true not dead and buried at *Glastonbury*) you may read in *Matthew Paris*.

Mat. Paris Hist. Angl. p. 339.

How the Pope and his Legates (at the Kings special request) intermeddled in restoring the Impropriations and Churches alienated from the Bishoprick of *Carlisle*, appears by the \* *premises*, and this ensuing Record.

\* Here p. 375, 376, 377.

**Q**uia constat Domino Regi, Ecclesiam de *Novo Castro* super *Tinam*, simul cum quibusdam aliis Ecclesiis a Prædecessoribus Domini Regis, Ecclesie *Carleolensis* fuisse collatam, rogat Dominus Rex *Eborum* Archiepiscopum, quatenus cum ipsa Ecclesia vacans fuerit, quod suum est in hac parte, secundum ordinationem *Authoritate Domini Papae* faciam, a bonæ memoriæ Dominis *G.* titulo *Sancti Martini*, Presbytero Cardinali, & *P. Norwicensi*, Episcopo, *Apostolicæ sedis* Legatis, exequatur circa personas Venerabilis Patris *Carleolensis*, Episcopi. Teste, &c.

Clanf. 12 H. 3. m. 14. intell.

*Pluralities* being prohibited by many Councils and Canons, the Pope took upon him, notwithstanding these Canons, (for money) to grant Clerks *Dispensations* to hold *Pluralities*. Amongst others, he granted a Dispensation to two of King *Hen-*

ries

ries Clerks, which he should name to hold pluralities, whom he nominated by these his Letters Patents.

Anno 1228.  
Pat. 12 H. 3.  
m. 6. intus.

**U**T R. Sar. Episcopus, sciat quibus Dominus Rex vult gratiam dispensationis impendi, quam dominus Papa Domino Regi concessit, de duobus Clericis suis ut plura obtineant beneficia, eidem Sar. Episcopo significat Dominus Rex, quod gratiam istam fieri vult L. Capell. Decano sancti Martini London. & Waltero de Kirkham; In cujus, &c. Teste Rege apud Westmonasterium Decimo Tertio die Februarii.

The King opposing the election and consecration of Bishops in Ireland without his precedent License to elect, and special approbation of them when elected, they thereupon appealed to the Pope; who sometimes heard both parties at Rome, sometimes referred the Appeal to be heard and determined by the Archbishop of the Province in Ireland; before whom the King constituted his proctor, to defend the Rights of his Crown by this ensuing Patent.

Pat. 12 H. 3.  
m. 6. intus.

**R**EX Venerabili Patri in Christo Archiepiscopo Cassel. & Episcopo Fernensi & dilecto & fideli suo G. de Theurevil Archid. Dublin salutem. In causa qua versum coram vobis de mandato Domini Papa, inter nos & Magistrum Johannem Ocolingham, qui se gerit Electum Imelic, super Electione qua de ipso dicitur celebrata fuisse, dilectum & fidelem nostrum Magistrum Laurentium de London. Procuratorem nostrum constituimus ad Jura nostra procuranda et defendenda, ratum habituri, & gratum, quicquid in pradiitis vice nostra duxerit faciendum. Hoc idem parti adversæ significamus. Teste Rege apud Lambeth. Decimo die Maii.

How fraudulently and unworthily the Bishops in Ireland, dealt with the King, this writ for seizing the Temporalties of the Bishop of Lismore into the Kings hand, for his fraud, will discover.

Claus. 12 H. 3.  
m. 10. intus.

**R**EX Dilecto & fideli suo Richardo de Burg. Justic. suo Hibernia salutem. Quia Magister Griffinus, qui gerit se tanquam Electum Lismorensensem, nos decepti prout intelleximus, asserendo se electum esse in Episcopum Lismorensensem et confirmatum, cum non sit confirmatus, vobis mandamus quatenus statim vobis Literis istis, Episcopatum Lismorensensem qui est in manu ipsius Magistri Griffini, cum omnibus pertinentiis suis et terris, et rebus, et redditibus, et omnibus possessionibus, ad eundem Episcopatum pertinentibus, in manum nostram capiatis, et salvo custodiat, donec aliud inde præceperimus. Teste meipso apud Westmonasterium Vicesimo Quinto die Aprilis.

Although these Irish Bishops and Clergy men, were very prone to invade the Kings Rights and Royalties, yet they were very backwards to contribute to his necessities or supplies though \* commanded by the Popes special Bulls, as this Record attests.

Pat. 12 H. 3.  
m. 4. intus.

**R**EX Archiepiscopo Armachano & suffraganeis suis salutem. Quia nondum impensum est nobis auxilium a Prælatiis et Clero Hiberniæ, sicut in Anglia jampridem nobis est impensum: Et sicut Dominus Papa tam in Hibernia, quam in Anglia nobis fieri mandavit, rogamus Paternitatem vestram, affectuose. Quatenus, quo et quantum indigeamus auxilio ple pensantes, ac mandato Domini Papæ reverenter obtemperantes, petitum jam pridem subsidium, sine mora nobis impendere velitis, et ab aliis impendi omni adhibita diligentia procuretis, ut tam munificentia vestra liberalitatem propriam, quam erga alios adhibitam diligentiam, multiplici gratiarum actione prosequi debeamus speciosiores et obnoxiores solito vobis affectu. Teste

ut



ut supra fiat autem solutio prædicti auxilii ad scaccarium nostrum *Dublin*, in manus *J. Fernensis, & G. Archid. Dublin.*

The Archbishop instead of collecting monyes for the King upon these Letters, procured this Patent for him to receive the profits of all the Temporalities of Bishopricks falling voyd in *Ireland* during their vacancy, to satisfy a debt owing him by the King, till his debt should be fully payd.

**R**EX Justiciario *Hibernie* salutem. Sciatis quod concessimus *Alextandro Patri h. Dublin. Archiepiscopo*, Custodiam omnium Archiepiscopatum et Episcopatum quos de cetero vacare contigerit, in *Hibernia*, ad percipiendum fructus et exitus inde provenientes quamdiu vacaverint per manum *Alextandri Patri h. Fernensis Episcopi*, et dilecti et fidelis nostri *G. de Currevill Archid. Dublin.* donec debitum quod eidem Archiepiscopo debemus, de prædictis fructibus et exitibus ei plene solverimus; Cum autem soluto debito inde quieti fuerint prædicti Episcopus et *G. de Currevill* exitus et fructus ab hujusmodi Archiepiscopatibus et Episcopatibus vacantibus provenientes ad opus nostrum reservent, inde ad Scaccarium nostrum *Dublin.* respondeant quam diu nobis placuerit. Et ideo vobis mandamus quod cum contigerit Archiepiscopatus vel Episcopatus aliquos in *Hibernia* vacare, permittatis prædictum Episcopum *Fernensem* et *G. de Currevill* de fructibus et Exitibus inde provenientibus libere et sine impedimento disponere, ad respondendum inde prædicto Archiepiscopo, et nobis postquam debitum ipsius Archiepiscopi persolutum fuerit sicut prædictum est. In cujus, &c. Teste meipso apud *Westmonasterium* Undecimo die *Maii.*

Pat. 12 H. 3. m. 4. intus.

By this Patent the Kings right to retain, and dispose of the Temporalities and profits of all the Bishopricks in *Ireland*, during their vacancy, towards the payment of debts or otherwise, is most fully evidenced.

What power the Pope then obtained in promoting, ratifying Truces made between the Kings of *England* and *France*, when accorded and reduced by them into certainty, this Record will intimate.

**V**enerabili in Christo Patri *R. Dei gratia titulo sancti Angeli diacono Cardinali, & Franc. Legato H. &c. Rex Anglia, &c.* salutem & sinceram in Domino dilectionem. Grates paternitati vestre referimus super Literis vestris, quas nuper per dilectum & familiarem nostrum Abbatem de Cliva transmisistis, & de mandato quod idem Abbas, ex parte vestra ore nobis exposuit. Sane quamvis per eundem quondam illum ad vos misimus vestre paternitati, significassemus, quondam pacis formam illustrem Regem *Francia*, & nos ineundam idem reversus in nullo nos reddidit certiores de dicta forma a prædicto Rege *Francia*, approbata, vel etiam an illi esset adhuc patefacta. Et quoniam ad sedem apostolicam super tanto negotio non expedit mittere sub incerto, ad vos mittimus prædictum Abbatem, & dilectum & fidelem nostrum Magistrum *W. de Cantilupo*, rogantes, quatenus nos certificetis per eosdem, quæ forma certa pacis Regi placuerit memorato, ut sic demum *Annali certi Romani* mittantur, qui negotium illud sub certa forma procurent, secundum quod a partibus providebitur melius eidem negotio convenire. Teste Rege apud *Westmonasterium* sexto die *Februarii.*

An. 1219. Claus. 13 H. 3. m. 16. dorso.

That all elections to Bishopricks in *Ireland* ought to be made by the Kings precedent License to elect, or else they were absolutely voyd, will evidently appear by this memorable Patent, though ratifying a special election for certaine causes, made without it, with some cautions:

REX

Pat. 13 H. 3. m.  
12. intus.

**R**EX Capitulo *Leithlin*. & Clero ejusdem *Dioc.* salutem. *Licet Electiones* quæ assensu nostro irrequisito celebratæ fuerint in Ecclesiis Cathedralibus quæ de nostra sunt advocacione nullius esse debeant momenti, et pro nulla reputari, et post transitum piæ memoriæ R. quondam *Leithlin*. Episcopi, non optenta prius licentia nostra, ad eligendum vobis Pastorem processeritis, propter quod merito quantum ad nos nulla debeat esse Electio vestra. Volentes tamen ad præsens, de gratia nostra et pro honestate W. Archidiacon. *Leithlin*. Electi vestri vobis parcere Electioni factæ de ipso in Episcopum *Leithin*. regium Assensum præbere durimus et favorem; Ita tamen quod prius Literas vestras fieri faciatis patentes Justic. nostro *Hiberniæ* porrigendas, de petita a nobis eligendi licentia, ne futuris temporibus nobis aut heredibus nostris in Electione consimili præjudicium valeat generari. In cujus rei testimonium has Literas nostras Patentes vobis mittimus. Teste meipso apud *Westmonasterium* Decimo Quarto die *Novembris* Anno regni nostri Decimo Tertio.

This dispensation (though qualified in this manner) had this ill consequence, that it encouraged many Chapters and Convents in *Ireland* to proceed to elections without any precedent License from the King, and to procure a subsequent approbation or License afterwards, as subsequent Records will evidence. So dangerous is it for Kings to connive at, or dispence with such Inroachments upon their prerogatives, especially in case of ambitious, covetous, proud Prelates, and self-willed refractory Clergymen.

It seems there arose a question in *Ireland* in the 14th year of King *Henry* the 3d. whether Tithes should be payd of Fish in Ponds, especially such as belonged to the King; who by his Ecclesiastical Sovereign power, resolved and ordered they should be payd, and so declared by this Patent.

Pat. 14 H. 3.  
m. 4.

**M**andatum est Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, Civibus, Burgis, & omnibus infra Archiepiscopatum *Dublin*. quod non expectato mandato Regis vel assensu, de Surgitibus Piscariis Ecclesiis in quarum Parochiis sunt Prædicti Surgites vel Piscariæ, decimas solvant, quia Rex non vult in periculum animæ suæ hujusmodi decimas detineant. Teste meipso apud *Portesmu* Decimo Nono die *Aprilis*, Anno &c. Decimo Quarto.

\* Here p. 413.  
to 420.

You heard the year \* before of the Popes malicious slanders and persecutions of the Emperour *Frederick*, with excommunications, fire and sword, of his endeavours to exact monyes and Tenthes in all places especially in *England*, to carry on the war against him, and King *Henry*es Proctors promise to gratify him therein, for promoting his Chancellour *Richard* to the Archbishoprick of *Canterbury*, and vacating the Monks election; which he put in vigorous execution this year, publishing many libels against the Emperour to alien mens affections from him, which our Historians thus relate.

Mat. Paris, Hist.  
Angl. p. 348.  
Mat. Westm.  
An. 1239.  
Mat. Parker  
Antiqu. Ecclef.  
Brit. p. 157.

**V**enit eodem tempore in *Angliam* Magister *Stephanus*, Domini Papæ Capellanus, & nuncios ad Regem *Anglorum*; missus ut colligeret decimas; Domino Papæ a nunciis ipsius Regis *Roma* promissas, ad guerram suam sustinendam, contra Imperatorem *Romanorum* susceptam. Audierat enim idem Papa de Imperatore præfato multa detestanda, quæ faciebat contra legem Christianam: quorum tenorem in scriptum redigens, per diversas orbis partes literis Apostolicis publicare curavit. Proposuit autem contra eum imprimis, quod in die Annunciationis beatæ *Mariæ*; cum esset excommunicatus, intravit Sepulchri sancti Ecclesiam in *Hierusalem*, & ibi ante majus altare \* propria manu sese coronavit, & ita coronatus rese-

\* He might lawfully do it when the Pope would not absolve, nor the Bishops Crown him, or celebrate divine service before him against Gods command.

dit

dit in cathedra Patriarchatus; & ibi prædicavit populo, excusando malitiam suam & accusando Ecclesiam Romanam. Imponens ei, quod injuste, processerat contra eum, & notabilem eam fecerat invecive & reprehensivæ; de insatiabili & simoniali avaritia. (It seems Popes may defame and injure Emperours, but it is an unpardonable crime in them to complaine of their Symonies or Crimes.) Egressus autem ab Ecclesia in comitatu satellitum suorum, sine omni persona Ecclesiastica; portavit coronam usque ad palatium Hospitalis. Item in palatio suo Achonsi fecit convivari Saracenos, & fecit eis mulieres Christianas saltatrices, ad ludendum coram eis, quæ etiam ut dicebatur commiscebantur eis. Item, fœdus quod iniit cum Soldano nemo scivit qua conditione tractatum fuit inter eos, nisi ipse solus. Veruntamen manifeste videbatur quod magis approbaret (secundum quod perpendi poterat per gestus exteriores) legem Saracenorum quam fidei nostræ, quia in multis ritibus eorum imitatus est. Item, in scripto quod est inter ipsum & Soldanum, quod lingua appellatur Arabica Mosepha, continetur quod durantibus Treugis, ipse juvabit eum contra homines Christianos & Saracenos, & e converso Soldanus ipsum. Item, spoliavit Canonicos S. Crucis in Achona, quibusdam redditibus quos recipere debebant in portu Achonsi. Item, spoliavit Archiepiscopum Nicholsiensem in Cypro. Item, protexit quendam Episcopum Surianorum potentia seculari contra Patriarcham, ab excommunicato & Schismatico ordinatum. Item, spoliavit Canonicos sancti sepulchri oblationibus ipsius Sepulchri, & Patriarcham oblationibus Calvarie loci, & loci Golgotha, & Canonicos sancti Templi oblationibus suis, & per manus satellitum suorum fecit omnes oblationes istas colligere, propter quod factum frater Walterus. Excommunicavit eum in Civitate Hierosolymorum & satellites suos. Item, in die Palmarum prædicatores, de pulpito ubi prædicabant; viliter & violenter fecit dejeci, & crudeliter tractari & incarcerari. Item, infra passionem Domini, obsedit Patriarcham & Episcopos Wintoniensem, & Exoniensem, & Templarios in domibus suis, & cum vidit se non posse prævalere, confusus demisit. His igitur de causis, licet alix non desint, quicquid egit in terra sancta pro nihilo reputans, Dominus Papa, movit guerram contra ipsum, asserens, iustum esse et fidei Christianæ necessarium, ut tam validus Ecclesiæ persecutor a fastu Imperii depelleretur. Et quod his omnibus detestabilius est, contra matrem suam Romanam Ecclesiam gravem excitaverat persecutio: nem, ita quod Castella ejus cum terris et possessionibus occupaverat, et velut hostis publicus detinuit occupatas. (Was not this Pope herein worse then any Turk or Saracen? and was this in Christianity or conscience a just ground for the Pope to wage war against him, whiles he was by his own command fighting against the Saracens, with admirable successe?) After the Popes Legate had dispersed these and other Libellous Papers throughout England against the Emperour, as a prologue to his grand designe of extorting monyes, he thus proceeded.

\* Did not the Pope in truth rather do it then the Emperour?

\* It seems Monks as well as Popes presumed to excommunicate the Emperour, even whiles excommunicated by the Pope.

PER idem tempus, cum Magister Stephanus, Domini Papæ capellanus & nuncius, Regi Anglorum negotia ipsius Papæ & sui causam adventus ostendisset; fecit Rex convenire apud Westmonasterium, Dominica qua cantatur Misericordia domini, Archiepiscopos, Episcopos, Abbates, Priores, Templarios, Hospitalarios, Comites, Barones, Ecclesiarum Rectores, & qui de se tenebant in capite, ad locum præfixum & diem, ut audirent, negotia memorata, et de rerum exigentis communiter tractarent ibidem. Omnibus igitur congregatis, tam laicis, quam clericis, & eorum subjectis, Magister Stephanus coram omnibus recitavit literas Domini Papæ; in quibus exigebat decimas omnium rerum mobilium, de tota Anglia, Hibernia, et Walla, ab universis laicis et clericis, ad guerram suam sustinendam, quam contra Romanum Imperatorem susceperat Fredericum. Ostendit autem in literis memoratis, quod ipse solus hanc expeditionem susceperat pro universali Ecclesia, quam dictus Imperator, jam diu excommunicatus, & rebellis subvertere nictur, sicut evidentibus apparet indicis: (which himself did rather,) unde divitiæ sedis Apostolicæ cum non sufficiant ad ipsum

An. 1139.  
Mat. Paris. Hist.  
Angl. p. 349.  
Mat. Westm. p.  
113. Mat. Park.  
Antiqu. Eccles.  
Brit. p. 157. 158

\* An impious falsehood.  
\* Did Emperours inrich the Church of Rome to make War against themselves?



sum exterminandum, necessitate compulsus, ab universis Ecclesiis filiis implozat auxilium; per quod expeditionem inchoatam, et in parte jam foeliciter prosperatam perducere valeat ad desideratum effectum. Persuadet denique Dominus Papa, in conclusione negotii singulis Ecclesiarum membris, quatenus sicut filii naturales Ecclesiarum Romanarum, quæ mater est omnium Ecclesiarum, potenter subveni-  
ant, ne quod absit, ipsa deficiente, membra cum capite succumbere videantur. His & aliis in hunc modum in autentico Domini Papæ, pa-  
renter expressis, persuasit magister Stephanus omnibus qui aderant, ut con-  
sentirent, allegans \* honorem et commodum, qui posset exinde ob-  
temperantibus provenire. Rex autem Anglorum, a quo ceteri om-  
nes sperabant habere defensionis auxilium, factus est (quia sic opor-  
tuit fieri) baculus arundineus, cujus fragmenta vulneraverunt in  
se confidentes: qui Romæ per procuratores suos (ut \* supradictum  
est) ad decimas solvendas fuerat obligatus, non potuit contradi-  
cere: et cum nihil responderet, visus est tacendo assensum præbere.  
Comites vero, et Barones, ac laici omnes, plane decimas se da-  
turos contradixerunt, nolentes Baronias suas, vel laicas possessi-  
ones Romanæ Ecclesiæ obligare. (An Heroick English resolution.)  
Episcopi quoque et Abbates, Piores et alii Ecclesiarum Prælati,  
post trium vel quatuor dierum deliberationem et murmurationem  
non modicam, tandem consenserunt; \* metuentes excommunicatio-  
nis sententiam vel interdicti sibi inferri, si mandatis Apostolicis ob-  
viarent. Consentientes igitur corde quasi quasi, sub quadam summa  
pecuniæ finem conclusissent sibi tolerabiles; nisi (ut asseritur) Stepha-  
nus de Segrave, Regis tunc Consiliarius, vir quidem sui solius ami-  
cus, versus in arcum præbum, quadam simoniaca conventionione cum  
magistro Stephano facto, ad talem effectum rem perduxit, quod de-  
cimas ipsas plenarie sibi erigit et obtinuit, ad damnum Ecclesiæ  
et regni inestimabile. Sed iusto Dei iudicio, hæc fraudulenta pro-  
curatio prædicto Stephano Iusticiario non successit in prosperum. Tunc  
Magister Stephanus, Prælati omnibus Literas Domini Papæ pro-  
curatorias ostendit, quibus idem Papa ipsum ad dictas Decimas col-  
ligendas procuratorem constituerat, ut \* non secundum taxationem  
factam in Aicesima, quæ paulo ante Regi data fuerat pro libertati-  
bus obtinendis; sed secundum quod melius possunt, ad commodum  
Domini Papæ, et uberius omnia bona et mobilia singulorum taxari.  
Videlicet de omnibus redditibus, proventibus, fructibus carucarum, oblationibus,  
decimis, nutrimentis animalium, & fructibus, de omnibus obventionibus Ecclesia-  
rum, vel aliarum possessionum, quocunque nomine censeantur; non aliquibus  
debitis vel expensis aliqua occasione deductis. Habuit etiam ex eisdem Literis au-  
thoritatem Contradictores excommunicandi, et Ecclesias interdicendi. Unde  
constitutis procuratoribus suis in Angliis comitatibus regni, omnes  
illos excommunicabit, qui circa decimas ipsas reddendas, vel taxa-  
tionem faciendam per se, vel per alium, colludium, pactum iniquum,  
subtractionem vel fraudem aliquam duxerint faciendam. Et quon-  
iam negotium festinum exigerat auxilium, Prælati omnibus et aliis  
sub poena excommunicationis indixit, ut vel mutuo, vel alio quo-  
cunque modo pecuniam perquisitam sibi traderent indistincte, ut eam  
Domino Papæ incontinenti transmitterent, eandem postmodum, deci-  
mis singulorum rite taxatis, plenarie recepturi. Erat autem idem Papa tot & tantis  
involutus debitis, ut unde \* bellicam quam susceperat, expeditionem sustineret, pe-  
nitus ignoraret. Et sic soluto consilio, murmurantibus cunctis, recesserunt.

\* How proves  
he this?

\* Pudorem &  
Incommodum  
had been fitter.

\* Here p. 262.

\* O their base-  
ness.

\* The Popes  
Taxes must be  
at the improved  
clear value, to  
make them  
flaves, double to  
that they payd  
the King to  
make them  
freemen.

\* When did  
Christ or St.  
Peter give him  
commission to  
undertake such  
a War, to kill  
and destroy in-  
stead of feed  
his sheep and  
lambs?

REX

**E**This ita gestis, misit incontinenti literas suas magister *Stephanus* ad singulos Episcopos, Abbates, Priores, & cujuscunque professionis viros religiosos regni, sub pœra interdicti & excommunicationis, præcipiens, ut tali die tantam pecuniæ summam sibi transmitterent de moneta ad pondus denarii probata, & nuper fabricata, ut inde creditoribus Domini Papæ satisfacere posset, & ipsi pœnas evaderent Interdicti. Erat enim in hujus rei executione adeo improbus exactor, ut etiam de frugibus Autumnii futuri, qui adhuc in herba crescebant, singulos compelleret decimarum sibi precium exhibere. Prælati vero aliud remedium non habentes, calices, phialas, phylacteria, & alia sacra altaris vasa, quædam vendiderunt, nonnulla in pignus sub scœnore posuerunt. Præterea habuit idem magister *Stephanus* quosdam secum sceneratores nequissimos, qui se mercatores appellabant, usuram sub nomine negotiationis palliantes, qui egentibus, & exactionibus vexatis obtulerunt pecuniam: & urgente memorato *Stephano*, sub pœna gravissimâ, coacti multi mutuo cepere, qui postea in laqueos eorum inciderunt, damna irreparabilia incurrentes. Continuis maledictionibus, sed occultis, repleta est terra imprecantibus cunctis, Exactio suis fiat exactoribus nunquam fructuosa. Quod juxta vota populi accidit, quia

Mat. Paris, Hist. Angl. p. 349.  
Mat. Parker, Antiq. Eccles. Brit. p. 157.

*Non habet eventus sordida præda bonos.*

Ex eo autem tempore non defuerunt in terra *Anglicana* quidem transmontani qui se Mercatores nominant, usurarii impiissimi, qui nihil aliud quærunt nisi in laqueis suis, præcipue quos *Romana* curia angariat, illaqueare. Et sic abrasor pecuniarum magister *Stephanus*, Domini Papæ Capellanus, *Angliæ* fœda reliquit vestigia. Solus autem Comes *Cestrensis Ranulphus* stetit viriliter, nolens terram suam redigere in servitutem, nec permittit de feudo suo viros religiosos vel Clericos Decimas memoratas conferre; quambis Anglia et Wallia, Scotia et Hibernia ad solutionem compellerentur. (A Noble president) Hoc autem multis in hac decimatione solatium præbebat & levamen, quod \* regna transmarina & longe posita, non sunt ab hac exactione quæta. Cumque tandem istarum plenitudo divitiarum ad summum Pontificem pervenisset, ipse *Johanni de Bresnes*, & aliis militibus suis principibus, ita affluenter eas distribuit, quod graviter cessit in damnum Imperatoris, dum municipia ejus & castella in ejus absentia subvertebant.

\* This Pope was an universal Fleece and sleyer of all his sheep, instead of a faithfull feeder of them.

But the Emperor making a League for 10. years with the *Saracens*, and returning unexpectedly from the Holy land, interrupted his proceedings, and soon recovered all his Castles, so that the Pope was enforced by mediation of freinds to stoop to the Emperour and make his peace with him, beyond expectation.

**E**odem anno, cum *Fredericus Romanorum* Imperator Terram sanctam Christianitati restituisset, & treugas decennales a *Soldano Damasci* impetratas, juramento hinc inde confirmasset, in die inventionis Sanctæ Crucis, naves ascendit, ut transito mari Mediterraneo, reverteretur in terram suam. Sed quoniam audierat, quod a *Johanne de Brennes* infideli sibi parabantur (by the Popes procurement) in portibus cismarinis, inconsulte timuit applicare, & ne de ejus captione gauderent inimici illius, in tuto loco applicuit, præmissis exploratoribus suis, qui conduxerunt illum ad portum securitatis & salutis. Cum autem prospere in *Sicilia* applicuisset cum modico comitatu, audivit quod æmuli ejus jam castella multa subjugaverant, & municipia, & quod etiam per terras Imperii liberum haberent discursum, & debaccharentur multi Papæ stipendiarii, affluentia pecuniæ inestimabilis saginati, cum non esset qui eis obviaret. Sed cum tandem ejus divulgaretur adventus, confluebant ad eum homines Imperii naturales, qui per fidelitatem ei fuerunt attriçti. Quibus vallatus, & ex aliis adventantibus confortatus, audacter prorupit in hostes, & terras amissas ac castra cepit paulatim revocare.

Mat. Paris, p. 351. 352. Mss. West. p. 128. 129.

The next year, Tempore quadragesimali, Imperator *Romanus* contra hostes suos ita invaluit, quod castra sua & jura omnia ad Imperium spectantia, potenter revocavit: quoscunque in castellis suis ex adversariis suis cepit, aut vivos excoxiavit, aut patibulo suspendit. *Johannes* vero de *Brennes*, qui hostis ejus erat, & capita-

neus post Papam, metuens incidere in manus illius, fugit in *Gallias* ad natale solum, cum stipendiariis suis quos Dominus Papa rapinis religiosorum ditavit, & prædis a pauperibus captis undecunque honoravit. Et sic mediantibus amicis & viris religiosis, statuta sunt treuga inter Dominum Papam, & ipsum Imperatorem, quouique in aliquam pacis formam convenirent. Afterwards, mense *Augusti*, Dominus Papa *Gregorius*, & *Romanorum* Imperator *Fredericus*, mediantibus utrorumque fidelibus & amicis, in concordiam convenerunt. Veniens enim *Romam* dictus Imperator, absolutus est: omnibus ad jura Imperii spectantibus ex integro revocatis. Comederunt ergo simul magnus Sacerdos & maximus Imperator, in palatio summi Pontificis per triduum: gaudentibus Cardinalibus & Potentatibus Imperii, de concordia tam desperata, & tam subito confirmata. Which yet afterwards brake forth into greater flames then before.

Anno 1230.  
Mac. Paris Hist.  
Angl. p. 352.

The Bishops and Clergy having given and paid so large a Tenth to the Pope, to support his Wars against the Emperour, to deprive him of his Imperial Crown and Rights, King *Henry* thought it but just, they should contribute towards his own Wars, to recover his own Rights in *France*; whereupon, *Ad exactionem Regis, Archiepiscopi, Episcopi, Abbates, & Priores*, per Angliam totam Regi eidem pecuniam dederunt non modicam, quasi per eam subtrahita Patri suo jura posset revocare in partibus transmarinis.

The ungratefull, covetous, ambitious Bishops of *Ireland*, at this time usurping upon the antient Rights of the Crown, by endeavouring to deprive the King of the custody of their Temporalities during their vacancy, and their Tenants of liberty to sue in the Kings Courts, without the Popes assent thereto; the King thereupon writ this Letter to the Pope, and sent command to his Proctors strenuously to maintain his right, against these encroachments.

Claus. 15 H.  
3. dorf. 12.

**D**omino Papæ salutem: Quociens nova nos perurgent negotia quæ sedis Apostolicæ requirunt amiculum, totiens ad ipsam sub cujus protectione securi consistere debemus, sicut speramus, confugere necesse habemus. Cum igitur in grave præjudicium nostrum et Regiæ dignitatis læsionem qua prædecessores nostri Regis Angliæ usi sunt et gubissi, jam contendant Episcopi de terra nostra Hiberniæ, ea nos libertate privare, qua nos et prædecessores nostri soliti sumus Episcopis Hiberniæ decedentibus, Episcopatum suorum quamdiu vacaverint habere custodiam; Et quod eorum tenentes de cætero de placitis quæ per Literas nostras deduci et terminari solent, a Curia nostra Justitiam non requirant: Et ad hoc impetrandum contra nos specialiter Episcopum Limer. destinaverint, vel destinare proposuerint, ad Curiam Sanctitatis vestræ; supplicamus attentius et devote, quatenus per aliqujus suggestionem aliquid contra nos impetrare volentis nihil statui permittatis aut concedi, quod jura nostra lædat, aut potestate solita in hac parte nos destituat. Taliter preces nostras exaudientes quod contra persequentium nos machinamenta sub alis tuitionis vestræ indempnes consistere gaudeamus. Teste Rege apud *Hereff.* Vicesimo die *Maii*.

Et mandatum est, Magistro *R. de Cantilupo*, *H. de Nafford*, Abbati de *Cliva*, & *Alex. de Bassingburne*, quod hæc contra Regem in Curia volentibus impetrare, viriliter resistent. Ita quod ex hoc eorum fidelitatem & discretionem debeat habere commendatam. Teste ut supra.

The Pope every year more and more encroaching and presuming on the King, not content with the Tenth he had granted him the year before, and the Kings necessities for monies, presumed to importune him by his Letters to bestow an Annual Pension of 40. Marks upon a Citizen of *Naples*, (most likely a Broker for the Pope in *England*) pretending it would be for his advantage; which the King denying by reason of his poverty and Wars, excused himself to the Pope in this modest manner, why he could not gratifie him in this request.

Domino



**D**omino Papæ salutem, & debitam Patri reverentiam : *Transmissas nobis Sanctæ Paternitatis vestre Literas quibus pro Nobili Civis Romano Neapol. nos rogastis ut in redditu annuo Quadringenta Marcarum, certis loco & termino precipiendū ei provideremus, omni qua decuit reverentia recepimus & honore. Satis quidem ex earundem Literarum contentia attendimus cum Civis prædictus de Nobilioribus & potentioribus urbis existat, non modicum per se ac suos nobis possit fructuosus existere; & ea ducti ratione nostri gratia, potius nostrum quam ipsius Civis commodum respicientes, preces huiusmodi pro eo nobis duxistis porrigendas. Verum cum occasione guerra nostra quam nuper in partibus habuimus transmarinis, & ob causas alias varias tot & tantis Militum stipendiis fuerimus honorati, quod & hiis quibus ad præsens obligati sumus, vix respondere sufficiamus: Licet preces ac monita vestra parati simus humiliter ac devote pro viribus nostris sicut decet effectui mancipare, in persona memorati Civis, quod agere ferimus, vos exaudire non valeamus, unde Sanctitatem vestram, ea que possumus affectione rogamus, quatenus id aures Sinceritatis vestre non offendant, aut aliquatenus vobis displiceat, si faciente insufficientia nostra excusationem huiusmodi vobis præstamus. Certe enim sumus indubitanter & firmiter credimus, quod si statum & honorem obligationis nostre attenderetis, nobis compateremini, qui nobis specialiter in huiusmodi honoribus providere tenemini, & ad nos exonorandos patrocinium vestrum impenderetis & consilium. Teste meipso apud Westmonasterium, xvij. die Aprilis.*

Claus. 15 H.  
3. dorf. 12.

How ready the Bishops were to comply with the Pope in his unreasonable Exactions and Tenths, without resistance, you heard before; how obstinate and averse they then were to supply the Kings necessities; and demands of Aydes in Parliament, and to stand upon every *Puntilio* of their pretended Priviledges, even when the Barons, Laity, and inferiour Clergy supplied him, this passage will inform us.

**A**nno Domini 1231. vij. Calendas Februarii, convenerunt ad colloquium apud *Westmonasterium*, Rex cum Prælati, & aliis Magnatibus Regni; ubi exegit idem Rex *Scutagium*, de quolibet *Sento* tres Marcas ab omnibus qui Baronias tenebant, tam Laicis, quam Prælati. *Cui* Richardus Cantuariensis Archiepiscopus, (though made Archbishop by the Kings extraordinary sollicitation at *Rome* on his behalf, to his great expence and prejudice) et quidam Episcopi cum eo audacter resistentes dixerunt, Quod non tenentur viri Ecclesiastici iudicio subijci Laicorum, cum absque illis concessum fuisset *Scutagium* in finibus transmarinis. Tandem vero, post multas hinc inde disceptationes, negotium, quantum ad Prælatos reclamantes pertinebat, usque ad quindecim dies post Pascha dilationem accepit. Omnes alii, tam Laici, quam Clerici, ac Prælati, savebant Regiæ voluntati.

Mat. Paris Hist. Angl. p. 354.  
355. Mat. Westm. p. 134.  
Mat. Parker Antiqu. Eccl. Brit. p. 158. & Godwin in his life, p. 110, 111. Holinshed p. 213.

How insolently this ungrateful Arch-prelate demeaned himself towards the King, by endeavouring to deprive him of the Rights of his Crown, in Wardships, in Excommunicating his chief Justice, and all other his Officers that executed his legal commands, and preserved his Royalties in Wards Lands, after a legal satisfactory answer given him by the King, and appealing to *Rome* against the King, even in a Temporal case of Wardship, to his trouble and vexation, (whither he sent Proctors to defend his Right against this encroachment) and in going personally to *Rome* without the Kings License, there complaining to the Pope against the King and his chief Justice, of things wherein the Pope had no Jurisdiction, to enthrall the King and all his Officers of Justice to his own and the Popes arbitrary wills; these passages will discover.

**P**er idem tempus, Richardus Cantuariensis Archiepiscopus, ad Regem veniens, con- questus est de *Huberto* Justiciario; quod Castellum de *Tunebruge*, cum villa & pertinentiis ejus, & alias quasdam terras *Gileberti* Comitis de *Clare* nuper defuncti, quæ ad jus suum & Ecclesiæ Cantuariensis spectabant, injuste detinebat. Unde idem Comes sibi & antecessoribus suis ipse & prædecessores sui ad recognitionem & homagium tenebantur. Qua de causa Regem rogavit, ut custodiam dicti Castellum cum pertinentiis sibi restitueret, & jura Ecclesiæ Cantuariensis conservaret illæsa. Ad hæc respondens Rex, dixit, Comitum præfatum de se tenere in capite; & vacantes custodias

Mat. Paris Hist. Angl. p. 355.  
356, 357. Mat. Parker Antiqu. Eccl. Brit. p. 157, 158. Godwins Catalogue of Bishops, in his life.

custodias Comitum, & Baronum, & eorundem Hæredum, ad suam Coronam, usque ad ætatem legitimam, pertinere: unde sibi licere proposuit, tales custodias cui voluerit vendere vel conferre. Archiepiscopus vero, cum aliud responsum habere non potuit, **excommunicavit omnes invasores possessionum prædictarum, et omnes, præter Regem,** (it was well he was excepted) **qui cum eis communionem haberent.** Et tam pro his quam aliis de causis *Romam* profectus; jus suum & Ecclesiæ suæ prosequi maturavit. Rex vero è contra, ut causam suam prosequeretur, Magistrum *Rogerm de Cantelu Romam*, cum aliis quibusdam nunciis destinavit.

Mat. Paris Hist.  
Angl. p. 356,  
357.

**V**Enit hoc tempore ad Curiam *Romanam* *Richardus Cantuariensis* Archiepiscopus, & in præsentia Domini Papæ proposuit hæc quæ sequuntur. **Conquestus est in primis de Rege Anglorum, quod solummodo omnia Regni negotia per consilium Haberti Justiciarii, aliis spectatis Magnatibus, disponebat.** Item, de Justiciario proposuit, quod habeat uxorem, cujus consanguineam prius habuerat sibi matrimonio copulatam: **et quod jura Ecclesiæ Cantuariensis invaderat, et in iuste detinebat.** Proposuit etiam, quod Episcopi quidam ejus Suffraganei, neglecta pastoralis cura, sedebant ad Scaccarium Regis. Laicas causas ventilantes, (and was not the Kings cause of Wardship such, for which he appealed to the Pope?) & judicia sanguinis exercentes. Item, conquestus est, quod Clerici beneficiati, & infra sacros ordines constituti, plures habebant Ecclesias, quibus adnexa fuerat cura animarum: & quod insuper, sicut Episcopi, ab ipsis trahentes exemplum, curis secularibus, & Laicorum se judiciis immiscebant. His autem & consimilibus, coram Papa propositis, petiit, ut talibus limam correctionis excessibus adhiberet. (The later being worthy redresse, were annexed only to countenance the former complaints against the King and *Hubert*, which else would have seemed harsh.) Cumque hæc omnia Dominus Papa diligenti studio intellexisset, & vidisset, quod universa quæ proposuerat Archiepiscopus, justitia fuerant & ratione subnixæ: jussit incontinenti, quatenus Archiepiscopi negotia, sive petitiones, expedirentur, justitia mediante. **Proposuerunt autem in contrarium Clerici Regis, pro ipso Rege et Justiciario multa inaniter allegantes: sed parum vel nihil profecerunt, Quia, ut breviter dicatur, favor Archiepiscopi quicquid petiit, impetravit.** (Such was the Popes partiality, that this Prelate in a bad cause, could over-balance his own King in a just one, that concerned his Royalties.) Erat namque statura elegantissima, facundia, admirabilis, scientia, & moribus incomparabilis; & allegavit pro eo, causa justa & favorabilis. (But observe Gods justice on this ungratefull, treacherous, usurping Prelate, when he had accomplished his designs against the King, he was presently taken away by sudden death, before his return to reap the fruits of his conquest.) Archiepiscopus igitur *Cantuariensis* *Richardus*, cum expletis negotiis suis omnibus pro voluntate sua, repatriare maturavit, apud *S. Gemmam*, in domo fratrum minorum, tertia dieta citra *Romam*, diem clausit obiter supremum, *iiij. Nonas Augusti*. Et sic ipso expirante, expirabant cum eo negotia impetrata. De quo hoc mirabile accidit, quia cum Pontificalibus, sicut moris est, corpus defuncti sepeliendum insigniretur; de nocte venerunt homines illius Patriæ, qui hæc omnia oculo fascinante inspexerant, aperuerunt de nocte sepulchrum, cupientes ut annulum & alia insignia Episcopalia fruerentur, nulla vi vel ingenio id potuerunt. De quo, non tamen signato, propositum consummare nequiverunt, recesserunt confusi, & pectora sua, in quibus scelerata corda latitabant, percusserunt. It had been well this Archbishop too had repented him of his oppositions against his Sovereigns Prerogative before his death, whose Crown, or chief flower of it (Wardships) he endeavoured to pull off while alive.

The Pope upon the death of this Archbishop (having deprived the King and Monks of their rights in the election of two Archbishops before, by the Kings and their mutual differences) endeavoured now to wrest the power out of both their hands in the election of a third, in whose election they both concurred to prevent his feared Usurpation, as this History will demonstrate.

Defuncto,

Defuncto, ut dictum est, *Richardo Cantuariensi* Archiepiscopo; decreverunt *Monachi Cantuarii Radulphum de Nevilla, Cicerostensem* Episcopum, sibi in *Præ-*  
*lem* postulare, qui erat *Regis* *Maximus Cancellarius, et incompulsa co-*  
*lunna veritatis*, singulis sua jura, præcipue pauperibus singulis, iuste reddens; &  
indulget. In multis Regni perturbationibus stans directe: non arundo quolibet von-  
to agitata, nec declinans ad dextram vel sinistram. Constantiter igitur petierunt eum  
*Monachi* memorati quasi dignissimum & idoneum Ecclesiæ suæ approbatum defensor-  
rem, potentem verbo & opere, ut feliciter Beato *Thoma* succederet assimilatus; qui  
de Cancellario factus est Archiepiscopus. Facta igitur rite electione, præsentave-  
runt eum Regi viij. Calend. *Octobris*. Quem Rex gratanter, quantum ad se  
pertinebat, acceptans, de maneribus et rebus alijs ad Archiepiscopatum adja-  
centibus, illum protinus investivit: (before his approbation by the Pope, or con-  
secration here.) Et *Monachi Romanos* profecturi, ad electum suum venientes, petie-  
runt ab illo auxilium ad expensas itineris & servitium Curie *Romanæ*, & si qua sunt  
similia. Sed ille sentiens in animo, illud non potius carere scrupulo simoniae ac am-  
bitionis, plane affirmavit, quod propter hoc eis nec quolibet unum donaret, manus  
tendens in cælum, & dicens: Domine Deus omnipotens, si votandus sum, licet in-  
dignus, ad Archiepiscopatus officium, fiat hoc te disponente. Si autem in hac sollici-  
tudine Cancellariæ, nec non minoris officii, cui assignor Regno & populo tuus sum  
necessarius, non recuso laborem, fiat voluntas tua. *Monachi* vero, viri constantiam  
potius, quam rebellionem in hoc verbo pensantes, non ideo minus *Romanam* profecti,  
electionem sive postulationem factam, petierunt a *Papa*, ut autoritate sua  
confirmaret. Dominus itaque *Papa*, facta, ut dicitur, a Magistro *Simone de Lange-*  
*tuna* diligenti inquisitione de persona postulati, respondit, illum Curialem esse, & illi-  
teratum, rapidum in verbo, ac festinum: & quod durius est, si ad illam dignitatem  
promoveretur, moliri volentem, ut \* apellante ad hoc Rege, cum toto Regno  
jubante, excuteret Angliam de sub iugo Domini *Papæ* et Curie  
*Romanæ*, qui eidem tenetur sub tributo, ut soluto vinculo tributi,  
quo irretivit eam Rex *Johannes*, solita Deo et Ecclesiæ Sanctæ ser-  
viret libertate. Et ad hoc vellet usque expositionem capitis decer-  
tare, innixus juri et appellationibus *Stephani Cantuariensis* Ar-  
chiepiscopi, quas fecit sollemniter idem *Stephanus* ante Altare  
Sancti *Pauli*, in Ecclesia Cathedrali *Londinensi*, cum redderet Co-  
ronam Angliæ memoratus Rex *Johannes* in manus Legati, con-  
ficiens scriptum toti mundo execrabile. *Papa* autem his auditis  
sermonibus, *Radulphi* postulationem infirmavit, nullaque indigna  
causa pronuntiavit irritum. Sic vasa, sic iubeo, stet per ratione  
voluntas. *Monachorum* postulatione cassata, concessit *Papa*, ut  
*Conventus Cantuariensis* alium Archiepiscopum, ac talem elige-  
rent, qui sibi esset pastor animarum salubris, et Ecclesiæ utilis An-  
glicanæ, et *Romanæ* fidelis ac devotus. *Monachi* igitur domum  
reversi, *Conventui* retulerunt, quomodo fuerant a suo *decedente*  
*defraudati*. This was a very high Usurpation and affront to the King, to reject  
this Archbishop duly and unanimously elected by the Monks, and approved by him;  
only because he was faithful to the King and Kingdom, and likely to prove an Enem-  
y to the Popes usurped Interest; therefore they must elect one faithful and devo-  
ted to the Church of *Rome*, though treacherous to the King and Kingdom.

Mat. Paris Hist.  
Angl. p. 397,  
398. Mat.  
Westm. Anno  
1211. p. 130;  
131. Mat. Par-  
ker Antiqu. Ec-  
cles. Brit. p.  
159, 160. God-  
wins Catalogue  
of Bishops, in  
the life of St.  
Edmund.

\* Here p. 199.

The Monks hereupon petitioned the King to grant them his License to proceed  
to a new Election, according to the Popes mandate directed to them: in which Pa-  
pal mandate the King perceiving some clauses prejudicial to the Rights of his  
Crown, issued out this memorable Prohibition to the Monks of *Canterbury*, not to  
do any thing prejudicial to the Rights of his Crown, nor to elect any person Arch-  
bishop without his special License, nor to send any Monks to *Rome*, by the Popes com-  
mand, to elect an Archbishop there.

REX,



Anno 1232.  
Pat. 16 Hen. 3.  
m. 7.

**R**EX, dilectis sibi in Christo Priori & Conventui Ecclesie Christi *Cantuariensis*, salutem in Domino. Cum ex parte vestra accessissent ad nos quidam Monachi vestri, petentes a nobis licentiam eligendi, ostendentes etiam nobis mandatum Apostolicum vobis directum de electione vestra infra certum tempus celebranda, Nos prædictum mandatum diligenter inspicientes, quædam in ipso contenta perspersimus, per quæ quibusdam casibus contingentibus, nobis et juri nostro possit præjudicium generari. Hinc est quod vobis mandamus districte inhibentes, quatenus occasione prædicti mandati vobis directi, nihil in præjudicium nostrum vel juris nostri attemptare curetis; et præcipue si contingat vos mittere aliquos de vestris ad Curiam Romanam cum potestate eligendi; quod ibi nullam electionem celebrent licentia prius a nobis non petita: cum hoc manifeste in præjudicium, (sit) tum juris et privilegii nostri, quam possessionis nostræ per consuetudinem hucusque approbatæ et optentæ. Appellamus etiam ne quid contra præmissa in nostri præjudicium attemptare curetis. Et ad innovandam appellationem nostram coram vobis Magistrum R. de Cancilupo, latorem præsentium procuratorem nostrum constituimus. Teste meipso apud *Lamph.* Undecimo die *Marcii*.

Mat. Paris Hist.  
Angl. p. 359.  
Mat. Parker  
Antiqu. Eccles.  
Brit. p. 159,  
160.

The Monks in pursuance of this Prohibition, by the Kings License, elected *John* their Prior Archbishop, *Conventum Cantuariensis elegerunt J. Priorem suum in Archiepiscopum & Pastorem animarum suarum.* Qui cum esset Regi præsentatus, & ab eo receptus, profectus est Romam, ut electionem rite factam, impetraret à sede Apostolica confirmari: whom the King by these his Letters Patents approved, desiring the Pope to confirm him, and likewise made new Proctors in the Court of *Rome* concerning this Election.

Pat. 16 Hen. 3.  
m. 7.

**D**ominò Papæ salutem. Reversis nuper in *Angliam* Nunciis Ecclesie *Cantuariensis* a Curia Romana, negotio pro quo sedem Apostolicam adierunt infecto. Prior et Monachi ejusdem Ecclesie iterato petierunt a nobis licentiam eligendi, optentaque gratanter a nobis licentia, Subprior et Conventus Ecclesie memoratæ, dilectum nobis J. Priorem suum unanimiter in Patrem sibi elegerunt, et Pastorem. Cumque ipsum nobis præsentassent, electioni de eo factæ tanquam de viro probido et honesto, Regium assensum præbuimus et favorem. Idque Sanctitati vestræ durimus significandum, rogantes quatenus favorabiliter, quod vestrum est in hac parte exequi dignemini. In cujus, &c. Teste Rege apud *Merleberg.* Vicesimo secundo die *Martii*.

Pat. 16 Hen. 3.  
m. 7.

**R**EX, omnibus ad quos præsentēs Literæ pervenerint, salutem. Sciatis nos dilectos & fideles nostros P. Sarracen. & Petrum Grimbald, constituisse procuratores nostros ad impetrandum & contradicendum in Curia Romana, vel eorum alterum si ambo ad hoc interesse non possint. In cujus, &c. dur. usque ad festum Sancti Michaelis. Anno, &c. xvi. Teste meipso apud *Westmonasterium*, Vicesimo quinto die *Aprilis*.

The King to promote his affaires the better in the Court of *Rome*, where they of late miscarried though never so just, granted Annuities to some Cardinals, to obtain that justice from them by such Pensions, which he could not procure without them, whereof take this one president, recorded with the two preceding Patents,

Pat. 16 Hen. 3.  
m. 7.

**R**EX, concessit Reinero titulo Sancte Maria in Cosmedin. Diacono Card. xx. Marc. singulis annis, ad festum Sancti Michaelis, percipiendas ad Scaccarium Regis, donec ei in competenti beneficio Ecclesiastico providerit. Teste Rege apud *Westm.* xxvij. die *Aprilis*.

But

But yet all this would not prevail against the Popes particular design to dispose of the Archbishoprick of *Canterbury* to one of his own creatures, by vacating this second election as well as the first, though unanimously and canonically made by the Monks, and assented to by the King, and the person elected voyd of any just exceptions the Pope could take against him, against whom he yet thus arbitrarily proceeded.

**V**enit eodem tempore *Romam* Prior *Johannes*, electus *Canthuariensis*, in hebdomada Pentecostes. Et cum Literas suæ electionis Domino Papæ exhibuisset, præcepit Magistro *Johanni de Columna*, & aliis quibusdam Cardinalibus, ut examinerent illum, si dignus esset ad culmen hujusmodi promoveri. Qui cum examinassent per triduum electum illum, in decem & novem, ut dicitur, articulis diligenter, protestati sunt coram Domino Papa, se causam in ipso legitimæ recusationis non invenisse. Veruntamen visum est Domino Papæ in electo memorato, quod nimis esset senex et simplex, et ad tantam insufficientem dignitatem. Et cum persuassisset ei, ut cederet, electus humiliter factæ electioni renunciavit, et licentiam petiit repatriandi. Tunc Papa, (cujus sola voluntas vim legis habuit) concessa licentia, Monachis ipsis præcepit, ut alium talem eligerent, cui onus suum communicare, et curam posset committere pastozalem.

Mar. Paris. Hist. Angl. p. 361, 362. Mat. Westm. Anno 1232. Mar. Parker Antiqu. Eccles. Brit. p. 159, 160. Godwins Catalogue of Bps. p. 66, 67.

Hereupon the Monks proceeded to a third Election, *Tertio itaque, J. cognomento* Blundus, *Clericum apud Oxon. in Theologia stulens, ac legens, in Archiepiscopum Cantuariensem electus est. Qui à Rege susceptus, cum Monachis quibusdam Cantuariensibus Romam profectus est, ut electionem suam confirmari in sede Apostolica impetraret.* But this third person, though duly elected and approved by the King, sped no better then the other two elected, being cashiered by the Pope, as our Historians thus relate.

Mar. Paris Hist. Angl. p. 364. Mar. Parker Antiqu. Eccles. Brit. p. 160. & Godwin.

**P**er idem tempus cassatus est Magister *Johannes Blundus Cantuariensis* electus. Divulgatum quidem erat *Roma*, quod post electionem suam acceperat ex dono *Petri Wintoniensis* Episcopi Mille Marcas argenti; præter alias Mille Marcas, quas eidem *Johanni* crediderat, ut promoveretur: unde constat manifestè quod magis ei nocuit quam profuit familiaritas Episcopi memorati. Scripsit etiam idem Episcopus Imperatori, ut suas partes interponeret, circa promotionem prædicti *Johannis* versus Papam: unde Pipa perpendens notam Symoniæ & ambitionis, dixit in corde suo illud *Ovidianum*:

Anno 1233. Mar. Paris Hist. Angl. p. 372. Mar. Parker Antiqu. Eccles. Brit. p. 160.

*Et bructo supplicat ense potens.*

Unde cor Domini Papæ non erat bene cum eo. Præterea confessus fuerat *Roma* idem *Johannes*, ut dicitur, quod duo habebat beneficia; quibus cura annexa fuit animarum, contra statuta Concilii generalis; qua præsumptione, quia \* carebat dispensatione, creditur reprobatus; licet allegatum fuerit contra, quod ea possederat ante Concilium. (You see the reason of vacating these Elections in the Popes ensuing words,) Sed quoniam jam cassatis tribus Ecclesiæ *Canthuariensis* electis, præfata fuit diu Ecclesia a pastore viduata, similis facta *Sara* uxori *Tobia*, & filiz *Raguelis*, tot viris viduata; dedit Monachis, qui cum electo cassato venerant, potestatem eligendi Magistrum *Edmundum*, Ecclesiæ *Sarisburyensis* Canonicum: (which himself alone had pitched upon, and recommended to them) virum honestæ conversationis, & bene literatum, in Pastorem animarum suarum. Cui etiam Pallium transmisit, ne tanta sedes Metropolitana a Pastore diutius frustraretur. Monachi *Canthuarienses* vero qui *Roma* fuerant, nec ipsum *Edmundum*, instante ne Papa quidem, nec alium quemlibet, nisi de consensu Regis et Conventus sui recipere decreverunt. Papa enim tanquam ex taciturnitate Monachorum, qui aperte contradicere non audebant electo, transmisit Pallium, quo ductus in absentem, peregrinum et ignotum motu haud scimus ex hisce, (writes his successor *Matthew Parker*) but no doubt some golden or silver spring was the true cause of this extraordinary Papal favour, and collating of him to this

\* Money will dispense with, and make any thing lawfull at Rome, though prohibited by a General Council.

Archiepiscopal See, without any further election by the Monks that I can finde; About a year after he was consecrated at *Canterbury*, (most probably by the Kings consent; he being present at his consecration) thus related by our Historians.

Mat. Paris, p.  
383. Mat. Park.  
p. 160.

**E**odem anno, (1234. 18. H. 3.) in Ecclesia Christi *Cantharia* consecratus est *Edmundus* ejusdem Ecclesie electus, a *Rogero Londinensi* Episcopo, in Archiepiscopum *Canthariensem*, Dominica qua cantatur, *Latare Hierusalem*, quæ tunc fuit quarto Nonas Aprilis; præfente Rege, cum xiiij. Episcopis. Et eodem die Misfam cum pallio, quod caute ei de curia *Romana* *Simon de Legro*, ejus Ecclesie monachus, detulerat, solemniter celebravit.

This See continued voyd above 3. years after *Richards* death, by reason of this Popes vacating three successive due elections to it, to make way for *Edmund*, recommended to it by himself; without the Kings or Monks consent, who by the Popes vacating their 3. former elections without any right ground, but his own Papal pleasure, found it bootlesse to withstand his consecration, after the Pope had nominated him Archbishop and sent him a Pall as an earnest of its fruition, in despite of King or Covent.

Now I return to my Chronological method interrupted by these treble elections, to make them more intelligible and intire.

Anno 1232.  
Mat. Paris p.  
372.

Anno 1232. The King in a Parliament at *Westminster*, demanding an Ayde to pay his debts incurred by his Wars: *Prælati Regi* respondentes, dixerunt; quod Episcopi multi & Abbates, qui vocati erant, non fuerunt præfentes, & sic petierunt inducias, quousque ad diem certum possent omnes pariter convenire. Præfixus est itaque dies, a quindecim diebus post Pascha: ut omnibus congregatis, tunc fieret quod erat de jure faciendum. They being backwards to supply the King, though overcompliant to the Popes exactions.

This Popes, his Legates, and Agents usurpations, by exactions, Provisions, disposing Churches to aliens, and other Innovations, at this time became so intollerably oppressive, tyrannical to all sorts of people in *England*, that by several Letters of complaint disperfed against them, there was stirred up a general commotion and opposition against them throughout *England*, thus Recorded by *Mat. Paris*.

Anno 1237.  
1232.  
Mat Paris Hist.  
Angl. p. 358,  
359. Mat.  
Westm. p. 134.  
Mat Parker  
Antiqu. Eccles.  
Brit. p. 258.  
159. Holinshed,  
Specd, Grafton.

**S**uborta est hac tempestate in *Anglia* maxima rerum perturbatio, immo ut verum fateamur, indiscreta præsumptio, propter *Romanorum* Insolentiam Clericorum; quæ tam nobiles Regni, quam ignobiles, ad temerariam compulit ultionem sicut in subscriptis expressum continetur. Tali Episcopo & tali Capitulo, universitas eorum, qui magis volunt mori, quam a Romanis confundi, salutem. Qualiter circa nos, et alias personas Ecclesiasticas *Angliæ*, hactenus se habuerint Romani et eorum Legati, vestram non dubitamus latere discretionem; beneficia regni suis, secundum quod eis placet, conferendo, in vestrum, et omnium aliorum regni intollerabile præjudicium et gravamen. In vos etiam & coepiscopos vestros aliasque personas Ecclesiasticas, ad quos collatio beneficiorum pertinere dinoscitur, quod magis dignum est pro confusione notari, suspensionis sententias fulminando, ne aliquis de regno beneficia conferatis, donec quinque Romanis nec dum proprio nomine nominatis, imo, nato *Rumfridi*, et nato talis et talis, in singulis Ecclesiis vestris per totam diocesin sit provisum, unicuique eorum in redditu centum Librarum. Alia etiam gravamina quam plurima tam laicis et magnatibus regni super advocatibus suis, et eorum eleemosynis, ab eis et antecessoribus suis datis in Pauperum regni sustentationem, quam Clericis et aliis viris religiosis regni, super rebus et beneficiis, inferendo. Nec præmissis contenti, ad ultimum a clericis regni beneficia quæ obtinent, ut ea Romanis conferant, non secundum quod decet, sed sicut eis placet, auferre volentes in eis, illam intendunt prophetiam adimplere:



plere: Spoliaverunt Aegyptios, ut ditarent Hebreos, multiplicando Gentem suam, non magnificando læticiam. Sic dolorem dolori nobis et vobis omnibus accumulando, ut melius nobis videatur mori, quam vivere sic oppressi. Unde licet grave sit nobis contra stimulum calcitrare, tamen quia qui nimis emungit, elicit sanguinem, nos severitatem eorum animadvertentes, qui ab initio tanquam advenæ sunt ingressi Romam, nunc autem nos non tantum judicare, sed etiam condemnare intendunt, allegantes onera importabilia, quæ nec in se, nec in suos digito movere volunt. De communi consilio magis eligimus, licet tarde, resistere, quam eorum oppressionibus intolerabilibus amplius subiacere, seu majori subisci servituti. Hinc est quod vobis mandamus, districte inhibentes, quatenus cum nos Ecclesiam, Regem similiter et regnum nitamur a tam gravi iugo servitutis eripere, circa eos qui de Romanis vel eorum Redditibus se intronistunt, nullas partes vestras interponere præsumatis, pro certo scituri, quod si hujus mandati, quod absit, extiteritis transgressores, quæ vestra sunt incendio subiacerunt, et poenam, quam Romani incurrunt, in personis, vel possessionibus vestris indubitanter incurreritis. Valete.

**I**tem religiosi & alii, qui habent Ecclesias Romanorum ad firmam, universitas prædicta salutem. Cum post innumerabiles confusiones et infinita gravamina, quæ Romani, ut scitis, Regno Angliæ insisterunt ad præsens; in præjudicium Regis et Magnatum regni, circa abbocationes Ecclesiarum suarum, et eorum Eleemosynas qui Clericos regni spoliare nituntur beneficiis suis, ut ea Romanis conferant, in maiorem regni, et nostri confusionem, de communi consilio magnum elegimus, licet tarde, resistere, quam eorum oppressionibus intolerabilibus de cætero subiacere, et eos per subtractionem beneficiorum suorum per totum regnum, quod aliis intendebant inferre, sic arduare, ut a regni molestatione desistant. Hinc est quod vobis mandamus, districte injungentes, quatenus de firmis Ecclesiarum, sive de redditibus camerarum quas de Romanis habetis, vel debetis eis, de cætero non respondeatis. Sed dictas firmas et redditus habeatis paratos in crastino Dominicæ, qua cantatur, Lætare Hierusalem, procuratori nostro literatizio a nobis ad hoc dato: Abbates scilicet et Priores, in eorum Monasteriis: alii vero Præbyteri, et Clerici, vel laici, ad proprias Ecclesias tradituri. Pro certo scientes, quod si hoc non feceritis, quæ vestra sunt incendio subiacerunt, et nihilominus periculum, quod Romanis imminet in personis imminet. Valete. His ita gestis, prædicta universitas misit per milites & Ministros literas has, novo quodam sigillo signatas, quo sculpti erant duo gladii, & inter gladios scriptum erat, \* Ecce gladii duo hic, in modum citationum ad Ecclesias regni cathedrales: ut si quos invenirent contradictores, iuxta quod provisum fuerat punirent eos.

**P**ER id tempus, 16. Cal. Januarii habitum est apud sanctum Albanum ingens Consistorium Abbatum, Priorum, Archidiaconorum, cum fere tota Nobilitate regni Magistrorum & Clericorum: qui omnes ad hoc convenerunt per Mandatum Domini Papæ, ut celebrarent divortium inter Comitissam Essexiæ, & virum suum; si ratio id diceret. In crastino autem, Consistorio soluto, cum singuli redirent ad propria, Clericus quidam Romanus, nomine Cincius, qui Ecclesiæ sancti Pauli Londinensis erat Canonicus, per prædictam universitatem, (ut creditur) non longe a villa sancti Albani captus est, & abductus a viris armatis, & capitis velatus. Sed Magister Johannes Florentinus Norwicensis Archidiaconus, qui huic consistorio affuit, ab hac captione evasit; & ad urbem Londoniensem fugiens, delituit ibidem multis diebus. Cincius vero post quinque septimanas, crumenis (ut dicitur) evacuat, ad urbem Londoniensem sanus & incolumis est reductus.

Prohibitio ne redderentur firmæ vel redditus Romanis.

\* The Pope is here beaten with his own sword, see p. 63. 64, 65.

Anno 1292.  
Mat. Paris, p.  
359. Matth.  
Westm. p. 130.

**A**Nno Domini 1232. Rex Anglorum Henricus fuit ad Natale apud Wintoniam. Cui Petrus ejusdem urbis Antistes necessaria omnia procuravit, & festiva tam Regi, quam suis exhibuit indumenta, cum donativis. In illis autem diebus natalitiis distraeta sunt horrea de Wingham cujusdam Romani ditissima, per prædictam universitatem, ut creditur, a paucis armatis servantibus & capitibus velatis. Procurator vero illius Ecclesiæ & custos, cum talem violentiam inspexisset, venit ad Vicecomitem regionis, & de violata pace Regis, & injuria Domino suo illata ei patenter ostendit. Ac Vicecomes mittens ad locum ministros suos cum militibus quibusdam vicinis, jussit inquiri, quidnam hoc esset. Venientes quoque ad horrea Milites memorati, invenerunt homines illos armatos & sibi penitus ignotos, qui jam ex maxima parte horrea evacuaverant, & bladum bonis conditionibus & ad commodum totius provinciæ vendiderant; sed & Pauperibus charitative petentibus ex animo conferebant. Milites vero qui advenerant, cum interrogassent eos; unde essent, qui pacem Regis offendere, & talia facere præsumebant? illi continuo milites seorsum vocantes, ostendebant Literas Regis patentes adulterinas & sophisticas, prohibentes ne quis eos præsumeret impedire. At milites hoc audientes, tam ipsi quam alii, qui advenerant, pacifice recesserunt. Sicque infra dies quindecim distractis omnibus, armati illi de loco recesserunt, loculis plene refertis. Tandem cum hæc violentia ad notitiam Rogeri Londonensis Episcopi pervenisset, convocatis Decem Episcopis in Crastino beatæ Scholasticæ Londoniis in Ecclesia beati Pauli, omnes hujus violentiæ authores Anathematis sententiâ percussit; involventes etiam illos, qui in Cincium, Londonensis Ecclesiæ Canonicum, manus injecerant violentas, cum universitate prædicta, & illis omnibus qui fecerunt sigillum & literas superscriptas. So much did these Bishops comply with the Pope out of fear and flattery, to enslave themselves, our Church and Realm, to the Tyranny and Rapines of these Romish Harpyes, whom the people still persecuted and spoiled notwithstanding this excommunication. For

Mat. Paris Hist.  
Angl. p. 362.  
See Holinshed,  
Grafton, Speed,  
Daniel. in H. 3.

**E**odem Anno distraeta sunt horrea Romanorum per totam fere Angliam a viris quibusdam armatis, et adhuc ignotis, bonis conditionibus, et ad commodum multorum. Et opus, licet temerarium, in solennitate Paschali inchoantes, sine contradictione et libere, quod inceperant compleverunt. Largas eleemosynas advenientibus distribu-ebant egenis, et quandoque nummos inter pauperes seminantes, eos colligere hortabantur. Delituerunt clerici Romani in Abbatis, de injuriis sibi illatis murmurare non audentes: quia elegerunt potius res suas amittere, quam puniri sententiâ capitali. Erant autem hujus temeritatis auctores viri quasi quater viginti, & quandoque minus, qui magistrum habentes Willielmum quendam cognomento Witham (sive Robertum de Thinge, militem & virum generosum, sed sic palliatum) ejus omnia obtemperabant præceptis. Sed cum post modicum tempus hæc quæ facta fuerant, ad summi Pontificis notitiam pervenerunt, indignatus est valde; & misit literas ad Regem Anglorum mordaces nimis, & increpatorias, quod tales in regno suo fieri permisit rapinas viris Ecclesiasticis: non habens respectum ad sacramenta quæ juraverat tempore Coronationis suæ, non solum de pace Ecclesiæ manutenenda, verum etiam de recta Justitiâ tam clericis quam laicis conservanda. Mandabit igitur in eisdem literis Regi, sub pœna excommunicationis et Interdicti firmiter præcipiens; quatenus diligenti facta inquisitione, si quos hujus violentiæ inveniret auctores, tam graviter puniret obnoxios, ut ex pœna illorum cæteris metum incuteret et terrorem. Dedit etiam Petro Wintoniensi Episcopo, & Abbati Sancti Edmundi, per literas in mandatis, ut in Australi parte Angliæ, facta inquisitione diligenti, quoscunque hujus rei invenirent culpabiles, tam diu denunciarent eos excommunicatos, quousque Romam venirent a sede Apostolica absolvendi. Similiter in parte regni Aqu-

*Aquilonari, Archiepiscopo Eboracensi, Episcopo Dunelmensi, & Johanni natione Romano & Eboracensi Canonico, idem Papa eadem inquisitione commissa, præcepit, ut illius violentiæ transgressores Romam mitterent absol- vendos, appellatione non obstante.* (Such an imperial mandatory power over the King, Bishops and subjects, thus to cite them to Rome, did he then usurp.)

**F***Acta igitur inquisitione de violentia memorata, tam a Rege quam ab Episcopis & exe- cutoribus prædictis, & sacramento mediante cum examinationibus & testibus pro- ductis, inventi sunt multi transgressores, quidam de factò, quidam de consensu: quorum nonnulli Episcopi erant & Clerici Regis, cum quibusdam Archidiaconis, ac Decanis, militibus etiam & laicis multis. Quidam vero Vicecomites, & eorum præpositi & Ministri, pro eodem excessu Rege jubente, capti sunt, et incarcerati, et alii præ timore sibi per fugam consulentes a quærentibus non sunt inventi. Principalis autem Domini Regis justitiarius Hubertus de Burgo, ex hoc arguitur fuisse transgressor, quod prædonibus illis tam literas Regis patentes, quam proprias exhibuerat, ne quis eos de præfata violentia præpediret. Venit præterea ad Regem inter ceteros, Robertus de Hunge, juvenis elegans, & miles strenuus, ex partibus Angliæ Aquilonaribus origi- nem præclaram ducens: Qui aliis consentientibus, fruges Romanorum vendiderat, & Willielmum Wither se nominari fecerat, quinque servientes armatos, & hujus violentia auctores circumduxerat: protestans manifeste, quod in odium Romanorum, & causa justæ ultionis transgressus fuerat, qui per sententiam Romani Pontificis, et fraude manifeste nitebantur eum ab unica, quam habuit Ecclesia, spoliare. Addidit etiam, quod maluit ad tempus injuste excom- municari, quam suo beneficio sine Judicio spoliari. Tunc Rex & executores præfati, militi dederunt consilium, ut quia in canonem lata sententia inciderat, Romam absolvendus properaret: & jus suum coram domino Papa protestaretur, & quod Ecclesiam justè pariter & canonice possidebat. Dedit etiam ei Rex literas ad Papam testimoniales, de jure suo deprecans obnixè, ut militem illius intinui ex- audiret.*

**E***odem anno, Rogerus Londinensis Episcopus, accusatus inter alios de consensu super di- strictione frugum Romanorum, saltem de consensu, profectus est ad sedem Aposto- licam, ut suam ibi purgaret innocentiam. Qui post multos labores, & spoliationem obier, & emunctionem loculorum in curia, demum vexatus inaniter remeavit. Nec multo post agro sustinens usurarios Christianos, quos **Caucinos** appellamus, in civitate sua habitare, & fanora sua variato nomine palliantes exercere, conabatur eos a Diocesi sua propulsare, sed ipsi recalcitrantes Romanæ curiæ fultis patrocinio, ipsi, post multos quibus exagitaverant, labores, silentium imposuerunt.* Such was the Tyranny, Usury of the Pope and his Instruments, and so ineffectual the power either of the King or Bishops to withstand or redresse their intollerable usurpations and exactions.

Mat. Westm. p. 134. Mat. Paris, Hist. Angl. p. 370.

You heard before out of *Matthew Paris*, that the King upon the Popes peremp- tory mandate to him, issued forth Writs to inquire after and punish those who sei- sed on the goods, and threshed out the corn of the Romans; I shall present you with two of them out of our Records.

**M***Andatum est Vicecomiti Hereford, quod sicut seipsum diligit, & in fide qua Regi tenetur, diligenter inquirat per sacramentum Proborum & legalium hominum de Comitatu suo, qui homines se fecerunt de familia Wither, vel cujuslibet alterius, & itinerantes fuerunt per eundem Com. ad triturandum & vendendum blada, & alia bona clericorum Romanorum, & aliorum distrahenda & asportanda; & qui homines de Com. tuo dicta blada manibus suis triturerunt, & eadem blada & alia bona vendiderunt & distraxerunt. Omnes autem eos de Balliva sua quos inquirere poterit, ibidem sic itineratos fuisse, capiat, & in prisona Regis salvo custodiat, donec a Rege aliud habuerit mandatum; & eos qui dicta blada triturerunt, & eadem bona & alia bona vendiderunt & distraxerunt, ponat per vadium, & salvos plegios, quod sint coram Rege quando præceperit, inde responsuri, & Inquisitionem inde factam sub sigillo suo, & sigillis eorum per quos facta fuerit, Regi mittat; & hoc breve. Teste Rege apud Westmonasterium octavo die Maii. Eodem modo scribitur omnibus Vice- comitibus Angliæ.*

Claus. 16 H. 3. m. 11. dorf.

What



What execution was done upon these Writs especially against *Hubert de Burgo*, his Lands in several Counties, this Record will evidence.

Anno 1233.  
Claus. 17 H. 3.  
m. 13. intus.

**M** Andatum est Vicecomiti *Essex*, quod de *Manerio de Hadfeld Peverel*, quod est in manu *H. de Burgo*. sine dilatione plenam seisinam habere faciat *Robertus Pusselwe*, ad respondendum de exitibus ejusdem manerii Clericis Romanis, Italicis & aliis, de dampnis eis per ipsum *H.* illatis, donec super prædictis dampnis eis fuerit satisfactum. Teste Rege apud *Westmonasterium* septimo die *Februarii*.

Per ipsum Regem.

Eodem modo scribitur Vicecomitibus *Norff. & Suff.* de Maneriis, de *Burg. Sutherton, Biston, Leminton, Rugham, Warnegay, Stowe, Rouberton, & Finberg. Bedf. & Buck.* de maneriis, de *Aspel. & Henlawe*, cum pertinentiis *Northinghampton.* de terris in *Ringsted, Chelveston, Caldecot, & Stanwic. Glouc.* de terris in *Elmore, & in Menstreworth. Eborum,* de terris in *Hertthull. Dorset,* de terra in *Winfrod. Suffex,* de terris in *Flestyng, & Porteslad. Sur.* de terra de *Stienes, Warw.* de terra in *Wuleward. Lanc.* de terris in *Tunshal, Newton, Acholt, Ruseland, & Kingesdon. Noting.* de terra in *Wetel.*

*Matthew Paris* informs us, that this *Hubert de Burgo*, Anno 1232. being cheif Justice of *England*, the Kings principal faithfull Counsellor, the greatest opposor of the Popes usurpations and extortions, was by the power of the Pope and of *Peter Bishop of Winchester*, suddenly removed from all his Offices, and impeached of several crimes; some of them amounting to *High-Treason*, amongst other particulars, most insisted on.

Anno 1233.  
Mat. Paris Hist.  
Angl. p. 376,  
377, 378, 379.  
Mat. Westm.

**R** EX instanter exegit ab eo ratiocinium de Episcopatibus, & custodiis sine *War-ranto*; quæ pertinent ad Dominum Regem. Item, de injuriis et dampnis illatis, et clericis Romanis et Italicis, et nunciis domini Papæ; contra voluntatem domini Regis, per auctoritatem ipsius *Huberti* tunc Justiciarii, qui nullum consilium voluit apponere, ut illa corrigerebantur; quod facere tenebatur ratione officij sui, ad Justiciarium pertinentis. Hereupon *Hubert*, to prevent the rage and danger of his enemies upon those accusations fled to the Church of *Merton*, and there took sanctuary, whence the King commanded the Major of *London* by his Letters (the Londoners being his mortal enemies) to pull him forcibly, and bring him to him alive or dead; which the Major and Citizens readily undertaking and marching thither with a great force; the King, by the advice of the Earl of *Chester* (fearing the ill consequence of such a tumult) suddenly countermanded them thence, to their great discontent. After which *Hubert* to avoyd apprehension taking sanctuary in a Chappel in *Essex*, *Godfry of Cranecumbe*, (whom the King sent to apprehend him with 300. armed men, under pain of death) finding the Chapel doores shut, violently brake them open, apprehended *Hubert* and carried him thence bound with cords, a prisoner to the Tower of *London*. Whereupon the Bishop of *London*, under a pretext of violation of sanctuary, made this bold Encroachment upon the King and his Crown.

**M** ANE vero facto, cum *Rogerus Londinensis* Antistes cognovisset, quo ordine *Hubertus* extractus fuisset de Capella, venit celer ad Regem, increpans eum audacter, quod pacem Sanctæ Ecclesiæ violaverat, dixitque, quod nisi ipsum cum festinatione a vinculis liberatum remitteret ad Capellam, a qua erat violenter ejectus & extractus, ipse omnes hujus violentiæ auctores excommunicationis sententia innodaret. So insolent were the Bishops then grown by the Popes example. Whereupon Rex autem, licet invitus, reatum suum intelligens, remisit *Hubertum* ad capellam, ubi captus fuerat, a militibus armatis, restituitur ab eisdem, Quinto Calend. Octobris. Quo facto, Rex dedit vicecomitibus *Herefordiæ & Essexiæ* in mandatis, sub pœna suspendii, quatenus in propriis personis, & cum omnibus hominibus duorum Comitatum, capellam obsidione vallarent, & ne *Hubertus* evaderet, vel a quoquam cibum acciperet, explorarent. At Vicecomites præfati, sicut eis præceptum fuerat ad locum venientes, Capellam cum domo Episcopi, quæ prope erat obidentes, cinxerunt Capellam & locum per gyrum fossato lato satis & alto, decernentes ibi Quadraginta

ginta dierum excubias observare. Et *Hubertus* hæc omnia æquanimiter ferens, puram habens conscientiam, ut dicebat, causam suam Deo secretorum conscio commendabat; rogans jugiter divinam clementiam, quatenus illum ab instanti periculo liberaret: sicut ipse super omnia honorem Regis semper dilexerat, eatenus & salutem. Et in prædicta Capella die ac nocte precibus incumbere indefessus. Sed Rex, ipsius meritis male respondens; cui tanto servierat studio, quod Regi soli sibi placere sufficiebat, nunc in tali statu constitutus est, quod Rex omnibus generaliter prohibuit; ne quis pro eo rogaret, vel de *Huberto* in ejus præsentia faceret mentionem.

After this (*Anno 1233.*) the Bishop of *Winchester* conspiring *Hubert's* death, he procured a Souldier to carry him out of the Castle, where he was kept close Prisoner in Chains, into the Church adjoining; the rest of the Garrison Souldiers thereupon running tumultuously to the Church, Invenerunt eum ante Altare Crucem Dominicam manibus bajulantem. Quem atrociter arripientes, & fustibus pariter ac pugnis impie cadentes & pellentes, cum duobus liberatoribus suis illum ad Castellum raptim reducant; & graviore quam prius custodiæ committunt. Sed res gesta cum ad aures *Roberti Sarisburiensis* Episcopi pervenisset, (*He in imitation of the Bishop of London's president*) venit celeriter ad Castellum, præcipiens ipsis Ecclesiæ violatoribus, ut *Hubertum* ad pacem Ecclesiæ quantocius reductum, in illo statu quo illum invenerant, dimitterent absolutum. Sed Castellani tumultuose satis Episcopo respondentes, dixerunt, se malle quod *Hubertus* suspenderetur, quam ipsi. Et cum illum reducere nolissent, Episcopus de commissa sibi potestate, **omnes nominatim excommunicavit qui eum detinebant, et qui in eum manus iniecerant violentas.** Tunc Episcopus ille, conjuncto sibi *Rogero Londinensi* Episcopo, & quibusdam aliis Episcopis, venit ad Regem, super injuria *Huberto* illata coram eo querelam deprensus; nec prius ab eo recessit, quam *Huberti* liberationem impetravit: & sic in Ecclesia concedente, **sed invito Rege,** remissus est decimo quinto Calend. *Novembris*. Sed Rex iratus, Vicecomiti provincie illius dedit per Literas in mandatis, ut Ecclesiam obsideret, donec *Hubertus* in ea ex ciborum inedia moreretur. Such was the insolency and usurpation of these Prelates upon the Crown, as thus to rescue a Prisoner impeached of *High Treason*, even against the Kings will, and to excommunicate all his Officers, who apprehended him by the Kings command; when as *Sanctuarie* extended not to every Church or Chappel, nor yes to *Cases of Treason*, and was a most grosse abuse and usurpation upon the Crown.

Anno 1233.  
Mat. Paris Hist.  
Angl. p. 388.  
Holinshed,  
Speed.

7. 31 H. 8. c. 10. 33 H. 8. c. 15. Keilway, fol. 188, to 192. Stamford, lib. 2. cap. 38. Halls Chronicle, fol. 9, 87. 21 E. 3. fol. 17. 1 H. 7. f. 10, 23. and Brooke, Sanctuary.

\* 26 H. 8. c.  
13. 27 H. 8. c.  
19. 28 H. 8. c.

The like insolency and encroachment the Bishop of *London* used, in the case of the Bishop of *Carlisle*.

**P**ER idem tempus, *Walterus Carleolensis* Episcopus, quibusdam injuriis a Rege sibi, ut dicebat, illatis, apud *Doveram* navem erat ingressus, ut transfretaret. Supervenerunt autem quidam ministri Regis, ejicientes eum cum suis omnibus de navi: & firmiter ex parte ipsius Regis prohibebant, \* ne absque illius licentia de Regno exiret. Applicuit autem tempore quo hæc facta erant ibidem, *Rogerus Londinensis* Episcopus, a Curia *Romana* reversus: qui videns injuriam, quæ præfato inferebatur Episcopo, (*though Dover was out of his Diocese and Jurisdiction*) **excommunicavit omnes qui in eum manus iniecerant violentas.** Et inde processit ad Regem, invenit eum apud urbem *Herefordensem* in *Wallia* cum exercitu copioso. Ubi in præsentia Regis, & quorundam Episcoporum, de violentia *Carleolensi* Episcopo illata, supradictam excommunicationis sententiam innovavit: (*though quite out of his Diocese*) non mediocriter Rege murmurante, et ne talem ferret sententiam prohibente: (*an intollerable insolent presumption and Usurpation on his Royal Prerogative.*) Cum quo etiam omnes qui assuerunt Episcopi, illos excommunicaverunt universos, qui hujus perturbationis occasionem præstabant. Every Bishop being then grown a second Pope, and sending abroad their Thunderbolts of Excommunication against the Kings Officers, for obeying his Regal commands, as prejudicial to their pretended privileges.

Mat. Paris,  
Hist. Angl. p.  
374.  
\* Here p. 366.  
Magna Charta  
c. 30.

Anno 1321.

The Pope this year to enlarge his Jurisdiction over all Monasteries throughout England, and other parts of the world, to gain monies by Appeals to Rome, and make them more submissive to his Exactions, appointed special Visitors over them in all places by his Bulls, expressing in general terms, the viciousness and enormities of Monks and Monasteries in that age, which he held himself obliged both in duty and conscience to redress, though not to reform his own or Agents rapines and excesses.

Mat. Paris Hist.  
Angl. p. 368,  
369, 370.

\* Note this.

**H**oc quoque Anno, Papa Gregorius constituit visitatores super viros religiosos per orbem generaliter universum Christi nomine insignitum, sub hac forma. Gregorius Episcopus, Venerabilibus fratribus Suffraganeis Ecclesia Cantuariensis, salutem & Apostolicam benedictionem. Egressus a facie Dei Sathan, ad fortia manuum mittens, de sua calliditate confusus, vitiorum laqueis irretire molitur electos, in sortem dominicam evocatos: majores ibi parans ille tortuosus insidiator insidias, ubi graviores conspexerit corruptelas. Sane cum frequenter ad nostram audientiam pervenisset, quod Monasteria Cantuariensis provincia in spiritualibus enormiter & temporalibus, per maliciam & incuriam in eis habitantium, sunt collapsa, nos culpas eorum nolentes ulterius sub dissimulatione transire, ne si eas dimiserimus incorrectas, ipsas nostras efficere videamur, Monasteriis illis, qua ad Romanam Ecclesiam nullo noscuntur medio pertinere, in eadem provincia constitutis, Visitatores, Reformatores, & Correctores, tam in capite quam in membris deputavimus speciales. Plenaria sibi potestate concessa, ut visitantes eadem Monasteria vice nostra corrigant, & reforment, qua in ipsis correctionis & reformationis officio noverint indigere, constitutionibus vel correctionibus aliis in provinciali capitulo rite factis, in suo robore nihilominus duraturis. Licet autem nobis in plenitudinem potestatis assumptis, cura cunctorum imminet generalis, quia etiam vos, qui vocati estis in partem sollicitudinis, super grege vobis commisso specialiter decet esse sollicitos & attentos, ne ovis morbida pereat, universitatem vestram monemus & hortamur, in virtute obedientia districte vobis precipiendo mandantes, quatenus singuli vestrum, tam in Civitatibus quam in Diocesis vestris, per vos ipsos, aut per viros religiosos, qui experimento rerum in hujusmodi visitationibus sunt instructi, loca Monachorum, & Canonicorum regularium, nec non secularium Clericorum, vobis subiecta, visitare curetis, tam Auctoritate nostra quam vestra, generaliter universa reformantes & corrigentes, in capite & in membris, omni gratia & timore postpositis, in eisdem qua reformanda noveritis & etiam corrigenda. Salvis his, qua circa religiosos in provinciali capitulo provide sunt statuta, juxta constitutionem Concilii generalis, contradictores per censuram Ecclesiasticam, appellatione postposita, compescendo: Præceptum nostrum taliter impleturi, quod ultionem Deus, in illo tremendo judicio, qui unicuique juxta opera sua reddit, de manibus non requirit sanguinem eorumdem, & nos, ad limam correctionis Apostolica apponere non cogamur. Data Spoleti, quinto Idus Junii, Papatus nostri anno sexto. Aliis autem Ecclesiis & viris religiosis, qui immediate ad Romanam spectabant Ecclesiam, non Episcopos, sed Abbates, ordinis Cisterciensis maxime, & Præmonstratensis, visitatores dedit; viros scilicet indiscretos, & nimis asperos; qui in hac visitatione ita insolenter & immisericorditer processerunt, quod pluribus Monasteriis rationis metas excedentes, compulerunt multos ad remedium appellationis confugere. Qui Romam profecti, post multas pecunie effusiones, & labores, visitatores alios impetrarunt. Et ut tandem breviter dicatur, ista visitatio per orbem universum, ad ordinis potius deformationem, quam reformationem processit; dum omnes, qui in diversis orbis partibus unicam Beati Benedicti sequuti fuerant regulam, per novas constitutiones ita inveniantur \* ubique discordes, quod ex omnibus cenobiis, vel aliis virorum religiosorum Ecclesiis, vix duo habeantur in norma vivendi concordēs: Verum Abbas quidam Montis belli, dum in hac visitatione procedere formidaret, consuluit Dominum Papam super dubiis quibusdam articulis: a quo, in forma procedendi, talem meruit habere responsum. Ea quæ pro religionis honestate, & religiosorum salute provide ordinantur, Apostolice sunt munimine roboranda, ut suscipiantur devotius, & diligentius observentur. Cum ergo per dilectum filium Abbatem Montis belli, quidam capitula nobis fuerint præsentata, quæ ad castigandum transgressionem multiplices & excessus, quos in quibusdam cenobiis invenerant, videbantur pro salute ac honestate nostra laudabiliter statuenda. Nos examinari & corrigi fecimus, & præcipimus, ut inviolabiliter observetis, quæ sigillis venerabilium fratrum nostrorum Hostiensis & Tuscanensis muniri fecimus ad cautelam. Et adhuc volumus, & præcipimus Auctoritate Apostolica, ut visitatores ad generale capitulum, convo-

\* Where then was the Unity, which Romanists make a Note of their Church, as the only true one?

cent



cent Abbates & Priores non habentes, Abbates proprios, tam exemptos, quam non exemptos, qui non consueverunt capitulum celebrare, præsidentes in ipso capitulo generali, Canonico impedimento ablato. Eos igitur qui contempserint, vel neglexerint convenire, cessante cujuslibet appellationis obstaculo, per censuram Ecclesiasticam venire compellant, & usque ad satisfactionem condignam, quam in eos tulerint rite, non relaxent. Eadem censura facturi, quæ in eodem capitulo deliberatione provida fuerint ordinata, firmiter observari, reddituri tam ipsi, quam visitatores, & alii quilibet, ministerii Domino, in cujus conspectu nuda sunt omnia & aperta, in extremo examine, rationem. Sed & omnem sollicitudinem & diligentiam, circa correctionem & reformationem ordinis ad visitationem cœnobiolorum studeant adhibere. Porro cum visitatores, secundum statuta generalis Concilii, in generali Abbatum capitulo processerint ad visitationis officium exequendum, de statu Monasteriorum & observandis regularibus observantiis, diligenter inquirant, & tam in spiritualibus, quam in temporalibus, corrigant & reforment quæ viderint corrigenda: ita quod Monachos delinquentes, per Abbates loci corrigi faciant, eisque injungi penitentiam salutarem, juxta Beati *Benedicti* regulam, & Apostolica instituta, & non secundum normam pravæ consuetudinis, quæ jam pro lege quibusdam Ecclesiis inolevit. Ipsi autem visitatores, Monachos quos contumaces invenerint & rebelles, juxta modum culpæ, vice nostra, regulari censura compellant absque personarum delectu, non parcendo rebellibus ob suam pertinaciam, vel potentiam amicorum: quin ovem morbidam ejiciant ab ovili, ne inficiat oves sanas. Si vero Abbates in corrigendis, juxta visitorum mandatum & regularia instituta, seipsis, suisve Monachis, inventi fuerint negligentes, proclamantur, corripiantur, & ita puniantur publice in capitulo generali, quod pœna eorum sit aliis in exemplum. Prout si Abbas aliquis non exemptus, fuerit a visitoribus nimis negligens & remissus inventus, id loci Diocesano denunciet sine mora, & per illum detur ei fides & prudens coadjutor, usque ad capitulum generale. Quod si dilapidator inventus fuerit, aut alias merito amovendus, per Diocesanum, postquam sibi a visitoribus fuerit denunciatum, amoveatur absque judiciorum strepitu a regimine Abbatæ & a Monasterio: provideatur interim administrator idoneus, qui temporalium curam gerat, donec ipsi Monasterio fuerit de Abbate provisum. Quod si forsan Episcopus hoc implere noluerit, vel neglexerit: visitatores, vel præsidentes in capitulo generali, defectum Episcopi ad sedem Apostolicam non differant intimare. Hæc eadem circa exemptos Abbates fieri præcipimus, depositione tantum ipsorum sedi Apostolicæ reservata. Ita tamen, ut Abbate, qui videbitur amovendus, interim per visitatores vel in capitulo præsidentes, ab administratione suspensio; administrator idoneus Monasterio deputetur. Illorum autem excessus, & alia quæ visa fuerint intimanda capitulis, præsidentes nobis denunciant per fideles nuntios & prudentes; quibus de communi Abbatum contributione, juxta cujuslibet facultatem, sufficientes ministrentur expensæ. Sequentes autem visitatores, Priorum perquirant vestigia diligenter visitorum; & eorum negligentias & excessus referant sequenti capitulo generali, ut juxta culpam, debitam pœnam portent. Et hæc de visitatione sunt manifestata.

Item, scripsit Dominus Papa super eadem visitatione facienda in Ecclesiis exemptis, in Provincia *Cantuariensi* sitis, in hæc verba. *Gregorius Episcopus, servus servorum Dei, dilectis filiis de Boxle, Cisterciensis, & de Bekeham, Præmonstratensis ordinis, Abbatibus Roffensis & Cicestrensis Diocesis, & Præcentori Ecclesie Christi Cantuariensis, salutem & Apostolicam benedictionem. Ille callidus supplantator, calumniator iniquus, qui non miratur quod flumen absorbet, nisi & ut Jordanis influat in os ejus, escas concupiscens electas, illis jactis pediculis in jacturam, qui stare probabiliter videbantur: eosque variis incurfibus non desinit attemptare, qui, ut ejus effugerent laqueos, se in claustralibus Castris receptarunt. Quare nos, & istius obviare malitia, & horum, prout interest nostra, saluti consulere cupientes, libenter remedia quæ possumus, procuramus, ut prada de illius faucibus auferatur. Intelligimus siquidem, quod nonnulla Monasteria exempta Cantuariensis Diocesis, in spiritualibus deformata, & in temporalibus sint graviter diminuta: Dum Monachi & Moniales eorum, Diabolica suggestionem seducti, immemores patris Domini Dei sui, quo non solum sua, sed seipsos professione ordinis abnegarunt; nec Ananiam & Saphiram mortis sententiam formidantes, non sine furti nota & noxa, Monasteriorum bona improprie sibi appropriant & retinent, venantur non vimaliter lucra pecuniaria mercimoniis & usuris, sed & disciplina Monastica ordinis profligati personæ patent contempti, & religio blasphematur. Ne igitur talium culpas nostras efficere videamur,*

\* Let Popish  
Votaries note  
this.

\* Note this  
their deprava-  
tion.

\* Did not this  
Pope himself  
do thus?

deamur, dum eas reliquerim: & incorrectas, visitationem, correctionem, & reformationem Monasteriorum ipsorum, tam in capite quam in membris, vobis, de quorum fide ac discretione indubitata fiduciam obtinemus, super his & aliis committimus confidenter; concessa vobis super prædictis, appellatione remota, plenaria potestate, ac statutis in principali capitulo rite factis, in suo robore nihilominus duraturis. Quocirca discretionem vestram rogamus, & exhortamur attente, per Apostolica vobis scripta, in virtute obedientie districte præcipiendo mandantes, quatenus præmissa juxta speciem nostram taliter exequi studeatis, quod Deo gratum, & nobis posset esse acceptum. Contradictores, si qui fuerint, per censuram Ecclesiasticam, appellatione postposita, compescatis: alioquin in extremo examine de manibus vestris requirat eorum sanguinem Dominus ultionum. Quod si non omnes his exequendis poteritis interesse, duo vestrum nihilominus ea exequantur. Data, &c.

Mandati igitur hujus executores vehementius, & secus quam deceret, se primo in Abbatiam Sancti Augustini Cantuariensis ingerentes, seque supra se incompolite effe-rentes, præcipue Abbas de Boxle, adeo Monachos perterruerunt, quod ad remedium appellationis coram præsentia Domini Papæ necessario confugerunt: & Romam profecti, consumpto labore & effusa pecunia, alios visitatores impetrarunt. Similiter & illi de Westmonasterio, & illi de Sancto Edmundo, quorum Abbas piæ memoriæ Richardus, cognomento de Insula, genere clarus, sed moribus clarior, dum ut parceret expensis, in partibus commorans transmarinis, viam ingressus est carnis universæ. Abbas vero Sancti Albani & Conventus, privilegiorum eminentiis, quibus insignita est Ecclesia Beati Albani Anglorum proto-Martyris, innitentes; inducias semel & iterum petierunt. So as all this Visitation and intended Reformation ended in Appeals to Rome, to fill the Popes and his Officers purses.

King Henry not only to demonstrate his Charity, but Piety and Supremacy in causes Ecclesiastical, erected a special Church, House, and forme of Government for the Jews, converted to the Christian Religion.

Anno 1237.  
Mat. Paris, Hist.  
Angl. p. 379.

Circa idem tempus, Rex Angliæ Henricus, quandam decentem Ecclesiam & Congregationem Conventuali sufficientem, cum quibusdam ædificiis adjacentibus, propriis sumptibus fabricavit; in loco ubi domum Conversorum, pro redemptione animæ suæ & Regis Johannis Patris sui, & omnium antecessorum suorum, constituit; anno Regni sui decimo septimo, videlicet Londoniis, haud procul a veteri Templo. Ad quam domum confugientes Judæi conversi, relicta Judaismi cæcitate, sub quadam honesta vivendi regula, certum haberent in tota vita sua domicilium, tutum refugium, et sufficiens vitæ sustentamentum, sine servili labore et scenoris emolumento. Unde factum est, quod in brevi Congregatus est ibidem Conversorum numerus copiosus, & ibidem baptizati & Christianorum lege instructi, vivunt laudabiliter, perito rectore ad hoc specialiter deputato gubernati. Similiter Spiritu-Sancto tactus, & pietatis intuitu compunctus Rex Angliæ Henricus, quoddam nobile Hospitale Oxoniis constituit, non procul a ponte; ut ibidem infirmi & peregrini suæ remedium reciperent sanitatis & necessitatis.

As the King erected this House and Church for the converted Jews, so by his Royal Prerogative, upon a complaint the very next year, he resolved, that the Wife of a converted Jew, who refused to turn Christian with her Husband in his life time, should have no Dower of his House or Lands after his death, as this memorable Record informs us.

Anno 1234.  
Pat. 18 Hen. 3.  
m. 27. dorso.  
See Cooks 1  
Instit. f. 31, 32.

Ostenfum est Regi ex parte Isaac de Cantuar. Judæi, quod cum emerit de Abbate Sancti Augustini Cantuar. quandam domum in Cantuaria quæ fuit Augustini, conversi, & quam idem Augustinus postquam se converterat, dederat prædictæ domui Sancti Augustini, Chera Judæa, quæ fuit uxor prædicti Augustini, petit versus prædictum Isaac dotem suam, de domo prædicta: Quia vero contra Justitiam est, quod ipsa Chera dotem petat vel habeat de teneamento, quod fuit ipsius viri sui, ex quo in conversione sua noluit ei adhærere et cum eo converti. Mandatum est Justic. ad custodiam, &c. quod si ita est, de cætero placitum inde non teneant. Teste Rege apud Cantuar. Quinto die Aprilis.

This

This year the King received Letters from the Pope concerning *Hugh de Burgo*, Anno 1233. the great oppofer of his Usurpations, ( then in disgrace ) as this Record informs us.

**R**EX, *Margarita* Uxori *H. de Burgo*, salutem. Mittimus ad vos *Robertum de Brixes*, Vicecomitem *Norff. & Suff.* ad loquendum vobiscum super quibusdam Literis impetratis in Curia Romana, pro prædicto Domino vestro & vobis, cui fidem habeatis, in hiis quæ vobis dicet, ex parte nostra, de negotio prædicto. Teste Rege apud *Westmonasterium*, septimo die *Februarii*. Clauſ. 17 H. 3  
m. 13. dorſo.

The Bishops meeting together at *Gloucester* Anno 1234. the King being jealous that they intended to consult of some things prejudicial to his Crown, State, and Dignity, ( as they had frequently practised in former times ) sent this memorable Writ of Prohibition to them, not to treat of any thing of this nature, under pain of seising their Baronies. Anno 1234.

**M**andatum est omnibus Episcopis qui Conventuri sunt apud *Glouc.* die Sabbathi in crastino Sanctæ *Katharine*, firmiter inhibendo, quod sicut Baronias suas quas de Rege tenent, diligunt, nullo modo præsumant tenere de aliquibus quæ ad Coronam Regis pertinent, vel quæ personam Regis, vel statum suum, vel statum consilii sui contingunt. Scituri pro certo quod si fecerint, Rex inde se capiet ad Baronias suas: Teste Rege apud *Hereford*. Vicesimo tertio die *Novembris*. Par. 18 Hen. 3.  
m. 17.

After this the King and Bishops meeting at a Conference at *Westminster*, the King charged some of the Bishops with a design and endeavour to deprive him of his Crown, which they denyed; whereupon one of them in a great rage, though out of his Diocese, excommunicated all those who raised such a report of them; which done, admonishing him to put away his evil Counsellors, and reform some other particulars, they threatned to excommunicate the King himself, and all contradictors of their proposals, unlesse they speedily submitted to them; as *Matthew Paris* thus stories.

**R**EX *Anglorum* venit ad Colloquium apud *Westmonasterium* in Purificatione Beatæ *Mariæ*, in quo quosdam Episcopos et maxime *Alexandrum Cestrensem* Episcopum graviter increpavit, de nimia familiaritate Comitissæ *Mareschalli*, et quod ipsum a Regni solio depellere nitentur. Episcopus autem ille, prænominatus, Pontificalibus indutus, cum talia sibi objecta cognovisset, necnon quosdam qui Regi suggererunt exasperando, Episcopos foventes partes *Mareschalli* velle alium Regem creare, commotus est vehementer, maxime adversus *Rogero de Camelu*, legistam, arguens eum sceleris paterni, dicens, quod Patris sui proditoris & suspensi pro eadem prodicione, sequens vestigia patrislavit. Excommunicabit igitur incontinenti omnes, qui contra Regem iniquitatem hujusmodi sceleris cogitabant, vel super Episcopos, qui omnino de salute et honore Regis sollicitabantur, malitiose talia imponebant. Et sic manifestata Episcoporum ac probata innocentia, confusis discordiæ seminatoribus, siluit legista prænominatus, ab anathemate, ut videbatur, non immunis. Sic igitur intervenientibus Episcopis qui aderant, pacificatus est *Alexander Cestrensis* Episcopus, & quievit spiritus illius, nimis ante amaricatus. Affuit quidem huic Colloquio Magister *Edmundus Cantuariensis* electus, cum multis Episcopis Suffraganeis, qui omnes Regis & Regni desolationi condolentes, venerunt ad Regem, & quasi uno corde, animo, & ore, dixerunt. Domine Rex, dicimus vobis in Domino, ut fideles vestri, quod consilium quod nunc habetis, & quo utimini, non est sanum nec securum, sed crudele & periculosum vobis & Regno *Angliæ*; Petri videlicet *Wintoniensis* Episcopi, ( a meer fire-brand, and bloody Tyrant ) & Petri de *Rivallis*, & complicitum suorum. In primis, quia gentem *Anglicanam* odio habent & contemnunt, vocantes eos proditores, & facientes omnes sic vocari, & avertentes animum vestrum ab amore gentis vestræ, & corda nostra & gentis vestræ a vobis, quod apparet in *Mareschallo*, qui melior homo est terræ vestræ, quem per mendacia interseminata a vobis elongantes perverterunt. Et per hoc idem concilium, scilicet per dictum Episcopum, Mat. Paris Hist.  
Angl. p. 382;  
382, 383.



amisit Pater vester Rex *Johannes* primo corda gentis suæ, deinde *Normanniam*, post, alias terras, & in fine totum Thesaurum exhaustit, & fere dominium *Angliæ*, & nunquam postea pacem habuit. Per idem consilium temporibus nostris turbatum fuit Regnum, & venit Interdictum; et denique factum est Regnum tributatum, et Princeps Provinciarum facta est (probo dolor) ignobilibus sub tributo. Et intra guerra & diu protelata, mortuus est Pater vester quasi extorris, nec in pace Regni vel animi, & sic mortem per eos admodum incurrit periculofam. Per idem consilium contra vos detentum fuit Castellum de *Bedesford*, ubi multum Thesaurum & strenuos homines perdidisti: ob quam causam, interim *Rupellam* in ignominiam totius Regni tui amisisti. Item, perturbatio nunc imminens, toti Regno periculosa, per eorum iniquum consilium accidit: quia si per justiciam & rectum judicium terræ tractati fuissent homines vestri, non evenisset ista perturbatio, & haberetis terras vestras non deductas, & Thesaurum inexhaustum. Item, in fide dicimus, quæ vobis astringimur obligati, quod Concilium vestrum non est pacis, sed perturbationis terræ, quia sic crescere volunt, qui per pacem non possunt, scilicet per Regni perturbationem, & aliorum exhæredationem. Item, quia Castella vestra & fortitudinem vestram habent in manu sua, quasi de gente vestra diffidere debeatis. Item, quia Scaccarium vestrum & omnes custodias & exhaetas maximas habent in potestate sua, placet talis expectatio, & quomodo vobis respondebunt in fine, ut credimus, comprobatis. Item, quia nisi per sigillum vestrum, vel præceptum sine sigillo *Petri de Rivallis*, vix aliquod magnum negotium fit in Regno, quali vos pro Rege non haberent. Item, per idem Concilium naturales homines de Regno vestro, de Curia vestra expulsi sunt, unde timendum est tam de vobis quam de Regno, cum videamini magis esse in eorum potestate, quam ipsi in vestra, sicut per plurima constat exempla. Item, quia puellam de *Britannia* & sororem vestram habent sub potestate sua, & alias plures puellas nobiles, & alias mulieres nobiles, cum Wardis & maritagiis, quas dant suis, & disparagant. Item, quia legem terræ juratam et confirmatam, atque per excommunicationem roboratam, pariter et justiciam confundunt et pervertunt, unde timendum est, ne sint excommunicati, et vos, eis communicando. Item, quia non observant alicui promissionem, fidem, vel juramentum, vel scripturæ munimentum; nec timent excommunicationem. Unde qui a veritate recesserunt, sunt desperati, ut qui in timore remanent, diffidentes. Hæc autem fideliter vobis dicimus, & coram Deo & hominibus consulimus, rogamus, & monemus, ut tale consilium amoveatis a vobis, & sicut est in aliis Regnis consuetudo, Regnum vestrum tractetis per fideles homines vestros, & juratos de Regno vestro. Denunciamus enim vobis in veritate, quod nisi infra breve tempus ista correxeritis, IN VOS, et in omnes alios contraditores per censuram Ecclesiasticam procedemus, nihil nisi consecrationem *Generabilis Patris nostri electi Cantuariensis, expectantes*: (*An insolent Papal speech to, and Usurpation over the King himself.*) Et his ita dictis, Rex humiliter breves possidebit inducias, dicens se non posse ita subito consilium suum amovere, donec de Thesauro suo illis commisso ratiocinium audisset. Et sic solum est Colloquium, recedentibus cunctis cum fiducia concordie, celeriter obtinendæ.

Mat. Paris Hist.  
Angl. p. 383.

Not long after, the Archbishop elect of Canterbury being consecrated; Convenerunt ad Colloquium dominica prima in Passione Domini, quæ tunc fuit quinto Idus Aprilis, apud *Westmonasterium*, Rex, cum Comitibus & Baronibus, & Archiepiscopus nuper consecratus, cum suis Suffraganeis, ut Regno perturbato salubriter providerent. Archiepiscopus quidem conjunctis sibi Episcopis, ac cæteris qui aderant Prælati, ad Regem veniens, ostendit ei consilium suum & Episcoporum, super desolatione Regni & periculo imminente, replicando suprascripta incommoda, in Colloquio superius habito sibi expressa. Denunciavit etiam ipsi eripisse, quod nisi celerius errorem dimitteret, et cum fidelibus Regni sui pacifice componeret, ipse incontinenti cum omnibus qui aderant Prælati, in ipsum Regem sententiam ferret excommunicationis, (*An undutifull menace to his Sovereign Lord, to his own face in Parliament,*) et in omnes alios hujus pacis contraditores et concordie pervertores. Rex autem pius, audiens consilium Prælatorum, humiliter respondit, quod

quod consiliis eorum in omnibus obtemperaret. Unde post dies paucos, intelligens proprium errorem, penitentia ductus, præcepit *Petro Wintoniensi* Episcopo, ut pergens ad Episcopatum suum, curis intenderet animarum; & de cætero Regiis negotiis nequaquam interasset. *Petro* etiam de *Rivallis* immutabiliter iussit, cujus *Anglia* tota dispositionibus subjacebat, ut redditis sibi Castellis suis, & ratiocinium de Theauris incontinenti redderet, & a Curia recederet; affirmans eum juramento, quod nisi beneficiatus & in sortem Clericorum fuisset admissus, ipse ei ambos oculos eruere faceret. *Pistolenses* insuper omnes, tam de Curia sua, quam de Castrorum prædiis expellens, remisit in Patriam suam, præcipiens ut ultra faciem ejus non viderent. Ac deinde Rex, qui modis omnibus pacem sitiebat, misit *Edmundum* Archiepiscopum *Cantuariensem*, cum Episcopis *Cestrensi* & *Roffensi*, in *Walliam*, ad *Leolinum* & *Richardum* Comitem *Mariscallum*, ut cum eis de pace tractarent. Et sic Rex, dimissis iniquis consiliariis suis, revocavit ad obsequium suum naturales homines de Regno suo, subiciens se consilio Archiepiscopi & Episcoporum, per quos sperabat Regnum perturbatum, ad statum prosperum revocare. Which the Bishop of *Winton* had principally disturbed.

In this Parliamentary Assembly (as I conceive) it was enacted, That no Assize of *Daraine Presentment* should be thenceforth taken of a *Prebendary*, as this Writ informes us.

**R**EX Justiciariis Itinerantibus in Comitatu *Line.* salutem. Sciatis, quod coram *Venerabili Patre Cantuariensi Archiepiscopo*, et coram majori parte Episcoporum, Comitum, et Baronum totius Regni nostri *Angliæ*, et coram multis aliis consideratum est, quod nulla Assisa de *Ultima Præsentatione* unquam de cætero capiatur de aliqua Præbenda pertinetente ad Ecclesiam Cathedralē. Et ideo vobis mandamus, quod si aliqua talis Assisa de cætero coram vobis Arrangata fuerit, illum non capiatis. Teste Rege apud *Westmonasterium*, Duodecimo die *Octobris*. I find mention of this Writ, reciting this Parliamentary Act, in *Plac.* 18 H. 3. m. 15. *Hil.* 19 H. 3. *Fitzherberts* Abridgement, Title *Daraine Presentment*, 23. and his *Natura Brevium*, fol. 32. D. See 34 E. 1. *Quare Impedit*, 187.

Claus. 18 H. 3. dorf. 3.

This year (\* before the *Statute of Marston*, 20 H. 3. c. 9.) I find this special Writ concerning a Tryal and Certificate of *Bastardy*, issued to our Bishops, as the usual form in that age, and part of this Kings Prerogative.

\* See *Glanvil* 7. c. 15. *Bracton* l. 5. c. 19. *Fleta* l. 6. c. 38. *Cooks* 1 Inst. p. 96, 67.

**R**EX tali Episcopo, salutem. Sciatis, quod eum A. de tali loco in Curia nostra coram Justiciariis nostris apud *Westmonasterium*, peteret versus B. tantum terræ in tali Villa, idem B. objecit prædicto A. quod nullum jus habuit in terra illa, eo quod natus fuit ante Matrimonium sollempniter contractum inter C. Patrem & D. Matrem ipsius A. Et ideo vobis mandamus, quod convocatis coram vobis convocandis rei veritatem diligenter inquiratis, utrum prædictus A. natus sit ante prædictum Matrimonium, vel post? et inquisitionem quam inde faceritis, nobis scire facitis per Literas vestras Patentes. Teste, &c. Of which more in due place.

Claus. 18 H. 3. dorf. 3.

As the King by his Ecclesiastical Prerogative and Laws determined those to be *Bastards*, who were born before Wedlock, against the \* *Popes* and *Bishops* Canons, who held them legitimate and inheritable, so he by the same Prerogative, commanded all common Whores, and Concubines of Priests (then much in use by reason of their vow of chastity and single life, which made them and Schollars most unchaste) to be imprisoned, and banished out of the University of *Oxford*, by his Temporal Officers, unlesse they had Lands therein, and by Oath and other security gave good assurance for their chaste and honest demeanour for the future, and not to resort to Clerks lodgings, as appears by this memorable Writ.

\* *Cooks* 1 Inst. p. 96, 97.

**R**EX Majori & Ballivis suis *Oxonie*, salutem. Sciatis, quod pietatis intuitu concessimus, quod omnes publicæ Meretrices & Concubinae Clericorum, quas cepistis,

Claus. 18 H. 3. memb. 16.

cepistis, & in prifona noſtra detinetis, eo quod contra prohibitionem noſtram inventæ fuerint in Villa veſtra Oxoniæ, deliberentur ſub tali forma: Quod publicæ Meretrices ſtatim poſt deliberationem ſuam, Villam noſtram exeant; Concubinae vero Clericorum tenementa, habentes in eadem Villa, ſi juramentum vobis præſtiterint, & ſecuritatem ſufficientem vobis fecerint, quod de cætero honeſtæ ſe gerent, non habituræ accessum ad Clericos pro quibus ſic captæ ſunt & detentæ, poſt deliberationem ſuam, libere & ſine impedimento ſtent in eadem Villa, & ibidem morentur; aliz vero domos aut poſſeſſiones in eadem Villa non habentes, Villam exeant ibidem ulterius non moraturæ. Et ideo vobis præcipimus, quod tam publicas Meretrices, quam Concubinas Clericorum in forma prædicta deliberetis. Teſte Rege apud Weſtm. Decimo die Julii.

If a Clerk or Beneficed Perſon were indebted to the King, or incurred his juſt diſpleaſure, the King by his Prerogative Royal commanded the Biſhop of the Dioceſſe to ſequeſter all his Eccleſiaſtical Benefices, till his debt was ſatiſfied, his diſpleaſure remitted, and the ſequeſtration diſcharged by ſpecial Writ, as in this following Record.

H.3. **R**EX Venerabili in Chriſto Patri T. Norwicensi Epifcopo, ſalutem. Sciatis, quod remiſimus Richardo de Sancto Johanne Capellano, indignationem noſtram, & ipſum in gratiam noſtram recepimus. Et ideo vobis mandamus rogantes, quatenus omnia beneficia ſua Eccleſiaſtica quæ habet in Dioceſi veſtra, & quæ occasione debitorum quibus nobis tenebatur ſequeſtrari feciſtis, eidem Richardo reſtitui faciatis, cum omnibus bonis ſuis in eiſdem beneficiis inventis & proventibus inde perceptis. Teſte Rege apud Kenington, ſexto die Julii.

How imperiouſly the Pope intruded himſelf into the Truces between Chriſtian Kings in general, you heard before, in the Popes Bull for a general Croſſado; how far ſo theſe between the Kings of England and France, theſe two enſuing Records will inform us.

Clauf. 18 H.3.  
m. 23. dorſo.

**R**EX, &c. Abbati Weſtm. ſalutem. Sciatis, quod assignavimus vobis ſocium Magiſtrum Johannem Blundum quem ad vos mittimus, ut ipſe una vobiſcum aſſiſtat Venerabilibus Patribus P. Wintonienſi, & W. Exoniensi Epifcopis, in tractatu quem de mandato Domini Papæ habſturi ſunt, cum Domino Rege Francia de Treugis & Pace: Ita quod ſuper præmiſſis omnis habeatur tractatus in præſentia veſtra ſicut idem Magiſter plenius vobis dicet, ex parte noſtra. Et ideo vobis mandamus rogantes, quatenus laborem prædictum ad commodum & honorem noſtrum pro nobis ſubire velitis, ita quod grates ſpeciales a nobis inde reportare debeatis. Teſte Rege apud Glouceſt. xxv. die Maii.

Per ipſum Dominum Regem, præſentibus Domino Cantuarienſi, & aliis Epifcopis.

Pat. 18 H.3.  
m. 24. dorſo.

**HENRICUS** Dei gratia Rex Anglia, &c. Venerabili in Chriſto Patri P. Wintonienſi Epifcopo, ſalutem. Mitimus ad vos fratrem Mauric. Templarium, proſecturum ex parte veſtra, & Domini Exon. cum Literis noſtris de ſalvo conductu ad Dominum Senon. Archiepiſcopum & Epifcopum Pariſienſem, quibus etiam ſignificamus, quod parati ſumus parere mandato Domini Papæ ſuper pace formanda, vel Treugis prozogandis inter Dominum Regem Francia, et nos. Et ideo mittimus ad opus veſtrum & Domini Exoniensis Epifcopi, ut ſalvo & ſecure poſſitis ad partes tranſmarinas accedere ſi fuerit neceſſe. Rogamus igitur vos quatenus una cum prædicto Epifcopo, collega veſtro quod veſtrum eſt, & quod prædictum negotium depoſcere videritis, diligenter exequi velitis: & ut de voluntate noſtra vobis conſter, ſcire vos volumus, quod placet nobis, ut ſi prædictæ Treugæ prozogari non poſſint uſque ad Trimenſium, prozogentur ad terminum quem poteritis optinere. Et quia conſilium petebatis a latere noſtro vobis adhiberi, Vobis ſignificamus, quod dilectos & fideles noſtros Philip. de Albiniaco, & Radulphum filium Nicholai, qui ad præſens proſecti ſunt in Marchiam pro negotiis noſtris, ſicut ipſi ſciſtis, vel aliquos alios de noſtris quando neceſſe fuerit, & ſecundum quod a vobis



bis accipiemus, die & loco quos nobis significabit ad vos mittemus: Teste Rege apud *Wadestock*, Decimo die *Maii*.

Eodem modo scribitur *W. Exon*, Episcopo.

The Mandate of this Pope specified in these two Records, I conceive was grounded upon his universal command to all Christian Kings and States, to forbear all Wars upon this occasion.

This insatiable turbulent Pope, to extort monies under a pretext of Charity and piety to rescue the Holy Land, even whiles there was a Truce with the Sarazens, to exhaust all others purses to fill his own, and raise forces to suppress the Citizens of *Rome*, with whom he had then great contests about their priviledges, issued out such an Antichristian Imperious Bull into *England* and other Countries, as trampled the Rights, Crowns, Liberties of all Christian Kings, Kingdoms, Cities, Clergymen, and Christians too, under his Papal feet; and gave every Monk imployed in this design authority, for money, to dispense with Oathes and Vows, made by his own Papal command, exhortation, and menaces: witnesse this relation.

**D**um talia mundialis rota volvendo perturbaret in partibus vicinis, in Regnis Orientalibus sicut & in Occidentalibus consimilis, imo molestior inter Christianos misera fuit perturbatio. Dominus enim Papa occasionem sumens a prædicta Imperatoris persecutione, argumentosas extorsiones præcipue in Angliâ excogitans et multiplicans, Legatos sub specie simplicium nuntiorum, potestatem tamen habentes Legatorum, undique destinavit, qui multifariam eregerunt pecuniam: nunc prædicando, nunc supplicando, nunc præcipiendo, nunc comminando, nunc excommunicando, nunc procuraciones exigendo; per Regnum Angliæ infinitos extorres reddiderunt et mendicantes. Et ut efficacius thesauros omnium emungerent, et pecuniam quasi ad succursum Terræ Sanctæ undique colligerent (cujus tamen pecuniæ voluit suos, quos ad hoc ordinaret, esse collectores et dispensatores, nec tamen inde unquam sensit Ecclesia promotionem) scripsit Dominus Papa omnibus Christi fidelibus in hæc verba elegantissima, quæ corda hominum lapidea viderentur penetrare, nisi facta humilitati ac justitiæ luce clarius adversantia sequerentur.

Mat. Paris Hist.  
Angl. p. 336,  
387, 364, 395.

**G**REGORIUS Episcopus servus servorum Dei, Universis Domini nostri Jesu Christi fidelibus per Regnum Angliæ constitutis, ad quos literæ istæ pervenerint, salutem & Apostolicam benedictionem. Rachel suam videns in veræ fidei cognitione principium accrescentium in salutem, & filiorum dexteræ pia mater sancta Romana Ecclesia, cujus magna est quasi mare de suæ prolis internectione contritio, vocem lamentationis, fletus & luctus emisit hactenus, & emittit, quam audiri cupimus in excelsis, ut per diem & noctem fidelium oculi dolores lachrymarum deducientes non taceant, & donec misereatur Dominus non quiescant. Lamentatur autem, quia domus cœlestis panis, mons *Syon*, unde lex exiit, civitas Regis magni, de qua dicta & scripta multa gloriosa, terra quam Dei filius fuso pro nobis suo sanguine consecravit, Regni robur perdidit & fortitudinem. Flet, quia quondam libera sub impio tyrannidis jugo cogitur ancillari. Luger, quia ubi pacem multitudo cœlestis militiæ cecinit, ibi pressuræ gentis immundissimæ scandalorum spurciæ, abominabiles simultates & schismata suscitavit, ac innovans exordia præliorum misit ad desiderabilia manum suam, & sacrorum ordinum pias leges, & ipsius Naturæ jura relegans a Templo Domini, diversis ibidem spurciis detestabilibus, & ignominiosis vitiis introductis, turpiter in suo stercore computrescit. Et ideo Hierusalem in suis derisa Sabbathis, oborbuit, quasi polluta menstruis suos inter inimicos. Nam licet dudum charissimo in Christo filio nostro Frederico Romanorum Imperatori semper Augusto, Hierusalem & Sicilia Regi illustri, civitas eadem præter Templum Domini, fuerit restituta: tamen quia Deus omnipotens tunc magnificentius agere cum populo suo Christiano non adjecit, Imperator prædictus treugas iniit cum Soldano: quarum terminus adeo est vicinus, quod tempus medium præparationi vix sufficere creditur nisi ad quæque necessaria per promptitudinem, spem & fervorem fidei

\* Matris:

fidei festinetur. Ad ejus ergo succursum, nullum tædeat peregrinari, & pro patria certare cum spe victoriæ, pro corona mori, pro illo sustinere dura & tristia, qui confusione concepta, spūto conspersus, cæsus alapis, flagellis afflictus, coronatus spinis, coram Pilato filii tanquam multorum criminum reus, pertulit Crucifixus ad ultimum, & potatus felle, lancea perforatus, emittens cum clamore valido spiritum, pro conditionis humanæ viribus reparandis, cursum præsentis vitæ saturatus injuriis consummavit. Hic est, ut repetamus altius, qui de paterno folio gloriæ, cœlis mirabiliter inclinatis, ad nostræ mortalitatis ima descendens, non dedignatus est Deus & homo, creator fieri creatura, suscipere dominus formam servi: ut qui non poteramus per nostram justitiam sperare veniam, consecuti per hæc gratiam inauditam, hæredes Dei, cohæredes vero Christi, divinitatis confortium, felicitatis æternæ participium sortiremur. Et licet per gratiam adoptati, quotidie causas ingratitude cumulemus, ipse tamen abundat in divitiis bonitatis dum propter diversitatem voluntatum, virium facultatem delinquentibus, diversa pro tempore satisfaciendi genera contulit, varia medendi languentibus remedia suscitavit, dum terram, in qua nasci, mori, & resurgere voluit, tam diu ad exercitationem fidelium ab infidelibus detineri permittit, cum non sit abbreviata manus Domini, nec virtus ejus in aliquo diminuta, quin eam, sicut fecit cuncta de nihilo, liberare valeat in momento. Sed illas compassionis & dilectionis gratias exquirat ab homine, quibus ad omnis consummationis finem legisque plenitudinem ostendendam, ipse prior homini perduto & damnato voluit miseratus adesse: qui nullatenus permisisset manus impias contra pios usque adeo roborari, nisi & suam vindicari de nostrâ confusione providisset injuriam, & servari nostram de sua victoria disciplinam. Sub hac occasione delicati plurimi satisfacere pro modo criminum non valentes, nec volentes, velut in profundo malorum penitus desperassent, nisi occurrisset eis hæc tabula: ut per hoc compendium suis positis pro Christo animabus consummati, breviter multorum temporum spacia complevisset. Multi etiam invenire locum ubi steterunt pedes Domini cupientes, prius ad bravium sine cursu, vel potius ad coronam sine gladio pervenerunt; illo suum remunerante militem, qui solam considerat in oblatione voluntatem. Ut autem propter præmissa fideles efficaciter & potenter expergiscantur; Nos de omnipotentis Dei misericordia, & beatorum *Petri & Pauli* Apostolorum autoritate confisi, ex illa quam nobis Deus, licet indignis, ligandi atque solvendi, contulit potestatem, omnibus qui laborem istum in propriis personis subierint & in expensis, plenam suorum peccaminum, de quibus \* veraciter fuerint corde contriti, & ore confessi, veniam indulgemus: & in retributione justorum salutis æternæ pollcemur augmentum. Eis autem qui non in personis propriis illuc accesserint, sed in suis duntaxat expensis, juxta facultatem & quantitatem suam vires idoneos destinaverint: & illis similiter, qui licet in alienis expensis, in propriis tamen personis accesserint; **plenam suorum concedimus veniam peccatorum.** Hujus quoque remissionis volumus et concedimus esse participes, juxta quantitatem subsidij et devotionis affectum; omnes qui ad subventionem ipsius Terræ de bonis suis congrue ministrabunt. Personas quoque ipsorum et bona, ex quo crucem susceperunt, sub beati *Petri* et nostræ protectione suscipimus. Nec non & eadem sub Archiepiscoporum, Episcoporum & omnium Prælatorum Ecclesiæ Dei defensione consistent. Statuentes, ut donec de ipsorum obitu vel reditu certissime cognoscatur, integra maneant, & secura consistent. Porro, Ecclesiarum Prælati, qui in exhibenda justitia cruce signatis, & eorum familiis negligentes extiterint, sciunt se graviter puniendos. Quod si quisquam contraire præsumperit, **per Ecclesiarum Prælatos, appellatione postposita, censura Ecclesiastica compellatur.** Si qui vero proficiscentium illuc ad præstandas usuras juramento tenentur attriti, creditores eorum per Ecclesiarum Prælatos, ut remittant eis præstitum juramentum, & ab usurarum exactione desistant, eadem **præcipimus** districtione compelli. Quod si quisquam creditorum eos ad solutionem coegerit usurarum, eum ad restitutionem earum simili cogi animadversione **mandamus.** *Judeos* vero ad remittendos ipsi usuras, per sæcularem compelli **præcipimus** potestatem. Et donec illis remiserint, ab universis Christi fidelibus, tam in mercimoniis quam aliis, **per excommunicationis sententiam eis omnino communio denegetur.** His vero, qui *Judeis* debita solvere nequeunt in præsentem, sic Principes sæculares utili dilatione provi-

\* Their true Repentance alone without their expensive Pilgrimage to the Holy-Land, would have obtained such a pardon.





*dantes reducantur ad plenam pacem aut firmam treugam inviolabiliter observandam. Et qui adquiescere forte contempserit, per excommunicationem in personas, et interdiciunt in terras arctissime compellatur: nisi tanta fuerit injuriarum malitia, quod non debeant pace gaudere. Quod si forte censuram Ecclesiasticam velipenderint, poterunt non immerito formidare, ne per auctoritatem Ecclesie, contra eos tanquam perturbatores negotii crucifixi, secularis potentia inducatur. Accingantur igitur omnes filii adoptionis divinæ ad obsequium Jesu Christi, dissensiones & lites in pacis & delectationis fœdera commutantes: credendo firmiter, quod si vere confessi fuerint & compuncti, fœlici commercio laboribus suis, qui cito transeunt, æternam requiem mercabuntur. Datum Spoleti, 2. Non. Septemb. Pontificatus nostri anno octavo.*

Mat. Paris, Hist.  
Angl. p. 388.  
Romanorum a-  
varitia obfuit  
negotio crucis.

**H**Æc cum per Christianorum climata, præcipue per *Angliam*, Christi fidelibus innotescerent, & prædicatio per Prælatos, maxime vero per fratres Prædicatores & Minores fieret, quibus data fuit potestas cruce signandi, *et votum datæ pecunie relaxandi*: sese multi quorum non erat numerus, cruce signaverunt. Sed cito in tantam nobilitatem, ne dicam arrogantiam elevabantur Prædicatores & Minores, qui spontaneam paupertatem cum humilitate elegerunt, ut recipi curarent in cœnobis & civitatibus in processione solenni, in vexillis, cereis accensis, & in dispositione vestimentis festivis indutorum, & concessum est eis veniam multorum dierum suis conferre auditoribus, signatosque hodie, *cras data pecunia a crucis voto absolberunt.* Parvoque tempore succedente, facta est tanta commutatio, tam multiformis pecuniæ exactio, nec sciri poterat in quam abyssum tanta pecunia, quæ per Papales procuratores colligebatur, est demersa, quod fidelium circa negotium crucis tepuit, imo potius charitas refriguit generalis. *Unde negotium Terræ Sanctæ nunquam fœlix super hoc suscepit incrementum. Præterea graviter ladebatur omnium Conscientia, & in mediatione exardescere sauciabatur, quod tota illa pecunia impreciabilis, quæ ex decima per magistrum Stephanum Domini Papæ clericum cumulabatur, ad conterendum Imperatorem, facta pace, sicut colligi potest per Epistolam Papæ superscriptam, nec in minimo quadrante est restituta, nec ad aliquod Ecclesiæ commune negotium vel honorem distributa. Imo nec dum penitus fuit extorta vel collecta, & ecce subita & occulta pax est reformat: & postea facta est inquisitio gravis, quis plene vel plenius persolvebat.*

This Pope as he intruded himself into the Differences, Wars, Leagues between Christian Kings in his precedent Bull, so likewise into their Treaties and Contracts of Marriage; & particularly into that between *Frederick* the Emperor, & *Isabella* sister to *K. Henry* the 3d. as this Bull of his ( extant under seal in the White Tower ) assures us.

. 18 H.3.

**G**REGORINS Episcopus servus servorum Dei, charissimo in Christo filio Illustri Regi *Angliæ*, salutem & Apostolicam benedictionem. *Quæ tuæ celsitudinis respiciant incrementum, libenter tibi facienda suggerimus, et eadem per nos ipsos oportuno tempore procuramus; hinc est quod cum charissimus in Christo filius noster F. Romanorum Imperator semper Augustus, Jerusalem et Siciliæ Rex Illustris, pro dudum tractato et firmato, sicut dicitur, Matrimonio inter te et ipsum, de dilecta in Christo filia Isabella sorore tua Illustris, feliciter consummando, ac pro ipsa, duce Christo, adeundum abdicato tarditatis spatio deducenda, juxta Consilium nostrum, ad tuam præsentiam sollempnes Nuncios duxerit destinandos, sublimitati tuæ bonæ fidæ consulimus et attente rogamus, quatenus prudenter advertens, quid tibi et regno tuo utilitatis proferat, et honoris, cum principe terræ Regibus præminenti, contrahere parentelam, tanti complemento*

negotii finem tribuas, affectatam diligentiam habiturus ut a re tam honorabili, tam salubri, nullius averti sinistro Consilio patiaris. Cæterum memoratos Nuncios hilari vultu recipiens, et honore pertractans quid tibi competat, et mittenti eorum verbis quæ super his tuæ Celsitudini proponenda duxerint, fidei plenitudinem largiaris. Dat. *Perusti Non. Decembr.* Pontificatus nostri Anno Octavo.

Insignill. } Gregorius  
Papa 9.

The King returned this Answer to the Popes Bull, concerning this Treaty and marriage, and his proceedings therein, entred in the Clause Rolls.

**D**omino Papæ salutem, & debitam tanto domino, & Patri reverentiam & honorem. Quod ex affectione Paterna libenter nobis suggeritis, ea faciendæ quæ nostræ celsitudinis incrementum respicere sentitis; & per ipsos vos liberaliter eadem tempore procuratis opportuno, sanctæ paternitati vestræ copiosas referimus gratiarum actiones. Ad ea quæ duxit nobis sanctitas vestra consulend. de matrimonio inter charissimum amicum; & fratrem nostrum futurum *F. Dei gratia Romanorum Imperatorem semper Augustum, Jerusalem & Siciliæ Regem illustrem*, & dilectam sororem nostram *Isabellam* contrahendo & complendo, vobis significantes, quod cum certi simus & securi, quod pro sublimatione nostra, honore etiam & utilitate Regni nostri, quæ ex tanti Principis confederatione consequi poterimus inde nos sollicitaveritis; Volentes in eo & aliis quæ nobis duxeritis consulend. & faciendæ tanquam filius sanctæ *Romanæ* Ecclesiæ devotissimus humiliter ac devote, humiliter & beneplacito vestro, nos sicut **debet committere matrimonio, prædicto ad mandatum vestrum consensimus.** Receptis enim hilariter nunciis Imperatoris prædicti, & ipsis tanquam a latere tanti principis destinatis sicut decebat honoratis, in præsentia magnatum nostrorum nobis tunc assistentium, prædictam sororem nostram eidem Imperatori concessimus in uxorem; ipsa sorore nostra, de voluntate nostra per verba de præsentia in ipsum Imperatorem consentiente per virum discretum *P. de Vineis*, Nuncium ipsius Imperatoris specialiter ad hoc destinatum, cum potestate consentiendi in ipsam sororem nostram nomine sæpediti Imperatoris, qui quidem nomine suo in ipsam mutuo per verba de præsentia consensit, & in Animam ejusdem Imperatoris juravit, quod ipsam duceret in uxorem, & in facie Ecclesiæ solempniter desponsaret, ac eam honore Imperiali & affectione maritali tractaret; Ut igitur de processu memorati negotii plenius sanctitati vestræ constet, **et quod a consilio vestro recedere non curamus, sicut nec debemus,** quatenus processum est in prædictis vos duximus certificandos, attente rogantes & devote quatenus eundem Imperatorem, pro loco & tempore monere velitis & inducere, ut cum eidem in omnibus placere libenter intendamus, nobis voluntati suæ & honori expositis debitam servat amicitiam, **et commodum Regni nostri procuret, et utilitati constanter intendat, et potissime data opportunitate, ad iura nostra recuperanda potenter nobis assistat.** Ita quod ex affectione fraterna quam nobis ostenderit sentiamus in matrimonio prædicto per consilium vestrum commodo nostro & honori provideri. Teste Rege apud *Westmonasterium* Vicesimo Quinto die *Februarii*. The King sent the like Letters to all the Cardinals at *Rome*, *mutatis mutandis*, entred at large in the same Roll.

Anno 1235.  
Clauſ. 19 H. 3.  
part. 2. m. 6.  
intus.

The contract made between King *Henry* the 3d. and the Emperour touching this marriage, and the security given by the King to the Emperour for his sisters Portion, is very observable, especially in that Clause whereby the King subjects himself to the Ecclesiastical censures of the Pope and Church of *Rome*, if he faile of payment at the times agreed, and his desire of the Popes undertaking the Payment thereof as his surety; Which being not extant in our Histories, I shall here present you therewith out of the Clause Rolls.

**N**os *Henricus* Dei gratia Rex *Anglia*, &c. Vicesimo secundo die *Februarii* Indictione octava, per præsens scriptum notum fieri volumus universis præsentibus Literas inspecturis, **quod nos ad consilium et ordinationem Domini Gregorii sacrosanctæ Romanæ Ecclesiæ summi Pontificis**, promissimus & corporaliter

Clauſ. 19 H. 3.  
m 7. intus.

præstito jurejurando juravimus, dare in uxorem legitimam *Isabellam* charissimam sororem nostram Domino *Frederico* Dei gratia, invictissimo *Romanorum* Imperatori, semper *Augusto*, *Jerusol. & Sicilia* Regi, promittentes Magistro *Petro de Vine*, magnæ Imperialis curiæ Judici, Nuntio & speciali procuratori prænominati Domini *Frederici* Imperatoris, pro parte Imperatoris, ejusdem nomine, antedictæ *Isabella* fororis nostræ in dotem Triginta Millia Marcarum Argenti optimi Sterlingorum ana tresdecim solid. & quatuor denar. per Marcam, de quibus tenemur solvere præfato Magistro *Petro* decimo die post resurrectionem Domini primo venturam, per eandem indictionem una cum prædicta sorore nostra tria Millia marcarum Argenti Sterlingorum ut dictum est. Et alia duo millia tenemur solvere antedicto Imperatori vel certo ejus nuncio in festo beati *Johannis* de mense *Junii*, ejusdem indictionis, alia vero quinque millia tenemur solvere prænominato Imperatori: vel certis nunciis ejus in festo sancto *Michaelis* in proximo venturo nonæ Indictionis. Et alia quinque Millia tenemur eidem solvere in festo Paschæ secundo futuro per eandem nonam indictionem; & iterum alia quinque Millia tenemur eidem solvere in festo beati *Michaelis* proximo secundo futuro decimæ indictionis. Reliqua vero decem millia tenemur antedicto Imperatori, vel ejus certo Nuncio solvere in festo Paschæ sequenti, per eandem decimam Indictionem: Ita ut ab isto Pascha usque ad duos annos completos antedicta 30. millia marcarum optimi & puri argenti sterlingorum sint eidem Domino Imperatori, aut ejus Hæredibus vel certis eorum Nuntiis integre persoluta. Salvo quod in quolibet prædictorum terminorum præter primum beati *Johannis* scilicet debeamus quamlibet solutionem facere infra mensem a die ipsa in solutione taxato. Antedictam autem pecuniam prima tria millia marcarum tenemur solvere antedicto Imperatori vel pro parte sua apud *London*, in Regno *Anglia*; Ita ut non teneamur antedictam pecuniam eidem Imperatori transmittere extra regnum, prænominatam autem pecuniæ quantitatem in dotem pro prædicta sorore nostra promissimus & sacramento firmavimus præter omnem apparatus, Aurum & Argentum laboratum, & vasa, equos, pannos, laneos & sericos, quæ omnia prænominata Domina soror nostra talia habere & deferre debebit, qualia tantam dominam portare, & tantam dominum recipere condecebit, de quibus omnibus & singulis adimplendis obligavimus nos sollempniter stipulatione legitima interposita antedicto Magistro *Petro* obligationem nostram, pro parte antefati Imperatoris recipienti, scilicet tam de solutione bona fide & integre facienda, quam de terminis singulis observandis, ad majorem etiam cautelam Imperatoris, ejusdem hoc ipsum corporali præstito sacramento juravimus, per omnia & singula firmiter observare promittentes, nomine pœnæ decem millia marcarum argenti, si in terminis prætaxatis singulis antedicta pœna decem millium marcarum non in solidum, set pro rata per singulos terminos comitatur. Subjecimus nos præterea jurisdictioni, et sententiæ summi Pontificis ac sacrosanctæ *Romane* Ecclesiæ, ut antedictus summus Pontifex vel *Romana* Ecclesia, si in solutione prædictæ pecuniæ per singulos terminos cessaverimus, possit nos et successores nostros libere per censuram Ecclesiasticam coercere, exceptione fori vel regniæ dignitatis a nobis aut successoribus nostris, Ecclesiastico judicio minime opponenda, aut apposita non obstante. Hæc eadem etiam in omnibus & singulis articulis observare, de speciali mandato & in præsentia nostra corporaliter præstito sacramento firmaverunt *Hubertus de Burg.* Comes *Kancia*, *Gilbertus Mar.* Comes de *Pembrock*, *Radulphus* filius *Nicholai*, *Godefridus* de *Crancumb.* *Humfridus* Comes *Hereford.* sacramento expressius & apertius inferentes, quod pro toto posse eorum ad hoc intendent, quod nos observare prædicta omnia & singula debeamus. Prænominati etiam singuli fideles nostri super hiis omnibus testimoniales apertas literas exhibebunt cum sigillis eorum pendentibus, antefato Magistro *Petro* ad cautelam & præsentiam antedicti Cesaris deferendas. Per prænominatas autem cautiones, nos sæpeditus Rex prænominato Magistro *Petro de Vine* obligavimus nos & successores nostros antedicta omnia & singula observare hoc adjecto, quod si prænominatus summus Pontifex vel *Romana* Ecclesia, vellet se domino Imperatori, de solvenda pecunia memorata nostro nomine obligare et constituere principalem debitorem, juxta formam a jure statutam, nos obligationem ipsam ratam habebimus, et ipsum summum Pontificem et *Romanam* Ecclesiam ab obligatione ipsa promittimus statuendis



tuendis inter nos locis et terminis liberare, prout hæc omnia per Nuncios et Literas nostras eidem Summo Pontifici et Romanæ Ecclesiæ curabimus destinare; eo salvo, quod antedictæ Romanæ Ecclesiæ cautione recepta, et per prædictum Cæsarem acceptata, præsentis obligationis nostræ Literæ, nobis aut Nunciis nostris restitui debeant nullo unquam tempore valituræ, et a prædictis cautionibus omnibus nos et prædicti Nobiles nostri simus penitus absoluti. Quod si forte Domino avertente contingeret antedictam sororem nostram *Isabellam* prius in fata concedere, quam iter arripiat, vel postquam iter arripuerit priusquam ad Dominum Imperatorem virum suum perveniens, in facie Ecclesiæ sollempniter & publice desponsetur, nos & successores nostri ab omnibus & singulis antedictis obligationibus absolvi debemus & liberi permanere. Item, si forte, quod absit, Imperatorem eundem prius contingeret in fata concedere, quam prænominata nostra soror desponsaretur ab eo, similiter nos & successores nostri remanere debemus ab omnibus ipsis obligationibus absoluti, & antedicta soror nostra ad nos in Regnum *Anglia* secure & libere reducetur. Quod ipsum tam Dominus *H. Venerabilis Colen* Archiepiscopus, tam de recipienda a Domino Imperatore & desponsanda Domina, quam de ea in eventum sinistri casus libere reducenda, & alii Nobiles qui ad ipsam sororem nostram in *Anglia* recipiendam de mandato Imperialis Excellentie venerint, Sacramento ab eis corporaliter præstito jurare debebunt, & nobis proinde apertas eorum Literas assignare. Obligavimus nos etiam antedicto Magistro *Petro de Vineæ* pro parte Imperatoris præfati sibi & antedicto Archiepiscopo *Colen*, aut quibuscumque aliis Nobilibus Imperii pro parte ipsius Imperatoris venientibus, assignare sæpeditam sororem nostram Decimo septimo die ineuntis mensis *Aprilis*, una cum sollempnibus Nunciis nostris ducendam ad Dominum Imperatorem præfatum ab ipso sollempniter desponsandam, & ab eo Imperiali honore affectione maritali tractandam. Ad perfectionem etiam antedicti Matrimonii consummationem, sæpedita etiam *Isabella* soror nostra de mandato nostro, præsentibus dilectis & fidelibus nostris *Richardo Comite Pillavia & Cornubia*, Charissimo fratre nostro, *Huberto de Burg.* Comite *Kanc.* *Willielmo de Ferrariis*, *Philippo de Albin.* *Hugone de Vivon.* *Radulpho filio Nicholai*, *Godefrido de Crancumb.* *Amaur. de Sancto Amando.* *Johanne Mar.* *Roberto de Mucogros.* *Roberto de la Bruer.* *Walterando Teutonico*, & aliis quampluribus fidelibus nostris, recepto consensu in se a præfato *Petro de Vineæ* speciali procuratore Imperatoris ad hoc statuto, pro parte Imperatoris ejusdem, per verba de præsentis consensit in eundem Imperatorem velut in virum suum, similiter præfato Magistro *Petro* ut dictum est, ad hoc antefacti *Cæsaris* speciali & legitimo procuratore statuto, recepit a præfati ipsum Dominum Imperatorem in virum suum, recipiens anulum nomine Imperatoris præfati, & remittens eidem per eundem procuratorem suum anulum sponsionis. In cujus rei testimonium, has Literas fieri fecimus Patentes. Teste meipso apud *Westmonasterium*, Vicesimo septimo die *Februarii*. Anno Regni nostri Decimo nono.

This agreement and security for payment of *Isabellæ* Portion to the Emperour, and the Kings subjecting himself to the Popes and his Successors Ecclesiastical censures, in case of failer, being made without the Popes precedent assent, the King thereupon certified the Pope thereof by this Letter.

**S**anctissimo in Christo Patri Charissimo, G. Dei gratia Summo Pontifici, *H.* eadem gratia Rex *Anglia*, &c. salutem, & omnem devotionem. Juxta Sanctitatis vestræ consilium, & mandatum quod nobis per Magistrum *Petrum de Vineæ*, Domini *Frederici* Dei gratia illustrissimi Romanorum Imperatoris, semper Augusti, *Jerosalem*, & *Sicilia* Regis, Nuntium, Apostolicis Literis direxistis *Isabellam* Charissimam sororem nostram consensu per verba de præsentis in eam & ab ea per prædictum Magistrum *Petrum* ejus procuratorem specialem & legitimum, habito & Sacramento a nobis corporaliter præstito, Domino Imperatori præfato dedimus in Uxorem, cum Triginta Millibus Marcarum Argenti memorato Domino Imperatori vel ejus Nuntiis statutis locis & terminis persolvend. prout hæc & alia in scripto Conventionum inter nos & prædictum Magistrum *Petrum de Vineæ*, habitatum sigillo nostro munito plenius continentur. Cum igitur de solutione pecuniæ supradictæ eidem Domino Imperatori cavere idoneè debeamus, Paternitati vestræ volumus esse notum, quod

Claus. 19 H. 3.  
part 2. m. 4.  
incus.

quod nos ad cautelam Imperatoris ejusdem, subicimus nos et successores nostros jurisdictioni et sententiæ vestræ ac Sacro-sanctæ Romanæ Ecclesiæ, ut vos et successores vestri, et Romana Ecclesia, si in solutione prædictæ pecuniæ per singulos terminos cessaverimus, possitis nos et successores nostros per censuram Ecclesiasticam libere coercere, exceptione fori vel Regiæ dignitatis a nobis aut successoribus nostris Ecclesiastico judicio minime opponenda, aut opposita non obstante. Teste Rege apud *Westmonasterium*, Tertio die *Maii*. By these Instruments the King and his Successors voluntarily subjected themselves to the Popes Ecclesiastical censures, in this Secular affair, waving the Priviledges of his Regal Dignity, which encouraged him to usurp the like power over him and other Princes, in other cases, against their wills.

The proceedings in, and pompous solemnities of this marriage of the Emperour with this *Isabella*, not pertinent to my theam, you may peruse at leasure in \* *Matthew Paris*, to whom I referre you.

King *Henry* the 3d. intending this year to marry *Jone* daughter of the Earl of *Pontini*, advised her to write to the Pope for his dispensation, as he had done, to ratifie the contract of Marriage between them; to which end he sent Proctors to *Rome*, but afterwards countermanded their proceedings therein till further order, as these Records inform us, all entred together in the Clause Rolls.

\* Hist. Angl. p. 414, to 418, Edit. Londini 1640.

CLAUS. 19 H. 3. part 2. m. 5. dorso. **HENRICUS** Rex Angliæ, &c. Dominæ *Johanna*, &c. salutem. Quoniam dilectos Clericos nostros Magistros *W. de Gloucestria*, & *Richardum de Langedon* Nuncios, & procuratores nostros ad sedem Apostolicam specialiter destinamus: At contractus Matrimonialis inter nos et vos initus, Auctoritate Apostolica confirmetur, dilectioni vestræ Mandamus, quatenus per prædictos procuratores nostros Domino Papæ Literas vestras Patentes dirigatis, ut ipse de consueta sedis Apostolicæ clementia nobiscum supradicto negotio dispensare dignetur, ut sic utriusque nostrum concurrente consensu, dictum negotium ad finem optatum facilius perducatur. Formam autem Literarumstrarum Domino Papæ dirigendarum, vobis præsentibus Literis mittimus interclusam. Teste, &c.

**D**omino Papæ, Ex parte dictæ Dominæ; Sanctæ Paternitati vestræ Supplicamus humiliter ac devote, quatenus Matrimonium inter Dominum *H. Regem Angliæ* illustrem et nos contractum de consueta sedis Apostolicæ clementia dignemini confirmare; Pro hoc autem impetrando ad pedes Sanctitatis vestræ tales, &c. Procuratores nostros specialiter destinamus. In cujus, &c.

Et mandatum est Com. de *Pontini*, & similiter Uxori suæ sub forma suprascripta, panis mutatis, quod Literas Patentes dictæ Domina *J.* quarum transcriptum Rex ei mittit, interclusam Domino Papæ transmittant.

**R**EX, Magistris *R. de Langed.* Archid. *Stoff.* & *W. de Glouc.* salutem. Quia consilio nostro cui fidem adhibere tenemur, utile nimis videtur, et expediens, quod negotium illud de dispensatione petenda, quod Matrimonium consummari possit inter nos et primogenitam filiam Comitissæ *Pontini* suspendatur ad præsens: Vobis mandamus in fide qua nobis tenemini, quatenus nullo modo negotium illud Domino Papæ, vel alicui Cardinali, vel alicui viventi reveletis, vel mentionem aliquam inde faciatis, donec specialem Nuncium nostrum propter hoc & alia negotia nostra ad vos miserimus; si vero perpendere possitis quamdiu in Curia steteritis quod aliquid de beat vel consilium nostrum impetrari impetrantibus, po posse vestro vos opponatis & indemnitati nostræ quantum in vobis est prospiciatis. Teste meipso apud *Westmonasterium*, Decimo sexto die *Julii*.

Domino

**D**omino Papæ salutem. Certam de Sancta Paternitate vestra fiduciam obtinentes, quod preces nostræ solitum & optatum in oculis benignitatis vestræ favorem inveniant et gratiam, nobis emergentibus negotiis, pro remedio petendo fiducialiter ad sedem Apostolicam confugimus. Cum igitur dilectos Clericos nostros Magistros *R. de Langedon, & W. de Gloucestria* ad quædam negotia nostra procuranda necesse habeamus ad præsens, ad pedes Sanctitatis vestræ destinare, ipsos sinceritati vestræ recommendamus attentius, toto corde supplicantes, quatenus nostræ supplicationis obtentu eisdem Clericis nostris favorabiles vos exhibentes & propitios, in negotiis nostris, quæ ad utilitatem nostram & honorem vobis exponent, ipsos libenter audire, & liberaliter, sicut speramus, exaudire dignemini, ut cum ad nos redierint feliciter expediti; de gratia vestra nobis impensa hilares efficiamur & jocundi, & ad devotissimas Sanctitati vestræ teneamur gratiarum actiones. Teste, &c. apud *Windesles*, xij. die *Augusti*.

This Marriage Treaty and License on which they were sent was countermanded, and proceeded no further, the King altering his mind, and marrying *Alienor* the second Daughter of the Earl of *Provence*, who was conveyed into *England*, married to the King, and crowned Queen this year, with extraordinary pomp and solemnity, as you may read at leisure in \* *Matthew Paris, Matthew Westminster, Holinshed, Speed*, and other our Historians.

This Pope was grown so insolently proud and peremptory in this age, by his promised Usurpations, that he would not vouchsafe to hear or admit the Kings Proctors and Agents, sent to *Rome* upon his urgent affairs, without most humble suits and supplications to him in his Letters of Credence and Procurations, as the precedent Procurations, and this ensuing Record demonstrates.

\* Hist  
P. 24c  
Edit. 1640.

**S**anctissimo Patri in Christo *G. Dei gratia Summo Pontifici*, salutem, & tanto Patri ac Domino omnimodam reverentiam, cum honore Apostolicæ sedis. Pia Mater nonnunquam filiis suis desolatis solatium, oppressis subsidium pie petentibus, viscera pietatis consuevit misericorditer aperire. Quapropter ad ipsam tanquam ad piam matrem nostram, quæ nobis sua gratia, ut filio suo devoto, continua compassione compatitur favorabiliter & benigne, cum Regiæ dignitati necessitatem imminere videmus, confugimus confidenter. Hinc est, quod cum dilectos & fideles nostros *P. Saracenum, & Magistrum S. de Steyland*, Clericum nostrum pro quibusdam negotiis nostris ad sedem Apostolicam transmittamus, Paternitatis vestræ dilectioni affectione plena duximus supplicandum, quatenus ipsos in negotiis nostris, quæ vobis exponent, audire benigne, & efficaciter exaudire velitis clementia consueta, ut hæc preces nostræ benignitate vestra mediante nobis more solito fructum pariant copiosum, nosque exinde paternitati vestræ ad speciales gratias astringamur. Teste Rege apud *Merewell*, Vicefimo quinto die *Maii*. Anno, &c. Decimo nono.

Clau  
pars 1

This year King *Henry* the 3d. made a Remonstrance to the Pope of the several injuries done to him by the Earl of *Britain*, in seizing upon his Castles, and revolting to the King of *France*, desiring the Pope by his Ecclesiastical censures to compel him to restore his Castles to him, or give satisfaction for them.

**D**omino Papæ, salutem, & debitam ac devotam in omnibus reverentiam; ut Sanctitati vestræ plenius innotescat qualiter erga nos se gessit *P. Comes Britannia*, vestræ significamus Paternitati, quod cum dilectum fratrem nostrum *R. Comitem Cornubia & Pistavia* transmissemus ad partes *Wascen*. pro defensione partium illarum, habito inter ipsum Comitem *Britannia*, & prædictum fratrem nostrum Colloquio, nobis significavit, quod paratus erat ad servitium nostrum venire, & de nobis in capite tenere. Nobis igitur id mediocriter adhuc ferentibus, per transmissum ad nos fidelem nostrum *S. de Malo Leone* tunc superstitem, & Dominum perdilectum & fidelem nostrum *Philippum de Albiniaco* nos instanter sollicitavit super eodem. Cum igitur monitis suis adquiescentes exercitum totius Regni nostri convocassemus apud *Portesm*. habentes in proposito transfretare in *Britanniam*, ad jura hæreditaria nostra perquirenda in partibus transmarinis, memoratus Comes in eodem tempore ibi applicans,

Clauſ. 19 H. 3.  
pars 2. m. 5.  
intus.



applicans, coram universis Magnatibus terræ nostræ, homagium nobis fecit de terra sua *Britannia*, & Sacramentum de fidei servitio nobis præstitit, & tunc honorem de *Richmond*, in quo jus vendicabat, ei reddidimus, & plura alia feoda & terras ei dedimus non modicas. Revertente autem eodem Comite ad partes suas, & nobis per consilium suum in terra nostra remanentibus, cum in estate sequenti aggregasset Rex *Francia* universum posse ad invadendum terram prædicti Comitis, cum totis viribus nostris in succursum ejus ad suum mandatum transfretavimus in *Britanniam*, non sine gravi dispendio corporis nostri, & factura irreparabilis magnæque Wallorum hominum nostrorum quos ibidem perdidimus. Cum ergo per adventum nostrum ab incurfibus prædicti Regis *Francia* defensus extitisset & securus, & ipso Rege sine obtentu propositi sui ad partes suas revertente, vellemus similiter ad terram nostram redire, de consilio suo convenit inter nos & memoratum Comitem *Britannia*, quod ad tenendum ei Milites & servientes, quandam summam pecuniæ daremus eidem per annum tempore guerræ, & aliam summam pecuniæ, si contingeret inter ipsum Regem *Francia*, & nos tunc treugas iniri, sicut factum est, quod quidem sine omni defectu ei plene perfecimus. Novissime vero, cum instante sine treugarum inter ipsum Regem & nos essemus requisiti, ab ipso Comite de Militibus & servientibus mittendis in succursum suum, & ad Castrum nostrum Sancti *Jacobi* super *Beveranum*, quod fuit in manu sua, de Ballivo nostro, muniendum, & pro quo nobis reddendo cum venissemus in *Britanniam* ei dederimus Duo Millia Marcarum, gratanter annuimus ejus petitionem, destinantes ad eum dilectum & fidelem nostrum *Amauricum* de Sancto *Amando* Senesc. nostrum, cum numero Militum & servientium quem ipse Comes petierat. Quos postquam ad placitum suum retinuerat, ad nos remittens sub simulatione parcendi sumptibus nostris, nunciavit nobis, quod Castrum prædictum salvo custodiret ad opus nostrum, insuper ad mandatum ejus nobilem virum *H. de Troubleville* Senesc. nostrum *Wascon.* cum multitudine Armatorum ad eum misimus. Qui strenue & potenter suæ instabat defensioni. In cujus etiam præsentia & prædictorum multitudinis Armatorum, juravit super verum *Corpus Christi*, quod nec pacem cum Rege *Francia* fecerat, nec etiam cum eo tractatum inde habuerat. Licet siquidem ipse Comes, ut prædiximus, in nullum nobis repererit defectum; Immo juxta Conventionem inter nos habitam & ultra ei semper satisfecerimus, per finem quem cum eo fecimus singulis vicibus, quibus propter hoc ad nos venit vel misit, & id idem adhuc facere pro viribus nostris essemus parati, tamen cum injuria sua, spreta fidei suæ religione & Sacramento, de fidei servitio nobis præstito, sine eo quod nos discedere vel aliquid nobis mandaret, a nobis recessit, & Regi *Francia* adhæsit, homagium ei faciens, & reddens eidem ad exhæredationem nostram prædictum Castrum Sancti *Jacobi*, & Castrum *Celsum*, quod *Theobaldus Cressyn* tenuit de nobis de Com. *Andegavorum*, & Castrum de *Maroyl*, quod est de Com. nostro *Pictavia*. Ne igitur super præmissis rei veritas vos lateret, vel ne per alicujus suggestionem minus veridicam crederetis aliquatenus, dictum Comitem per defectum Com. a nobis recessisse, præmissa Sanctitati vestræ seriatim duximus intimanda: **Supplices attentius, quatenus ipsum Comitem, ut ad servitium nostrum et fidelitatem nostram redeat, et super pecunia a nobis recepta, et Castris prædictis per ipsum Regi *Francia* liberatis, nobis satisfaciatur, per censuram Ecclesiasticam coherceatur.** Teste Rege apud *Westmonasterium*, Vicesimo quinto die *Februarii*.

The Pope encouraged by such Letters as these, usurped a Papal power over the Temporal Rights of Kings and Secular Princes, and to Excommunicate or Interdict them at his pleasure: Though instead of Excommunicating this perjured treacherous Earl, he sent for him to *Rome*, and made him chief Counsellor and General of the Crossadoes by Sea and Land against the *Grecians*; *Multis super hoc admirantibus, quod hominem tali nota proditoris multiformis infamem, ad sua ardua negotia docuerat pertrahenda.*

The Bishop of *Winchester* being sent for to the Pope to supply him with monies and advice, to carry on this War, (it seems without the Kings License) thereupon the Pope sent a Message to the King, to desire his License for the Bishops return into *England*, without any impediment; which the King assenting to, writ thus to the Pope and Bishop.

Domino

**D**omino Papæ, Rex, &c. Significavit nobis Sanctitas vestra per Venerabilem Patrem *A. Coventrensem & Litchfeldensem* Episcopum; & dilectum & fidelem nostrum *P. Saracenum* Civem Romanum, quod gratum haberetis & acceptum, si Venerabilis Pater *P. Wintoniensis* Episcopus, cum gratia nostra reverti posset in *Angliam*, & sicut ad eas spectat officium curam securus gerere Pastoralem, & super hoc ex parte sinceritatis vestre nos rogaverunt: Ad quod Sanctæ Paternitati vestræ duximus respondendum. Quod cum idem Episcopus Regnum nostrum ultimo exiisset gratis, et motu ductus proprio potius quam per nostram vel alterius compulsionem: Et etiam si bene recolitis, ad preces vestras, nobis specialiter inde directas sedem adiit Apostolicam, Unde si memoratus Episcopus voluntatem habuerit revertendi, & in Regno nostro commorandi, beneplacitum nobis ipsius adventus. Nec erit qui ipsum super hoc aliquatenus impediat, aut cum redierit tranquillitatem ipsius perturbet. Licet etiam graviter versus ipsum moveremur, ad instantiam vestram conceptum rancorem, si quis esset, penitus ei remitteremus parati & expositi, tanquam filius Sanctæ Romanæ Ecclesiæ devotissimus, in his et aliis vestris inherere consiliis, et voluntatis vestræ pro viribus nostris beneplacitum adimplere. Teste Rege apud *Westminsterium*, iij. die *Mayi*. Anno, &c. xix.

Claus. 19 H. 3.  
part 2. m. 2.  
intul.

**R**EX, Venerabili Patri in Christo *P.* eadem gratia *Wintoniensis* Episcopo, salutem. Retulerunt nobis Venerabilis Pater *A. Coventrensis & Litchfeldensis* Episcopus, & fidelis nostri *P. Saracenus* Civis Romanus ex parte Domini Papæ, quod placeret quod possitis cum gratia nostra in *Angliam* reverti. Et sicut ad vestrum spectat officium in Episcopatu vestro curam gerere Pastoralem, & super hoc per eosdem nos requisiverunt. Ad quod vobis duximus significandum: Quod cum Regnum nostrum ultimo exiistis, et sedem Apostolicam abiistis gratis, et motu ducti proprio, nec per alicujus compulsionem id fecistis, et maxime ad preces ejusdem Domini Papæ si bene recolitis, Unde si voluntatem habueritis revertendi in terram nostram, & ibidem commorandi, beneplacitum nobis quod salvo & secure veniatis, & in Regno nostro sine impedimento moram faciat, pro certo habituri quod in veniendo & morando nullum vobis faciemus vel fieri permittemus impedimentum, dampnum aut gravamen, set pro viribus nostris securitati vestræ providere curabimus. Teste ut supra.

Claus. 19 H. 3.  
part 2. m. 2.

The Pope to get monies and assistance in his Wars, had commanded this *Peter Bishop of Winchester* (a better Souldier then Preacher) to assist him both with his purse and advice in his Military affairs against the *Romans* and *Grecians*; thus related by *Maitre Paris*.

Anno 1235.

**P**er idem tempus, *Petrus Wintoniensis* Episcopus, ad mandatum Domini Papæ *Roman* profectus est, instante solemnitate *Paschali*: ut guerram ejus jamdiu contra Romanos accensam, ordinando jubaret. Novit enim eum Summus Pontifex pecunia abundare, et si non abundaret, ministrante Episcopatu *Wintonensi* abundaturum; de maluit eum effundere Thesaurum suum in suo obsequio, quam affluere. Præterea, idem Episcopus erat in obsequio Regis *Richardi* Bellatoris magnifici, diebus adolescentiæ suæ: ubi plus didicit in Bello dimicare, & Castra militum ordinare, quam Evangelii semina prædicando seminare. The Pope having made as much use of him as he could for those ends, importuned the King for his return into *England*, as you have heard.

Mat. Paris Hist.  
Angl. p. 396.

What other Letters the King sent this year to the Cardinals and Pope concerning his affairs, and the Annual Rent reserved on King *John's* Charter, I have formerly related.

\* Here p. 307.  
308.

The King this year issued forth an Attachment against the Treasurer of the Dean of the Arches, and others, for suing contrary to his Prohibition in Court Christian, for a thing which concerned not Matrimony or Testament, which Attachment was respited by this Writ, upon their submission.

N n n

Mandatini

Claus. 19 H.3.  
part 1. m. 13.  
intus.

**M** Andatum est Justiciariis Domini Regis Itinerantibus apud *Heriford*. quod, &c. ponant in respectum, &c. Loquelam etiam quæ est coram eis inter *Johannem de Thwing*, & prædictum Theſaurarium *Dec. de Arcubus*, Magist. *G. Perdriz*, & *Gervas de Melkel*, de eo quod idem *Chef*. proſecutus eſt placitum in Curia Chriſtianitatis, de Catallis quæ non ſunt de Teſtamento, vel Matrimonio, contra Prohibitionem Regis, ut dicitur, et quod prædicti *Dec. Magister S. et Gervasius* tenuerunt idem placitum contra prohibitionem Regis, ut dicitur, ponant in respectum uſque ad terminum prædictum. Teſte Rege apud *Westmonasterium*, Duodecimo die *Aprilis*.

The King hearing that the Pope intended to ſend a Legate into *Ireland* without his privy, and againſt his will, contrary to former cuſtome and his Prerogative Royal, writ to the Pope, and alſo to his chief Juſtice to hinder this encroachment, and to yield more ſpeedy diſpatch, and readier obedience to his Letters, Writs directed to him in *Ireland*, then formerly he had done.

Claus. 19 H.3.  
m. 18.

**R** EX, dilecto & fideli ſuo *Richardo de Burg.* ſalutem. Quod ſalvo applicuiſtis in partibus *Hibernia*, & ad Portum optatum proſpere perveniſtis poſtquam a nobis receſſiſtis, ſicut nobis ſignificaſtis, eſt de quo plurimum gaviſi ſumus, vobis ſignificantes, quod penes nos & ſtatum Regni noſtri omnia, Benediſtus Deus, proſpera ſunt, & jocunda, plurimumque deſideramus quod de ſtatu terræ noſtræ *Hibernia*, ſimul & de veſtro, ſimilia frequenter audiamus, grates quidem fidelitati veſtræ referentes de eo quod nos præmunire voluiſtis, quod ſunt quidam qui procuraverunt Legatum deſtinari in *Hiberniam*. Nobis ſignificamus, quod antequam Literas veſtras inde recepiſſemus, idem audiſimus, et ad Curiam Romanam tranſmiſimus ad impediendum, ne præter voluntatem noſtram Legatus aliquis illuc accedat. Quia vero plures ad nos pervenerunt querelæ ab hiis pro quibus Literas noſtras vobis direximus, quod inutiliter eas obtinuerunt, eo quod minus proni, immo eſtis ultra modum difficiles in executione mandatorum noſtrorum. Vobis mandamus, quod in fide qua nobis tenemini, cum contigerit nos pro nobis ipſis ſeu pro alio quocunque vobis Literas noſtras dirigere, ipſas benigne recipere, & ea qua decet devotione exequi curetis, quod per dilationem executionis credi non poſſit, quod debitam nobis non exhibeatis reverentiam, ſed potius ex devotione veſtra debeatis merito commendari. Teſte meipſo apud *Westmonasterium*, Viceſimo ſecundo die *Februarii*.

The Pope as he encroached upon the Election and Confirmation of the Archbishops and Biſhops of *England*, ſo did he likewise upon the Election and Confirmation of Abbots, who muſt go to *Rome* to attend his pleaſure for their approbation and confirmation, as in this memorable caſe of the Abbot of *St. Albans*, which I ſhall relate at large.

Mat. Paris Hiſt.  
Angl. p. 398,  
399.

**C**um hæc cum tempore evolvente elaborentur, nuncii electi & Conventus Eccleſiæ Sancti *Albani*, duo Monachi, ſcilicet Magiſter *Reginaldus Phyiſicus*, & Dominus *Nicholaus* de Sancto *Albano*, ambo Presbyteri, viri prudentes & compoſiti, cum ſuis Clericis, Magiſtro *Galfrido de Langeſia*, & *Galfrido Focario*, ſerviente & aliis, habentes Literas Conventus procuratorias, iter arripuerunt verſus Curiam Romanam in Octavis Paſchæ, ſcilicet decimo ſeptimo Calend. *Maii*, precibus omnium fratrum commendati. Hæ autem fuerunt procuraciones quas ſecum detulerunt. Reverendiſſimo Domino & Patri in Chriſto Chariſſimo *Gregorio*, Dei gratia Summo Pontifici, devoti filii ſui, Prior & Conventus Sancti *Albani*, tam devotam quam debitam cum pedum oſculo reverentiam. Noverit Sanctitas veſtra, quod nos fratres noſtros & Monachos, *Reginaldum* & *Nicholaum*, latores præſentium, cum Literis noſtris ſeriem electionis noſtræ continentibus, quam in Eccleſiâ noſtra de fratre *Johanne de Herifordia*, Monacho noſtro, fecimus Canonice celebrari, ad pedes Sanctitatis veſtræ deſtinamus: ipſoſque ad confirmationis munus a ſede Apoſtolica petendum, et ad alia dictam electionem noſtram contingentia, expedienda, procuratores



**curatores nostros constituimus.** Ratum & gratum habituri, quod per ipsos vel eorum alterum in dicto negotio, ratione prævia, iuerit expeditum. Valeat & vigeat Sancta paternitas vestra semper in Domino. *Venerunt igitur ad Curiam Romanam apud Perusium. Et Domino Papa humiliter salutato, formam electionis & rei gesta seriem sub his Literis contentam, præsentaverunt.* Reverendissimo Domino & Patri in Christo Charissimo, Gregorio Dei gratia Summo Pontifici, devoti filii sui, Prior & Conventus Sancti Albani, tam devotam quam debitam cum pedum osculo reverentiam. Cum Ecclesia nostra per decessum Venerabilis Patris Willielmi, bonæ memoriæ, quondam Abbatis nostri, qui viam universæ carnis sexto Calend. Martii est ingressus, pastoris solatio existeret destituta, certificato super hoc Domino nostro Rege, ipsoque nobis eligendi licentiam concedente, nos prout potuimus citius & expeditius, volentes animarum periculis occurrere, & Ecclesiæ nostræ indemnitate providere, his omnibus prius sub competenti data dilatione evocatis qui debuerunt & voluerunt potueruntque nostræ electioni commode interesse, ad eligendum nobis pastorem, diem certum præfiximus, in crastino Annunciationis Beatæ Virginis. Adveniente autem die, præsentibus his qui propter hoc fuerant evocati, aliisque, tractare cepimus & conferre. Et quia res prædicta eo die non potuit expediri, in crastino, ut de eodem tractaremus, ingressi sumus Capitulum iterato, & ibidem post Dei clementiam super hoc misericorditer invocata, tractare cepimus de præmissis. Et tandem in hanc eligendi spem, viris bonis de collegio nostro plenaria data fuerat potestas & collata, quod ipsi pro omnibus electionem nominarent, ratihabitione prius eisdem electoribus promissa, de persona per ipsos electa, & ipsis postmodum nominata. Electores siquidem præmissi ad hoc officium, cum Dei timore accedentes, cum lachrymis & orationibus Dei invocantes auxilium, diligenter & discrete, sicut exitus indicavit, de hoc negotio tractaverunt, qui per omnia unanimiter & concorditer post tractatus & collationes suas super hoc habitas, nobis virum per omnia idoneum, in Abbatem patremque & pastorem elegerunt, & postmodum ingressi Capitulum, nobis quem elegerant nominaverunt, scilicet fratrem Johannem de Herisfort, nostræ professionis Monachum, inter nos ab antiquo religiose & irreprehensibiliter conversatum. Nos siquidem ibidem unanimiter congregati, in personam illius quem elegerant, & nobis nominaverant, concorditer consensimus, absque omni discordia seu contradictione. Firmiter enim credimus, Sancte Pater, quod idem electus nobis & nostro Monasterio per omnia sit idoneus, cum in ipso nihil cur eligi non deberet, sciamus reprobum, nec in eo aliquid deficere perpendimus, quod canon exegit in electo. Hinc est, benignissime Pater, quare nos, qui filii vestri sumus, & immediate ad Romanum Pontificem spectantes, vobis in omni qua possumus supplicamus devotione, quatenus Dei intuitu, & ad levamen Ecclesiæ nostræ, quæ sub hac vacatura in magno navigat periculo, sub sæculari custodia constituta, electo nostro absque moræ dispendio, officii sui confirmationem misericorditer impendatis. Nos autem, ut Reverenda Sanctitas vestra de præmissis fidem habeat indubitata, sigillo Capituli nostri de communi totius Conventus consensu has Literas nostras Patentes, & rei gestæ seriem continentes, fecimus consignari.

The Pope after consideration, condescended to the Abbots Election, but upon this condition, that he should take an expresse Oath of Fealty to the Pope and Church of Rome, and to his Successors, prescribed in his Bull directed to the Bishops, (the first encroachment of this kind upon Abbots, to my remembrance) which Oath suddenly tendred to him by way of surprize he took publikely before the Covent, and all the Clergy and people, at his consecration and instalment, thus related by *Matthew Paris*, a Monk of this Monastery.

**H**is autem Literis diligenter inspectis, habita cum fratribus deliberatione, concessit Summus Pontifex Monachis iuste postulata, laboribus eorum paterno affectu compatiendo, necnon unitatem Ecclesiæ suæ concordem, & discretum in hoc negotio processum collaudando. Et ne res aliqua parte progressionem usque ad finem careret laudabili, dedit in mandatis *Elyensi & Londinensi* Episcopis, ut examinata persona electi, benedictionis ei beneficium largirentur, vel alteruter, si ambo interesse non valerent, scribente eisdem sub hac forma.

**GREGORIUS** Episcopus, servus servorum Dei, Venerabilibus fratribus *Elyensi & Londinensi* Episcopis, salutem & Apostolicam Benedictionem. Monaste-

Mat. Paris Hist. Angl. p. 399.

rio Sancti *Albani* *Lincolniensis* Diocesis, quod ad *Romanam* Ecclesiam nullo medio pertinet, Abbas solatio destituito, dilecti filii Prior & Conventus ipsius Monasterii, sicut accepimus, **requisito prius, sicut mox est, assensu Regio et obtento**, vocatis omnibus qui debuerunt, voluerunt, & potuerunt commode interesse, de Abbatis futuri substitutione tractantes, post diversos tractatus, quibusdam de collegio eligendi ei Abbatem, potestatem plenariam unanimiter contulerunt. Idem vero electores, Deum habentes praeculis, collatione super hoc & deliberatione habita diligenti, & Spiritus-sancti gratia invocata, dilectum filium fratrem *Johannem de Harfort*, ejusdem Monasterii Monachum, virum, ut asserunt, providum & discretum, ac in spiritualibus & in temporalibus circumspectum, & cum eis a puero laudabiliter conversatum, in Abbatem eorum, & Patrem concorditer & Canonice eligerunt. Quorum electionem solenniter publicatam, universi & singuli approbantes, nobis per dilectos filios fratres *Reginaldum* & *Nicholaum*, Monachos & Nuncios suos ac Literas humiliter supplicaverunt, ut cum per eundem *Johannem*, grata ipsi Monasterio in spiritualibus & temporalibus incrementa, sperarentur auctore Deo provenitura, & rectis dispositionibus nihil debeat difficultatis asserri, **electionem hujusmodi confirmare, de benignitate sedis Apostolica dignaremur**. Licet igitur praedicti Nuncii, sollicite super hoc institerint & prudenter, & nos pro eodem Monasterio libenter, quod cum Deo possumus facere, intendentes, **electionem ipsam examinatam prout convenit diligenter, Canonicam invenerimus quoad formam**; quia tamen de personae meritis plenam notitiam non habemus, fraternitati vestrae per Apostolica scripta mandamus, quatenus quae circa electi personam inquirenda fuerint, sollicite inquirentes, si eam sufficientem inveneritis ad ejusdem Monasterii regnium assumendum, praemissam electionem Auctoritate Apostolica confirmetis, et electo faciatis eidem obedientiam et reverentiam debitam exhiberi, ac munus benedictionis impendi. Recepturi ab eo posmodum, pro nobis et Romana Ecclesia fidelitatis sollicitae juramentum, juxta formam quam vobis sub Bulla nostra mittimus interclusam. Alioquin, ea rite cassata, faciatis dicto Monasterio de persona idonea per electionem Canonicam provideri. Contradictores per censuram Ecclesiasticam, appellatione postposita compescendo. Formam autem juramenti, quod ipse praestabit nobis de verbo ad verbum, per ejus Patentes Literas suo sigillo signatas quam cito poteritis per proprium nuncium transmittatis. Quod si non ambo his exequendis potueritis interesse, alter vestrum ea nihilominus exequatur. Datum *Perusii*.

Impetratis autem his Literis, cum aliis sub Bulla clausis, salutato Domino Papa & fratribus, necnon & respectis, redierunt Nuncii praedicti cum prosperitate, post moram in Curia factam per xv. dies. Episcopus autem *Londonensis*, alio se excusante, mandatum Apostolicum diligenter executus, examinatione rite facta, nihil reprobum in persona electi reperiens, munus solenniter benedictionis eidem impendit, in crastino scilicet Nativitatis Beatae Virginis, in Ecclesia Sancti Albani. Ubi aperte sunt Literae inclusae Domini Papae, quas, ut oportuit, electus in Abbatem benedicendus profitendo legit, in praesentia Episcopi et audientia Conventus, et totius populi et Cleri, sub hac forma. Of which, and the new Oath therein, you shall have an account in its due place.

\* Vitae Viginti  
Trium Sancti  
Albani Abbatis,  
p. 136, to 142.

\* *Matthew Paris* in the Life of this Abbot *John* the 2. makes this more full relation of the manner of his Election. *William* the Abbot of St. *Albans* deceasing, the Monks thereupon sent this supplicatory Letter to the King, to grant them his License to elect another in his place.

Literae missae  
Domino Regi,  
de obitu Abba-  
tis *Willielmi*.

Excellentissimo Domino & in Christo Reverendissimo, *Henrico* Dei gratia illustri Regi *Angliae*, Domino *Hiberniae*, Duci *Normanniae* & *Aquitaniae*, Comiti *Andegavensi*: devoti sui semper & humiles, Prior Sancti *Albani* & ejusdem loci Conventus, cum omni humilitate & devotione, aeternam in Domino salutem. Vestræ innotescimus Excellentiae, quod Venerabilis Pater noster *Willielmus* quondam Abbas Ecclesiae

Ecclesie nostrae, in fata decessit: ideoque dilectos fratres nostros *N. & N.* latore presentium ad vos destinamus. **Excellentiae vestrae omni qua possumus devotione, et lachrymarum effusione, flexisque genibus supplicantes, quatenus divinae pietatis intuitu, nobis gratiam dignanter impetientes, eligendi Pastorem liberam nobis concedatis facultatem.** Statui domus nostrae misericorditer, si placet, compatiens, juxta necessitates, quas dicti fratres nostri vobis duxerint exprimendas. Valeat Regia dignitas in aeternum. Milimus insuper Literas amicis nostris in Curia, sub hac forma: ut ipsi negotium nostrum expedirent.

They likewise sent this Letter to the Chancellor.

**U**rgentibus negotiis novis & inopinatis emergentibus, Priorum amicorum auxilium familiare & consilium evidens: suadet honestas, & compellit instans necessitas. Ideoque sinceræ paternitati vestrae omni qua possumus devotione supplicamus, quatenus divinae pietatis intuitu, statui domus nostrae juxta necessitates quas fratres nostri *N. & N.* latore presentium vobis duxerint exprimendas, misericorditer, & paterno subveniat affectu, eo quod Venerabilis Pater noster *Willielmus* quondam Abbas Monasterii nostri, divino nutu diem clausit extremum: Nos Monachos suos quasi Orphanos piorum consilio relinquens & auxilio. Quorum indigentiae sic vestra dignetur consulere miseratio, ut Deus Pater Pupillorum, digna mercede vestram remuneret pietatem.

Cancellario.

Having obtained the Kings License to elect a new Abbot, they sent this summons to all the Priors of their Cells that had voyées in the Election.

**F**rater *E.* Prior Ecclesiae Sancti *Albani* ejusdemque loci Conventus, dilecto sibi in Christo, tali vel tali Priori, salutem in Domino sempiternam. Quum Venerabilis Pater noster *Willielmus* quondam Abbas Monasterii nostri, divino nutu diem clausit extremum, & oportet per commune consilium Ecclesiae nostrae providere de Pastore; Mandamus quatenus in crastino *Annuntiationis Dominicae* proximo affuturæ, compareas personaliter apud Sanctum *Albanum*, una nobiscum tractaturus super electione Abbatis. Quod si forte non potueris juxta ex causa praepeditus, te sub hac forma excuses per Literas tuas Patentes. Viris Venerabilibus Domino *E.* Priori de Sancto *Albano* ejusdemque loci Conventui, Frater *N.* Prior talis vel talis loci, tali vel tali, salutem. Praepeditus negotio certo, videlicet assignato, vel gravi detentus infirmitate, in crastino *Annuntiationis Dominicae* apud Sanctum *Albanum* personaliter interesse non possum, una vobiscum super electione Abbatis tractaturus. Ideoque non expectata praesentia mea, in dicto negotio, quod vestrum est, exequamini. Valete.

Ut conveniant Piores Cellarum ad Electionem.

**C**ongregatis igitur Fratribus die statuto & praefixo, videlicet die Dominica; non potuimus pro solemnitate illius diei tractare de electione. Et cantavimus ea die de Dominica procrastinantes solemnitatem de Annuntiatione faciendam: unde nec in crastino, scilicet die Lunae, nequivimus tractare de tam arduo negotio, quod tanta & tam morosa deliberatione indiguit. Die igitur Martis, convenientibus in unum tam Prioribus quam aliis, qui debuerunt & voluerunt commode in capitulo interesse; *eligerunt solemniter Johannem de Hartfordia, Priorem de Hertford, Monachum suum professum, in Pastorem animarum suarum:* virum pium, & Monachum ordinatum; *Cui Domino Regi praesentatus, ab eo favorabiliter Dominica in Ramis Palmarum (tum quia elegans et venerabilis extitit statura, tum quia audierat quod dapilis et Civills ac Societatis fuerat, dum Prior Hertfordiae fuerit) est susceptus:* Et ideo promptius, quia Rex semper domum Sancti *Albani* dilexerat: Cui Literas petitorias a Priore & Conventu sub hac forma transmissimus.

De progressu electionis.

**I**llustri Domino suo & Magnifico, *Henrico* Dei gratia Regi *Angliae*, &c. devoti sui semper & humiles *E.* Prior Sancti *Albani*, & ejusdem loci Conventus, cum omni humilitate

Littere missae Domino Regi pro praesentatione electi.



humilitate & devotione, æternam in Domino, salutem. Regiæ Excellentie vestræ, Dominum Johannem Ptozem de Hertfordia, virum idoneum et honestum, quem de benignitate et licentia vestra nobis concessa, in Patrem nobis elegimus et Pastorem, præsentamus. Cum omni humilitate et devotione supplicantes, quatenus ex innata vobis benignitate, solitaque clementia erga nos et Ecclesiam nostram concepta et habita, dictum Johannem electum nostrum, in gratiam recipientis; vestrum eidem consilium, auxilium, et favorem, divinæ, si placeat, intuitu pietatis impendentes. Valeat, &c.

Scribit Dominus Rex, Domino Papæ, pro nobis in hoc negotio.

**D**ominus autem Rex cum hoc audisset, & perpenderit progressum nostrum ordinatum & humilem, non tantum nobis suum favorem impertivit, & juvamen, imo Domino Papæ & amicis suis in Curia Romana pro nobis scripsit sic, (*Well knowing that nothing would be done therein at Rome, but by such Letters, seconded with underhand Bribes.*) Reverendo Domino & Patri & in Christo Charissimo, Gregorio Dei gratia Summo Pontifici, Henricus eadem gratia Rex Anglia, &c. salutem: & tam devotam quam debitam in omnibus, tanto Domino & Patri reverentiam. Noverit Sancta Paternitas vestra, Nos electioni factæ de fratre Johanne de Hertford, Monacho de Sancto Albano, in Abbatem Sancti Albani, Regium adhibuisse favorem et assensum. Et quia ad sedem Apostolicam immediate spectat electionis prædictæ confirmatio, hoc Sanctæ Paternitati vestræ durimus præsentium tenore significandum: Devote supplicantes, quatenus eidem electioni munus confirmationis dignemini, si placet, favorabiliter impendere. Teste memetipso apud Abendon, primo die Aprilis, Anno Regni mei xix.

*Item Litera Domini Regis ad amicos suos in Curia Romana, pro electo.*

**V**enerabili in Christo Patri, & amico specialiter dilecto, J. Dei gratia GG. Sanctæ Prædictis Presbytero Cardinali: Henricus Dei gratia Rex Anglia, &c. Quotiens ingruente necessitate nos contingit, pro nostris vel alienis negotiis Apostolicæ sedis implorare subsidium, ad eorundem negotiorum expeditionem, vestra nobis necessaria est diligentia: quam in omnibus vestri gratia nobis recolimus subvenisse. Cum igitur electioni factæ de fratre Johanne Monacho Sancti Albani, in Abbatem ejusdem loci, Regium adhibuerimus assensum, et favorem, & immediate subiecta sit Ecclesia Sancti Albani, Sanctæ Romanæ Ecclesiæ: Paternitati vestræ duximus attente supplicandum, quatenus cum Nuntii, & procuratores dicti electi ad obtinendum a sede Apostolica confirmationem dictæ electionis, ad Curiam venerunt, ad assensionem sui propositi in hac parte, vestra dignetur eis Paternitas auxilio & consilio subvenire. Per quam subventionem, multiplicetur vobis gratia nostra, quam ex diversorum negotiorum promotione non dubitamus eis vos comparasse. Teste meipso, primo die, &c.

Continuatio & regressus ad materiam.

Nota.

**I**n junctum est igitur duobus fratribus Monachis hujus Ecclesiæ, videlicet Domino Reginaldo de Bocking Physico, & Domino Nicholao de Sancto Albano, & cuidam Clerico nostro, Magistro scilicet Gualfrido de Langetia, ut Curiam Romanam protinus adirent: ut electionem rite factam impetrarent à sede Apostolica confirmari: Qui se precibus Conventus commendantes, illico perrexerunt. Et statutum est in Capitulo quædam specialia fieri pro eisdem Missarum & Orationum suffragia: Et cum ad Curiam Romanam (quæ tunc Perusii fuerat) pervenissent, ut promptiorem a Domino Papa gratiam obtinerent, pecuniæ quandam summam Papalibus pedibus obtulerunt: quam statim gratanter receptam, iussit Dominus Papa cuidam fratri Binozi, Thesaurario ac Cubiculario suo, illam pecuniā in Sazophylacium suum deponere. Et accumulatis illis denariis, aliis candidis Esterlingis, noluit frater vel etiam forulum nuntis resignare, nec Dominus Papa (quem Civilem et Dapsilem fore deceret) ad prandiolum invitare. Respectis igitur

igitur Janitoribus et Ministris Papalibus, in muneribus (quia sic oportuit, cum patulis ricibus ipsis donis inhærent) recesserunt in crastinum (prout eis dictum erat) redituri. Et cum tunc advenissent, ostendentes Regios apices Domino Papæ, tum propter ipsos, tum propter serotinum venium, (aliis etiam Epistolis, quas secum amicis Domini Regis detulerunt adminiculantibus) gratiam ab illa venali Curia obtinuerunt. Respexerant enim amicos Regis quibus ejus Literas attulerant, donis uberrimis, qui solitas Literas steriles et infructuosas, sine muneribus concurrentibus parvi pendunt. Electione igitur confirmata, cum benedictione Apostolica (quam satis comparaverunt) gaudenter sunt reversi, nec unquam postea, ipsam Curiam diligere aut commendare potuerunt.

Nota.

Approbata vero quamplurimum fuit ab ipso Domino Papa & a cunctis fratribus Cardinalibus (& maxime a Domino Ottone, qui verba optima fecit pro domo Sancti Albani) forma electionis & totius processus negotii, admirantibus universis, quod inter tot Capita fuit tam indilata sententia, & consensus uniformis. Et addidit Otto memoratus coram Papa, & cunctis assidentibus: Domine, semper religio, unitas, & concordia in illa domo viguerunt. Unde ab universis dictum est, quod non sine nutu Spiritus Sancti illud negotium fuerat profectum. Multitudinis enim credentium fuit cor unum, & anima una. Et ut audientes non lateat, hæc est consuetudo eligendi Abbatem, in Ecclesia Sancti Albani.

Confessores, scilicet, tres vel quatuor, jubentur districte in virtute Spiritus sancti (utpote qui cognoscit corda & renes singulorum) ut ipsi eligant duodecim de Conventu fratres electos, fideles, & peritos, ut ipsi vel de se ipsis, vel de ipso Conventu Ecclesiæ, vel de Cellis, unum idoneum eligant in Abbatem. De ipsis (inquam) quia sic non consueverunt antiquitus, imo de aliis quam seipsis, quod absurdum fuit & dissonum rationi. Et in hoc variata est antiqua consuetudo, & in melius commutata. Ut autem electio & labor tantæ deliberationis super hoc negotio, nullatenus irritus habeatur & inanis, literas habent de Conventu penes se sigillo Conventus roboratas, ut ipse Conventus illum quem ipsi duodecim eligent in Abbatem, sine contradictione aut difficultate unanimiter in pastorem suscipiant, & gratanter. Unde series negotij sic profecta, a summo Pontifice (ut prædictum est) palam coram omnibus est commendata. Et facta examinatione auctoritate Apostolica, illico confirmata. Veruntamen quia de persona Electi, Domino Papæ non constabat, dedit in mandatis Eliensi & Londoniensi Episcopis, ut rite facta examinatione ex persona Electi, eundem in Abbatem confirmatum benedicerent; plene in omnem tam spiritualium quam temporalium administrationem influentes.

Consuetudo in Ecclesia Sancti Albani, eligendi Abbatem.

Cum autem redissent Nuntij de Curia, ostendebant Literas Domini Papæ Episcopis memoratis, qui electo scripserunt sub hac forma.

“Hugo Dei gratia Eliensis, & Rogerus eadem gratia Londoniensis Episcopi; Johanni de Hertford. Electo Sancti Albani, salutem. Mandatum Domini Papæ suscepimus in hæc verba.

“Gregorium Episcopus, &c. Hujus igitur auctoritate mandati nobis transmissi vobis mandamus, quod die Lunæ proxima post festum Sancti Laurentij, in Ecclesia conventuali apud Crucem Roisa compareatis coram nobis; parati examinationem subire, & Electionis (Deo dante) confirmationem suscipere, secundum formam mandati Apostolici.

Quod & Abbas sub omni fecit maturitate. Affirmabant utique tam Episcopi memorati postquam audierant, quam nuntij nostri, quod prudenter processum est in hoc negotio. Et literas postulabant ad inspiciendum, quas Conventus S. Albani Domino Papæ transmisit sub transcripto. Quas si quis inspicere desiderat; in hoc volumine, ubi scilicet pingitur Avicula, poterit invenire, cujus Rubrica & Titulus talis est.

Literæ missæ domino Papæ de morte Abbatis Gulielmi, de forma electionis alterius Abbatis substituendi, jam Electi; scilicet Johannis Londoniensis vero Episcopus, variis

variis & arduis negotiis præpeditus, ne ad locum veniret memoratum, se excusavit: Episcopo *Elyensi*. sic scribens.

Litteræ excusato-  
riæ Episcopi  
Londoniensis.

**V**enerabili fratri, & amico in Christo charissimo *H.* Dei gratia *Elyensi* Episcopo *R.* divina miseratione *Londoniensis* Ecclesiæ Minister humilis, salutem & sinceram in Domino charitatem. In negotio examinationis electi Sancti *Albani*, & confirmationis ejusdem, vobis & nobis a Domino Papa commisso, variis præpediti negotiis, die Lunæ proxima post festum Sancti *Laurentii*, apud *Crucem Russiæ* & Ecclesiæ conventuali interesse non possumus. Ideo non expectata præsentia nostra, quod vestrum est in dicto negotio, exequamini. Valeat paternitas vestra, semper in Domino.

Confirmatio &  
electi.

**C**onfirmatus est igitur Electus facta examinatione, subtili scripto.  
“In nomine *Patris*, & *Filij*, & *Spiritus sancti*. Inquisitis secundum formam litterarum Domini Papæ, quæ circa personam *Johannis* electi Sancti *Albani* sunt inquirenda, tum per testes juratos, tum per propriæ personæ examinationem, invenimus ipsum ad regimen dictæ Ecclesiæ sufficientem. Unde electionem de ipso factam, auctoritate Apostolica confirmamus. Quo facto, misit *Elyensis* Conventui Sancti *Albani* ad majorem certificationem, litteras, sub hac forma.

Litteræ *Elyensis*  
Episcopi ad  
conventum  
Sancti *Albani*.

**H**ugo Dei gratia *Elyensis* Episcopus, dilectis in Christo Priori & conventui *S. Albani*, salutem in Domino. Noverit discretio vestra, Nos juxta formam mandati Apostolici, electionem de fratre *Johanne* de *Hertsford* in Abbatem Monasterij vestri Canonice celebratam, auctoritate Apostolica confirmasse. Quocirca autoritate Apostolica qua fungimur, vobis mandamus in virtute obedientiæ districtè præcipientes, quod eundem electum vestrum in Abbatem & Pastorem devote admittatis, obedientiam & reverentiam debitam eidem humiliter impendentes. Valete.

Litteræ *Elyensis*  
Episcopi super  
hoc Domino  
Regi.

**S**cripsit insuper idem Episcopus super hoc Domino Regi, sub hac forma.  
“Excellentissimo Domino *Henrico* tertio Dei gratia illustri Regi *Angliæ*, &c. *Hugo*, divina miseratione *Elyensis* Episcopus, salutem, reverentiam, & honorem. Noverit excellentia vestra, nos juxta formam mandati Apostolici, electionem de Fratre *Johanne* de *Hertsford* in Abbatem Monasterij Sancti *Albani* Canonice celebratam, auctoritate Apostolica confirmasse. Quocirca excellentiam vestram rogamus, quod ob reverentiam sedis Apostolicæ, dictum electum habentes commendatum, administrationem dictæ Abbatiæ eidem committatis. Valeat Excellentia vestra semper in Domino.

Scripsit insuper (Domino Rege accedente) & palam publicavit, Chartam istam Confirmationis.

Charta confir-  
mationis.

**O**mibus Christi fidelibus litteras has inspecturis vel audituris.  
“Hugo Dei gratia *Elyensis* Episcopus, salutem in Domino sempiternam. Noveritis quod cum nobis, & venerabili fratri nostro *London.* Episcopo commissum esset negotium a Domino Papa examinationis personæ fratris *Johannis* de *Hertsford* Electi in Abbatem Monasterij Sancti *Albani*, & confirmationis ejusdem, Episcopo *Londoniensis* in dicto negotio excusato literatorie, nos electionem ipsius *Johannis* in hunc modum confirmamus. In nomine *Patris*, & *Filij*, & *Spiritus Sancti*. Inquisitis secundum formam litterarum Domini Papæ, quæ circa personam Electi Sancti *Albani* fratris *Johannis* sunt inquirenda, tum per testes juratos, tum per propriæ personæ examinationem, invenimus eum ad regimen dictæ Abbatiæ sufficientem. Unde electionem tanquam de persona idonea de ipso factam, auctoritate Apostolica confirmamus. In cujus rei testimonium, his litteris nostris Patentibus, sigillum nostrum duximus apponendum. Acta Anno Domini *M. CC. XXXV.* die Lunæ, proxima post festum Sancti *Laurentii* apud *Crucem Russiæ*.

In crastino igitur, scilicet Nativitatis beatæ Virginis, in Ecclesia Sancti *Albani* ad majus Altare, in præsentia Episcopi *London.* & totius Conventus in Choro existentis, idem Episcopus eidem electo munus impendit benedictionis. Ubi apertæ sunt litteræ inclusæ,



inclusæ, & bullæ Domini Papæ, quas oportuit Electum in Abbatem benedicendum, profitendo palam legere, sub hac forma.

Ego Johannes Monasterii Sancti Albani Abbas, ab hac hora in antea, fidelis et obediens ero Sancto Petro, sanctæque Apostolicæ Romanæ Ecclesiæ, et Domino meo Papæ Gregorio, ejusque Successoribus Canonice intrantibus. Non ero in Consilio, aut consensu, vel in facto, ut vitam perdant aut membrum, aut capiantur mala capitione. Consilium vero quod mihi creditur sunt, per se aut per Nuntios suos, sive per literas, ad eorum damnum me sciente nemini pandam. Papatum Romanum et Regalem sancti Petri, Adjutor eis ero ad retinendum et defendendum, salvo ordine meo, contra omnem hominem. (Not \* excepting the King himself as is usual in Homage and fealty to all other Lords.) Legatum Apostolicæ sedis in eundo et redeundo, honorifice tractabo, et in suis necessitatibus adjuvabo. Vocatus ad Synodum veniam, nisi \* præcepit fuerit Canonica prædicatione. Apostolorum limina \* singulis triennis visitabo, aut per me aut per Nuntium meum, nisi absolvar Apostolica licentia. Possessiones vero ad Monasterium meum spectantes, non vendam, neque donabo, neque impignorabo, neque de novo infeudabo, vel aliquo modo alienabo, \* inconsulto Romano Pontifice: Sic me Deus adjuvet, et hæc sancta Evangelia. This New Oath of allegiance and fealty to the Pope and See of Rome, being the highest incroachment upon the Kings Rights and Prerogative, making all who took it the Popes subjects, vassals, vilians, not the Kings, was sealed up and concealed both from the King and Abbot elect, till this very nick of his consecration and benediction, for fear it should be opposed, refused, as the Historian observes, and thus relates.

Hæc cooperta fuerunt, occulta, et clausa sub bulla, donec stare Pontificalibus ad Altare redimitis, quando nullo modo poterat ad ista obligatione resilire. Et cum rogasset Abbas ab Episcopo Londoniensi si Rogero, quid Roma faceret? Episcopus, sicut jocundus extitit, jocosè respondit subridens, & ait: Amice ut offeras: & veritas in verbo latitavit.

Rex autem super præmissis certificatus, Tenentibus de Sancto Albano scripsit in hæc verba.

HENRICUS Dei gratia Rex Angliæ, &c. Misistibus, liberis hominibus, & omnibus aliis Tenentibus de Abbacia de Sancto Albano, salutem. Sciatis quod electioni facta de fratre Johanne de Hertford in Abbatem S. Albani, assensum Regium præbimus & favorem. Et ideo vobis mandamus, quod eidem fratri Johanni tanquam Domino vestro, in omnibus quæ ad prædictam Abbatiæ pertinent, intendentes sitis & respondentes. Insuper rei testimonium, hæc literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium, decimo octavo die Augusti, Anno Regni nostri Duodecimo.

EX tunc igitur Abbas plenarie constitutus, cepit homagia, & Juramenta, & fidelitates, omnium Abbatiz subditorum, installatus, & in omnibus Abbas habitus & firmatus. Sed ut non lateat simpliciores qualiter se gessit dum Electus esset, & qualiter in posterum se gerere debet Electus, præsentibus duximus inferendum. In the beginning whereof he thus expresseth the New Abbots sence and detestation of this New Oath, and yoke of bondage imposed by the Pope on this famous Monastery, (and on others by his ill president in submitting thereunto) and of the Popes manifold superadded exactions.

Iste Johannes secundus Abbas, Prior quandoque de Hertford & inde oriundus: præter opinionem omnium nutu Dei sublimatus in Abbatem: Præmo iuvatus et dolens, Romanorum jugum subit servitutis: ut scilicet, de triennio in triennium, vel per se, vel per alium limina adiret Apostolorum, sicut

Mat. Paris Hist. Angl. p. 399, 420. Vita 23. Sancti Albani Abbatum, p. 140

\* Regalis in the History.

\* See Cook's 1. Instit. on Littleton. f. 64. 65.

\* Not excepting the Kings inhibition.

\* A miserab'e servitude and expence, only to enslave and fleece them.

\* They may do all this by his dear bought dispensation.

Mat. Paris. Vita 23. Sancti Albani Abbatum p. 140. 141

in subdola professione ejusdem continetur ? in magnum Ecclesiæ damnum et gravamen, et insatiabilis *Romana Curia* emolumentum voluntarium et injuriosum. Primus quidem fuit in Abbatem creatus post Concilium *Laterense* generale, sub Papa *Innocentio* quarto celebratum: in quo illud continetur cum aliis gravaminibus, in Ecclesiæ Sancti *Albani* (quæ a fundatione sui primitiva libera & ingenua legitur extitisse) præjudicium, et si fas est dicere, injuriam et jacturam. Iste quoque Abbas in Nobilitate sua multis exactionibus fatigabatur, et expensis, sed præ omnibus Romanorum oppressionibus nobis et inauditis cepit molestari. Et quod obstantibus antiquis privilegiis (quæ non sine magna Sanctorum patrum injuria et Contemptu cassantur et spernuntur) non permessa est tam Celebris Ecclesia suis libertatibus gratulari. Id cujus rei triste præsagium, paulo ante ejusdem Abbatis creationem, & cito post (scilicet infra triennium) bis supra Ecclesiam beati *Albani* visum est fulgur usque ad incendium cecidisse, quod se meminit prævidisse, nec audit evenisse. Et sicut non prodest sanctorum inniti Privilegiis aut indulgentiis, sic non obstitit fulguri impressio Papalis Cereæ, in qua *Agnus Dei* figuratur, quæ in Summitate *Turris nostre* collocatur, quæ ut dicitur, contra tales procellas abigendas virtutem habet & potestatem. I have related these Passages at large, to evidence the execrable Bribery, Symony, Rapine, extortions and insufferable usurpations of this Pope on the Crown and Church of *England*, recorded by *Matthew Paris* living in that age, privy to all these Transactions being a Monk of *St. Albani*, (little redounding to the honour of the Pope, Court or Church of *Rome*.) which though generally detested, yet could not be resisted, reformed in that age by the King, Nobles or Clergy of *England*, who only murmured and made some bootlesse petty oppositions against them.

The Pope to raise moneys for himself and his own Wars, under a pretext of supplying and ayding the Holy Land, against the Saracens, issued forth his Bulls for a new *Crossado* throughout the Christian world, which he caused to be re-published.

Mat. Paris Hist.  
Angl. p. 396.  
397.

**H**oc denique anno, qui est annus octavus postquam constitutz sunt treugæ decennales in Terra promissionis, inter *Romanum* Imperatorem *Fredericum* & *Babylonie Soldanum*, facta est prædicatio crucis per orbem universum Christiana fide insignitum, ad commonitionem & instantiam Domini Papæ *Gregorii*, qui literas in diversas orbis partes, sub hac forma direxit, (the same verbatim with those fore-cited, p. 447, 448, 449.)

**G**REGORIUS Episcopus, servus servorum Dei, Universis Domini nostri Jesu Christi fidelibus per regnum *Anglia* constitutis, ad quos literæ istæ pervenerint, salutem & Apostolicam benedictionem. *Rachel* suum videns in veræ fidei cognitione principium accrescentium in salutem, & filiorum dexteræ pia mater sancta *Romana* Ecclesia, cujus magna est quasi mare de suæ prolis internecione contritio, vocem lamentationis fletus & luctus emisit hæcenus, & emittit, quam audiri cupimus in excelsis, ut per diem & noctem fidelium oculi doloris lachrymam deducentes non taceant, & donec misereatur Dominus, non quiescant, &c. Dat. *Spoleti*, 2. Nonas *Septemb.* Pontificatus nostri anno octavo. Assignati sunt autem prædicatores a domino Papa in opus crucis & animarum oberrantium lucrificationem, per orbem universum, fratres de ordine *Prædicatorum* ac *Minorum*, cum magistris in Theologia perfectis, utpote magister *Johannes* da sancto Albano oriundus, aliquando Decanus Ecclesiæ sancti *Quintini*, postea thesaurarius Ecclesiæ *Sarisburyensis*, & alii viri discreti ac sancti, qui in opus Evangelii profecti, prædicaverunt ubique Domino cooperante, & sermonem confirmante sequentibus signis. Habuerunt autem ex mandato Apostolico, provinciarum Archidiaconos, & Decanos, qui in locis singulis parochianos, viros & mulieres convenire fecerunt: ita ut nullus remaneret sub pœna Anathematis quin eorum prædicationibus interesset. Where-upon they inform us of this fabulous Miracle wrought upon a Creeple, to set on this design with more speed and vigour.

Conti-

**C**ontigit autem hoc anno 3. Idus Junii, in villa de *Clare*, ubi magister *Rogerus de Lewes*, frater quidem de ordine *Minorum*, pro negotio crucis Evangelium in Dominica prædicavit, ut mulier quædam omni membrorum officio jam per triennium destituta, poenam metuens excommunicationis, paucum quod habuit argenti cuidam viro sibi vicino contulit, qui eam in humeris suis ad locum veheret prædicationis. Ubi cum gemens jaceret & lugens quousque vir Dei prædicationem absolvisset, motus compassione super gemitibus mulieris, quam lugentem jacere conspexit, accessit ad eam, atque causam ad quid illuc venisset inquisivit. Quæ cum diceret, quod metu excommunicationis ad locum sermonis fuisset delata; præcepit ut iret in domum suam, nesciens quod membris omnibus esset dissoluta. Sed cum astantes vicini ejus testarentur, quod omnium erat usu membrorum jam elapso triennio privata, interrogabat, si crederet quod Deus potens erat, ut sibi, si vellet, redderet sanitatem? Cui illa, Credo Domine. Tunc vir Dei mulierem inter brachia complexens, levavit eam fiducialiter, & ait: Sanette Deus omnipotens, in quem credis. Et cum mulier ad vocem jubentis se erigeret confidens in Domino, ceperunt ossa ejus & nervi cum compagibus dum surgeret crepare, ut visum sit astantibus, quod omnia ossa ejus in frustra fuissent comminuta. Et sic mulier sanitati pristina restituta, abiit in domum suam, exaltans & magnificans Dominum qui talem servis suis contulit potestatem. *Thus were the ignorant people cheated of their monyes, and their blind devotion abused, year after year, by these pious fraudes and forged Miracles of the Pope, and his freers Predicants, to the scandal of Religion.*

Mat. Paris Hist. Angl. p. 397. 398.

This year, Pope *Gregory* the 9th. to advance his own Papal Authority over all Christian Kingdoms, Churches throughout the world, by giving, prescribing Lawes and *Decretals* to them to gain mony for dispensations against them and other Canons, published his Books of *Decretals* bearing his own name, whereof we have this account.

**H**IS quoque temporibus *Gregorius* Papa IX. videns *Decretalium* tardiosam prolixitatem, sub quodam compendio eas eleganter abbreviavit & collectas, solenniter & authentice *per totius mundi latitudinem legi præcepit et divulgari*. Illas autem ab auctore ipsarum *Gregorianas* appellamus, sic incipientes: Rex pacificus, &c. In quibus quædam innovavit, ne scilicet illegitimi in prælatas vel Ecclesiastica beneficia, nisi adepta a sede Romana legitimationis dispensatione, obtineant: sciens inde curiæ Romanæ pro impetrati-  
one tali, multa emolumenta provenire: sicut ex statuto Innocentii, pro dispensatione plurium beneficiorum obtinendorum. These mon-  
dopolies of Papal Dispensations in these two cases of *Illegitimations* and *Pluralities*, being very gainful, though scandalous and unchristian Projects; And lest such who needed or desired such dispensations should want monyes to purchase them, or any other indulgences or to defray Papal exactions upon all occasions, this Pope and his Agents sent abroad Usurers, and sharking Broakers into all Countries, under the Titles of Marchants, especially into *England*, which proved a pernicious pest and greivance to the Kingdom and Churchmen, as this relation of their practices discovers,

Anno 1135. Mat. Paris, Hist. Angl. p. 403.

\* The scope of these Decretals.

**I**nvaluit autem his diebus adeo *Cursuorum pestis abominanda*, ut vix esset aliquis in tota *Anglia*, maxime Prælati, qui rebus illorum jam non illaquearetur. Etiam ipse Rex debito inestimabili eis tenebatur obligatus. Circumveniebant enim in necessitatibus indigentes, usuram sub specie negotiationis palliantes: & nescire dissimulantes, quod quicquid accrescit sorti, usura est, quocunque nomine censeatur. Manifestum est enim, eorum accommodationes ab ordine charitatis sequestrari, cum non manum porrigant egentibus auxiliatricem, ut eis subveniant, sed circumveniant: non ut alienæ succurrant inedia, sed ut suæ consulant avaritiæ, cum

Mat. Paris Hist. Angl. p. 403. 404. 405.

*Quicquid agant homines, intentio judicet omnes.*

Debitores autem suos sub tali obligatione sibi obligaverunt. *Universis præsens scriptum visuris N. Prior, et Conventus N. salutem in Domino. Roberitis nos mutuo recepisse apud Londinum, pro no-*



stris et Ecclesie nostre negotiis utiliter expediendis, ab illo N. et illo N. pro se et sociis suis, civibus et mercatoribus civitatis N. centum et quatuor marcas bonorum et legalium esterlingorum, tredecim solidis et quatuor esterlingis pro qualibet computatis. De quibus centum et quatuor marcis, nomine nostro et Ecclesie nostre, bene nos vocamus quietos et integre protestamur pacatos: exceptioni non numeratas, non solutas, et non traditas nobis pecunie, ac etiam exceptioni, quod dicta pecunia in usus nostros et Ecclesie nostre non sit conversa, omnino renunciantes. Quas preteratas centum quatuor marcas esterlingorum, predicto modo et numero computandas dictis mercatoribus, vel uni ipsorum, vel eorum certo nuncio, qui presentes literas secum attulerit, in festo sancti Petri ad vincula, scilicet prima die mensis Augusti, apud Novum Templum Londini, anno Domini incarnationis millesimo ducentesimo trigesimo quinto, per legitimam stipulationem promittimus, et tenemur nomine nostro et Ecclesie nostre, nos integre soluturos, et reddituros. Tali tenore adjuncto, quod si dicta pecunia predictis loco et termino, sicut dictum est, non fuerit persoluta et reddita; ex tunc in antea semper transacto termino promittimus, et tenemur per eandem stipulationem, dare et reddere predictis mercatoribus, aut uni eorum, vel eorum certo nuncio, per singulos menses duos, pro singulis decem marcis, unam marcam dictae monetae, pro recompensatione damnozum, quae damna et expensas ipsi mercatores ex hoc possent incurrere vel habere: ita quod damna et expensae et fors cum effectu peti possint, ut superius sunt expressa, et expensas unius mercatoris cum uno equo, et cum uno serviente, ubicunque fuerit mercator, usque ad plenam solutionem omnium predictorum. Expensas etiam factas et faciendas, pro ipsa pecunia recuperanda, reddemus et restaurabimus eisdem mercatoribus, vel uni eorum, vel eorum certo nuncio. Quam recompensationem damnozum interesse, et expensarum, promittimus dictis mercatoribus in sortem dicti debiti nullatenus computari, ac non detinere dictum debitum sub pretextu recompensationis memoratae, contra voluntatem predictorum mercatorum, ultra terminum antedictum. Pro quibus omnibus antedictis, firmiter et plenarie adimplendis, et inviolabiliter observandis, obligamus nos et Ecclesiam nostram, et successores nostros, et omnia bona nostra et Ecclesie nostre, mobilia et immobilia, Ecclesiastica et mundana, habita et habenda, ubicunque fuerint inventa, mercatoribus antedictis, et eorum heredibus, usque ad plenam solutionem omnium predictorum, quae bona ab eis precario nomine recognoscimus possidere. Et volumus super omnibus antedictis ubique et in omni foro conveniri, renunciando pro omnibus antedictis, pro nobis et successoribus nostris, omni juris auxilio canonici et civilis, privilegio clericatus et fori, Epistolae Divi Adriani, omni consuetudine et statuto, omnibus literis, indulgentiis, privilegiis, pro Rege Angliae, et omnibus Regni sui a sede Apostolica impetratis et impetrandis, constitutioni de duabus dietis, beneficio restitutionis in integrum, beneficio appellationis et recusationis, \* literis inhibitionis Regis Angliae; et omni alij exceptioni reali et personali, quae posset obicere contra hoc instrumentum vel factum. Omnia ista promittimus fideliter observanda. In cujus rei Testimonium, presenti scripto sigilla nostra duximus apponenda. Acta die quinta

*Nota.*

ta *Alphegi*, Anno gratie M. CC. XXXV. Talibus igitur inextricabilibus vinculis debitores suos Caurisni constringebant. Qui ut verbo alludamus, vere Caurisni, quasi causantes, vel capientes, & urfimi nuncupantur. Indigentes tamen primo sermonibus mellis & mollicis alliciebant, in fine vero velut jacula vulnerantes: unde multi propter verba eorum subscripta arguta, & a legibus extracta, caudicorumque cognata fallaciis, hæc non sine Curia Romana conniventia fieri arbitrantur, illud Evangelicum commentorantes: *Prudentiores sunt filii sæculi hujus, quam filii lucis, in generationibus suis.* *Judei* quoque novum genus usuræ in Christianis comperientes, Sabbatha nostra immerito deridebant. The Bishop of London endeavoured to reform this worse then Jewish usury and extortion; but without successe to his great vexation.

**E**odemque anno, Episcopus Londinensis Rogatus, vir quidem bene literatus & religiosus, cum intellexisset hos Caurisnos usuras sine erubescencia palam frequentare, vitamque spurcissimam deducere, viros religiosos variis fatigare, pecuniamque argumentose coacervare, & multos juga eorum coactos subire, commotus est & iratus, & Zelo Justitiæ accensus, omnes illos quasi schismaticos admonuit, ut a tali enormitate, sicut animarum suarum salvationem deligerent, desisterent, penitentiam agentes de commissis. Quod cum contempnissent, subsannantes, & deridentes insuper & comminantes, Episcopus armis actinctus Justitiæ spiritualis, omnes tales generaliter involuit anathemati, et jussit præfisse et districte eos a civitate Londinensi, quæ hæcenus talis pessimitiæ fuit ignara, citius elongari, ne Diocesis sua tali tade macularetur. At ipsi tumentes et superbi, de Papali defensione confidentes, sine difficultate et moræ dispendio, in Romana curia impetrarunt, ut dictus Episcopus, qui jam senuerat, valetudinarius et ægrotativus, citaretur peremptorie in remotis partibus ultra-marinis, coram Judicibus Caurisnis familiaribus, quos elegerant ipsi ad voluntatem suam: ut compareret super tali injuria mercatoribus Papalibus interrogata, responsurus. Episcopus vero malens Patris verenda ut Sem tegere, quam ut Cam revelare; suscitatum tumultum sedavit pacifice: et hæc sub dissimulatione pertransiens, causam tam arduam sui \* Pauli patrocinio commendavit: Qui cum de rigore fidei et Justitiæ prædicaret, scripsit dicens: Et si Angelus votis his contraria prædicaverit Anathema sit.

Mat. Paris Hist. Angl. p. 404.

Nota.

\* St. Peter was here too strong for St. Paul.

How insolent, \* proud, covetous the degenerate Freers Minorites and Predicants grew in that age, through this Popes favour, corruption and preaching up his *Crossades*, this Monk thus registers.

\* See here p. 450.

**E**odem quoque tempore, quidam de fratribus Minorum, necnon & aliqui de ordine Prædicatorum, impudenter nimis, sæ professionis & ordinis immemores, in territoria aliquorum nobilium Cænobiorum se clam ingesserunt: sub prætextu officii sui adimplendi, & velut post crastinam prædicationem recessuri. Sed vel infirmitatem, vel quippiam aliud simulantes, manserunt: & fabricato ex ligno altari, superpositoque altariolo lapideo benedicto secum allato, Missas clandestinas demissa voce celebrarunt, confessiones multorum receperunt etiam parochialium, in præjudicium Presbyterorum. Dicebant namque, se talem a domino Papa suscepisse potestatem, ut eis scilicet fideles quæ suo erubescunt Sacerdoti confiteri, vel dedignantur, quia consimili peccato constringuntur, vel timent, quia temulento, confiteantur; quibus injungant Minores penitentias, & absolvant. Interim ad Romanam curiam misso procuratore festino & diligenti, contra religiosos, in quorum degebant territorio, concessam impetrarunt cum aliquo adjuncto beneficio mansionem. Quod si forte adhuc eis satisfieri non videretur, in verba contumeliosa & comminatoria proruperunt: ordinem alium quam suum reprobantes, aliosque de numero fore damnandorum asserentes: nec parcere callo plantarum suarum, donec thesauros adversariorum suorum licet multos exhaustissent. Unde in multis cedebant eis religiosi deferentes propter scandalum, & propter potentum offendiculum. Erant enim Magnatum consiliatores & nunci, etiam domini Papæ secretarii, nimis in hoc gratiam sibi secularem comparantes. Aliqui tamen in curia

Mat. Paris, Hist. Angl. p. 405.

Nota:

ria *ROMANA* contradictores inuenientes, obuiis rationibus refrænati, confusi recesserunt; Dicente eis torvo vultu summo Pontifice, Quid est hoc fratres? quo prorumpitis? Nonne professi estis paupertatem spontaneam, ut discalceati, & inglorii peragantes vicos, & Castella, & loca remotiora, prout opus exigit, verbum Dei humiliter seminetis? præsumitis jam invitis Dominis feudorum mansiones vobis usurpare? Jam videtur in magna sui parte religio vestra expirare, & Doctrina refutari. Hoc audito recedentes, modestius se habere cœperunt, qui prius multiplicaverunt loqui sublimia gloriantes: & infra septa alterius arbitrio alieno morari & detineri recusantes.

King *Henry* the 3d. so far degenerated from himself after his marriage, in complying with the Popes usurpations, that he endeavoured by pretext of the Popes Bull, to revoke some of his own grants as invalid, because they had not the Popes assent unto them, for which he was much condemned by some of the Nobility, as one endeavouring overmuch to enthrall his Kingdom and the right thereof to the vassallage of the Pope.

Mat. Paris Hist.  
Angl. p. 416.

**E**odem tempore congregati sunt apud *Wintoniam* magnates *Anglia* præsentis Rege sexto Idus *Junij*; Ubi Rex nitebatur per authenticum Domini *Papæ*, quædam, quæ ante matrimonium contractum aliquibus contulerat, in irritum revocare, ac si esset impos sui, sine Domini *Papæ* consententia, ad quem, ut dicebat, Jus regni spectabat conferre. Unde multos commovit ad admirationem, dicentibus multis, quod magis quam decuit aut oportuit, regnum suum nitebatur Rex ejus subdere servituti, et extremis conditionibus mancipare.

This year the Pope betaking himself to his usual cheat, to raise monyes for his own use and Wars against the Emperor, under pretext of releiving the Holy Land, and dispensing with those vowes for summes of money, which himself and his preaching Freers exhorted the people to enter into, for the remission of their sins, and salvation of their souls, gave no smal scandal to these crossed votaries and others, who discovered the Imposture overlate, after he had cheated them of their Monye by this art, refusing to restore any part thereof, as his passage will inform and assure us.

Mat. Paris Hist.  
Angl. p. 418.

\* see here p.  
448.449:

**E**odem quoque anno facta est prædicatio solennis, tam in *Anglia* quam in *Francia*, a fratribus Prædicatoribus & Minoribus, & aliis famosis clericis, theologis, & religiosis, per authenticum domini *Papæ*, cruce se signaturis plenam concedentibus peccatorum indulgentiam, de quibus confessi vere fuerint penitentes. Qui civitates, castella, & pagos peragantes, & in temporalibus multa remedia promittentes, scilicet de \*usuris contra *Judaos* ne amplius current, & protectionem domini *Papæ* in redditibus & rebus impignoratis pro viaticis suis omnibus cruce signatis, infinitum populum, ad votum peregrinationis accinxerunt. Et postea misit Dominus *Papa* in *Angliam*, fratrem *Thomam Templarium* familiarem suum, cum authentico suo; ut quos veller, & prout expedire videret, cruce signatos, accepta pecunia, quam se ducebat utilius ad promotionem Terræ sanctæ expensurum, a voto peregrinationis absolveret. Quod cum viderent cruce signati, admirantes insatiatam *Romanæ* curiæ cupiditatem, magnam conceperunt mentibus indignationem, quod tot argumentis nituntur *Romani* tam impudenter oculos emungere populorum. Addiderunt namque Prædicatores: Quod si quis cruce signatus vel non signatus, qui in propria persona iter peragere non posset tam laboriosum, quod facultas permetteret in bonis, in subsidium Terræ sanctæ conferre non omitteret, & sic plenissime indulgentia gauderet prænominata. Sed hæc omnia auditores suspectos reddiderunt. Dicebant namque: Ecquis dispensator noster fidelis erit? Sicque factum est, quod Dominus *Papa*, concepta indignatione adversus populum, movit guerram, nummos extorquens; collegit decimam ex omnibus regionibus, et infinitam pecuniam adunavit, ut Ecclesiam defenderet. Sed cito pace composita, facti sunt *Papa* et Imperator;



toꝝ amici, sed nunquam pecunia fuerat restituta. Et sic diatim, multozum devotio, fidesque titubabit plurimozum.

(a) Pope Alexander the 3d. and the Council of Lateran, about the year 1166. taking upon them the power and right to define what Children were legitimate, and who were Bastards, made these summary Decrees concerning it. **Ante Matrimonium geniti, per Matrimonium post contractum fiunt legitimi. Non est exheredandus, quicumque ante desponsationem est natus. Ad Regem, non ad Ecclesiam pertinet de rebus hereditariis judicare.**

The two first of these Decrees being contrary to the Common Law of England, resolving all Children born before Marriage to be illegitimate, and not inheritable to their Parents, though afterwards lawfully coupled in Matrimony: Thereupon there arose a great question in England between the Bishops, Nobles, and Kings Judges, concerning this point, (long before the Statute of Merton) under King Henry the 2d. thus expressed by (b) Glanvil, upon a Writ directed to the Archbishop of Canterbury from the Kings Temporal Court, in a real action, wherein the Tenant alledged Bastardy in the Demandant, **Quod ipse Bastardus sit natus ante Matrimonium ipsorum.**

Et quoniam ad Curiam meam non spectat agnoscere de Bastardia, eos ad vos mitto, mandantes, ut in Curia Christianitatis inde facias quod ad vos spectat. Et cum loquela illa debitum coram vobis finem sortita fuerit, mihi Literis vestris significetis quid inde coram vobis actum fuerit, &c. Circa hoc autem oritur Quæstio; Si quis antequam pater matrem suam desponsaverit, fuerit genitus vel natus, utrum talis filius sit legitimus hæres, cum postea matrem suam desponsaverit? Et quidem, licet secundum Canones et Leges Romanas talis filius sit legitimus hæres, tamen secundum jus et consuetudinem Regni, nullo modo tanquam hæres in hereditate sustinetur, ut hereditatem de jure Regni petere potest.

Sed orta super hoc tamen contentione, utrum scilicet genitus an natus fuerit ante desponsationem, an post; discutietur id, ut dictum est, coram iudice Ecclesiastico? & quod ab eo iudicatum fuerit, id Domino Regi vel ejus Justiciario scire faciet; Ita tamen, quod secundum quod iudicatum fuerit in Curia Christianitatis de Matrimonio, scilicet, utrum fuerit ille qui hereditatem petit, natus vel genitus ante Matrimonium contractum, vel post? In Curia Domini Regis supplebitur de adjudicanda vel abjudicanda ipsi, hereditate super qua contentio est, ita quod per iudicium Curia hereditatem ipsam obtinebit vel clammum suum perdet.

The Bishops to advance their own Courts above the Kings, and the Canons made by the Pope and Lateran Council at Rome, above the Common Law and custome of the Realm in this particular, \* refused to return any Certificate in such cases, upon the Kings Writs directed to them, or to act any thing against the Churches Canons, and were very importunate with the Nobles in the Parliament held at Merton, Anno 20 H. 3. to alter the Common Law in this point, according to their Canons, which the Nobles peremptorily refused to do, as the Statute of Merton cap. 9. and Henry de Bracton (a Learned Judge, who lived in that age) more fully informs us, in his excellent Discourse concerning Bastardy. (c) Qualiter opponi debeat Bastardia in primis videndum. Proponi quidem solet aliquando cum adjectione causæ, quare Bastardus sit, & quandoque sine causâ: sed quoniam ubi causâ non adjicitur, sub tali responsione poterit esse obscuritas & incertitudo, quia cum sciri non poterit ad quod forum pertinere debeat cognitio, non refert, Utrum quis omnino non respondeat, vel obscure: ut si dicat tenens simpliciter, quod petens nihil juris habet, in re petita, quia Bastardus est, & paratus est probare Bastardiam ubi & quando debuerit, si prohibitio ex tali probatione & responsione statim mittatur ad Curiam Christianitatis, ita poterit quidem probatio quælibet indifferenter fieri in Curia Christianitatis, quæ in quibusdam est contraria Legi & Consuetudini Angliæ, quod esse non debet, cum nihil aliud sit sub tali obscuritate transmittere inquisitionem de Bastardia faciendam ad Curiam Christianitatis, quam venire contra Legem & Consuetudinem Angliæ. Ad talem igitur errorem tollendum, necesse est causam addiscere, ut si dicat tenens, frater nihil juris habes in terra petita quia Bastardus es, quia Pater tuus nunquam desponsavit matrem tuam. Talis cognitio Bastardix recte pertinet ad iudicem Ecclesiasticum, ex quo præcise deductum est Matrimonium, quia non pertinet ad iudicem secularem discussio, utrum sit ibi Matrimonium vel non? cum ipse cui obijciatur dicat contrarium. Idem erit si dicat, frater nihil juris habes in terra illa licet Matrimonium intervenerit, quia inter Patrem tuum & Ma-

a Sarius Concil. Tom. 3. p. 620. See Cook 2 Instit. p. 96. 97. & 1 Instit. Sect. 399. 400. See Brooke and Fitzherbert Title Bastardy.

b De Legibus & Consuetudinibus Angliæ, lib. 7. c. 14. 15. See here p. 445.

\* Here p. 445.

c De Legibus & Consuetudinibus Angliæ, lib. 5. De Exceptionibus, c. 15. f. 416, 417, 418.

tem

trem tuam contractum fuit Matrimonium illegitimum, ex quo prius contraxit cum quadam quæ vixit tempore quando contraxit cum matre tua. Est igitur ad Curiam Christianitatis inquisitio in hoc transmittenda, quia ad iudicem secularem non pertinet discussio, quis eorum & quæ illarum sit legitima uxor, & quæ non. Item, opponi poterit Bastardia cum adiectione causæ, ut supra, sed non erit ad Curiam Christianitatis inquisitio demandanda, quia nihil pertinet ad iudicem Ecclesiasticum cognoscere de prioritate, vel posterioritate natiuitatis ejus cui opponitur Bastardia, cum sponsalia vel Matrimonium hinc inde concessa sint, non magis quam si quis ita diceret, frater nihil juris habes in terra illa, & si jus haberes, petere non potes, quia petis de tempore *Henr.* senioris vel ulterius quod omnem excludit rationem: vel si dicat tenens sic, frater nihil juris habes in terra petita quia Bastardus, **quia natus fuit per tantum tempus ante sponsalia vel Matrimonium contractum inter Patrem tuum et Matrem tuam.** Et quia hinc inde conceditur Matrimonium, bene poterit Rex in Curia sua inquirere sine alicujus præjudicio, utrum talis cui obijciatur, natus sit ante Matrimonium vel post? sicut inquirere poterit in aliis casibus, utrum natus in tempore Regis *H.* vel Regis *J.* & maxime in defectum Episcoporum, **quia contracti sunt Legibus et Consuetudinibus Angliæ,** nec etiam magis injuriosum est quam si Rex in placito Dotis in Curia sua fieri faciat inquisitionem, utrum mulier dotem petens dotata sit ad ostium Ecclesiæ vel alibi? vel utrum sponsalia vel Matrimonium publicum sit, vel clandestinum? Et cum in Curia Domini Regis, Anno Regni sui Vicesimo, in crastino Sancti *Vincentii* apud *Merton*, coram Venerabili Patre tunc *Cantuariensi* Archiepiscopo, & coram Suffraganeis suis omnibus, & coram majore parte Comitum & Baronum *Angliæ*, tunc & ibidem existentium pro Coronatione Regis & Reginæ, pro quo omnes vocati fuerunt, generaliter tractatum esset de communi utilitate totius Regni, super pluribus articulis Regem & Reginam tangentibus, inter alia tractatum esset de hujusmodi objectione Bastardiæ, **Quærum (viz.) quis natus ante sponsalia et Matrimonium haberi possit pro legitimo, sicut ille qui post Matrimonium natus fuit?** Ad quod omnes Episcopi responderunt, Quod omnes illi qui nati fuerunt ante sponsalia vel Matrimonium, ita erunt legitimi sicut illi qui nati erunt post Matrimonium quoad Dominum Deum, & quoad Ecclesiam, \* nec voluerunt, nec potuerunt sine præjudicio Ecclesiasticæ dignitatis respondere ad Breve super hujusmodi inquisitione facienda de Bastardia, rescribere Domino Regi, (viz.) utrum ante vel post, quia hoc esset in præjudicium Sanctæ Ecclesiæ, ut dicebant, sed rogabant Regem & Magnates, quod ad hoc consensum præberent, quod nati ante Matrimonium quoad omnia legitimi esse possent sicut illi qui post: et omnes Comites et Barones, quotquot fuerunt, responderunt una voce, \* Quod noluerunt Leges Angliæ mutare, quæ usque ad tempus illud usitate fuerunt et approbatæ. Postea verodie Jovis proxime post festum Sancti *Dionysii*, Anno eodem, coram ipso Domino Rege, & subscriptis convocato consilio, provisum fuit, & concessum ab ipso Domino Rege coram Venerabili Patre *E. Cantuariensi* Archiepiscopo, *R. Cicestr.* Episcopo, Domini Regis Cancellario, *R. Dunelm.* Episcopo, *H. Elyens.* Episcopo, Episcopo *Nornwic.* Episcopo *London.* Episcopo *Bathon.* Episcopo *Exon.* Episcopo *Karleol.* Episcopo *Hereford.* & Episcopo *Roffen.* Item coram Baronibus subscriptis *Richardo* Comite *Cornubie*, & *Petro G.* Com. *Marr.* *J.* Com. *Linc.* *W. Com. Warham.* *J.* Com. *Cestr.* *W. Com. Ferr.* *F. Com. Warr.* *H. Com. Kanc.* *H. de Ver Com. Oxon.* *H. Com. Hereford.* *Simon de Monte-forte* Com. *Leic.* Item coram Baronibus subscriptis *Radulpho de Tony*, *Philippo de Albinaco*, *R.* filio *Michaelis*, *H.* filio *Machute*, *J. Mariscall*, *G. de Lucy*, *R. de Argento*, *H. Dispensatore*, *W. de Say*, *W. Bardolph*, *W. de Cantelupo*, seniore, & *W.* juniore, *R. Sylkard*, *W. de Bromich*, *A. de Sancto Amando*, *B. Curiall*, *E. de Syngoy*, *R. de Mussengoy*, *B. de Pauncy*, *G. de Lucy*, *R.* filio *Hug.* & aliis quampluribus tunc ibidem præsentibus, quod de cætero cum Bastardia objecta fuerit alicui de tali causa in Curia Domini Regis quod Bastardus sit, & ideo Bastardus, quia natus ante sponsalia vel Matrimonium contractum inter Patrem suum & Matrem suam, mittatur loquela ad ordinarium loci, & fiat inquisitio per hæc verba, utrum (viz.) talis natus fuerit ante sponsalia vel Matrimonium, vel post? Et rescribat ordinarius per eadem verba Domino Regi sine aliqua cavillatione. Et in inquisitione illa facienda cesset omnis appellatio, sicut in omni alia inquisitione de Bastardia de qua inquisitio demandanda fuerit alicui ordinario faciendæ

Nota.

\* See Cookes 9:  
Justit. p. 96, 97.

facienda & maxime, quod nulla fiat appellatio extra Regnum si de necessitate contingat appellari: & tunc præceptum fuit, quod ita teneretur & observetur in futuro, tam de illis, quam de quibus iudicium ex tunc faciendum esset in Curia Domini Regis, tam de placitis inceptis quam incipiendis cum huiusmodi Bastardia obijciatur ex tali causa. Et quod Assisa mortis antecessoris processit in Curia Domini Regis super huiusmodi Bastardia infra ætatem petentium, & ubi jurata dixit quod non fuerunt Hæredes propinquiore quia nati fuerunt in adulterio ante Matrimonium, probatur in itinere *M. de Pateshull*, in Com. Cinn. Anno Regis H. filii J. undecimo Assisa mortis antecessoris si *Henricus Pansers* decem. *Norhington*. Rationibus igitur supra dictis & ex tali communi consensu, in electione Domini Regis esse poterit, utrum velit inquisitionem illam faciendam, demandare ordinariis, vel illam facere in Curia sua, quia si illam in Curia sua fecerit cum exceptio ei data fuerit & aperta & ex certa causa non debet responsio esse obscura, sed sicut opponit exceptio quod secundum Legem & Consuetudinem *Anglia* Bastardus est, eo quod natus ante sponsalia vel Matrimonium, et sic ex tali causa replicare debet petens et dicere, quod legitimus est ex causa contraria, quia natus est post sponsalia vel Matrimonium, et sic contradicere intentioni tenentis, quia non contradicit, sed dicit simpliciter quod legitimus sit, et paratus probare se legitimum ubi debuerit, quia ad causam non respondet. Debet igitur dicere causam, quod legitimus quia natus est post sponsalia vel Matrimonium, si autem ex tali obscura responsione mittatur ad Curiam Christianitatis, & rescribatur obscure, quod legitimus, vel si causa obiecta fuerit & non rescribatur per eadem verba, sed quod legitimus sit, in defectum Curie Christianitatis fiat inquisitio in Curia Domini Regis, **utrum ante Matrimonium vel post?** quia videtur per hoc quod ibi possit esse fallacia, & verum rescribatur & falsum, sed diversis respectibus, quia poterit esse legitimus secundum statuta Ecclesie quantum ad ordines, & quantum ad dignitates, & quantum ad Leges & Consuetudines *Anglicanas* Bastardus; quantum ad successiones, quia ibi licet legitimus ad prædicta sive ante sive post. Et cum taliter obiecta fuerit Bastardia ex causa tali, si petens obscure respondeat, denegetur ei actio at si nihil respondisset, & tenens se teneat in pace. Si autem tenenti obiecta fuerit, & sic obscure responderit, quasi indefensus rem possesam amittat, quia non omnino respondere vel obscure, ad paria iudicantur, &c.

The Pope & Popish Clergy having made (a) *Marriage* one of their seven Sacraments of the Church, under the new Testament, though very improperly, it being instituted for Adam and all his Posterity at the very Creation, common to all Pagan Nations as well as Christian, (if not to some birds and beasts, who by the instinct of nature couple themselves together two & two, by a kind of conjugal tie, as *Doves*, &c.) and altogether inconsistent with their Sacrament of Orders, which it totally nulls and prophanes by their *Doctrine* and *Romish Canons*, (b) inhibiting Priests Marriage as inconsistent with their Orders, and nulling, degrading their Sacerdotal function more then professed Whoredome or Adultery. Thereupon inferred, that the King and his Temporal Courts, Judges, had no Jurisdiction at all in cases of Marriage, Divorce, or Bastardy, but only Popes, (c) Bishops, and Courts Christian, as if Kings, and their Temporal Judges, Courts, were not Christian. Upon which mistake (d) *Bracton* makes this inference, in the case of Bastardy. **Ad Papam et ad Sacerdotium quidem pertinent ea quæ spiritualia sunt,** (true only in a qualified, ministerial sense) **ad Regem vero et ad Regnum ea quæ sunt temporalia, juxta illud, Cælum Cœli Domino, terram autem dedit filiis hominum. Et unde ad Papam nihil pertinet ut de temporalibus disponat vel ordinet, non magis quam Reges vel Principes de spiritualibus, ne quis eorum falcem inmittat in messem alienam,** (which subverts the Popes Temporal Monarchy.) **Et sicut Papa ordinare potest in spiritualibus quoad ordines et dignitates, ita potest Rex in temporalibus de hæreditatibus dandis, vel hæredibus constituendis secundum consuetudinem Regni sui.** Habet enim quodlibet Regnum suas consuetudines & diversas, poterit enim una esse consuetudo in Regno *Anglia*, & alia in Regno *Francia* quantum ad successiones, Which he further proves in this case of Bastardy. Wherein the Law being thus settled, declared in *England*, the King by this memorable Writ settled the like Law

a Sarius Concil. Tom. 4. p. 496, 729, 971. Richardus de Med. Villa. in 4. Distinct. 26. Artic. 4. qu. 2. Summa Angelica & Rosella Tit. Matrimonium & Sacramentum.  
b Sarius Concil. Tom. 4. p. 472. Tom. 1. p. 217. See Claudius Espensius de Continentia. Dr. Hall's honour of the Married Clergy.  
c Matrimonialis causa hodie ad Episcopum pertinet. Gratian. Caus. 33. qu. 2. Sarius Tom. 4. p. 972, 981.  
d Lib. 5. c. 19. f. 417. b.



and the Statute of *Merton* in *Ireland*, and resolved some other points in Law there controverted, according to the Laws then used in *England*, upon the supplication of the Archbishop of *Dublin*, and chief Justice of *Ireland*, to be resolved therein.

Claus. 20 H. 3.  
m. 13. dorso.

**C**onstitutiones factæ apud *Merton*, superius irrotulatz scilicet viij. (vel xij.) die *Februarii*, sigillatz fuerunt sigillo Domini Regis, transmissæ sunt in *Hiberniam* ut currant in partibus illis & teneantur sicut in *Anglia*, & de hoc fit mentio in brevi directo Justic. *Hibernia*, inferius irrotulato.

**HENRICUS** Dei gratia Rex *Anglie*, &c. Venerabili Patri *L.* eadem gratia Archiepiscopo *Dublin*, & dilecto & fideli suo *M.* filio *Geroldi* Justiciario suo *Hibernia*, salutem. Accedens nuper ad Curiam nostram *Georgius de Laffidell*, nobis ex parte vestra supplicavit, ut vobis scire faceremus, quid juris sit secundum consuetudinem *Anglie*, in casibus subscriptis, videlicet, cum contingat filium alicujus Nobilis natum ex Matrimonio movere questionem fratri suo in fornicatione ante Matrimonium de eadem matre progenito super paterna hæreditate? Item, si contingat quod frater natus ante Matrimonium defendendo se, dicat se esse legitimum, utrum in tali casu sit mittendus ad forum Ecclesiasticum, &c? Item, si mittendus sit, in qua forma, &c? Item, si contingat quod nates ante Matrimonium fecerit homagium suum de terris suis post decessum Patris sui, & ratione homagii sic facti vocaverit Dominum suum ad Warrantum, Quid juris sit de illa vocatione? Et si Warrantizare debeat aut velit sponte, utrum duellum possit esse de jure inter natum ex Matrimonio & Dominum Warrantizantem cum inter ipsos fratres esse non possit?

Ad hæc autem vobis significamus de primo Capitulo, Quod si natus ante Matrimonium cui movetur questio, cognoscat se natum esse ante Matrimonium, nec petere potest hæreditatem, nec petitem retinere, secundum *Anglie* consuetudinem, nec talis si dicat se natum esse post, non est mittendus ad Curiam Christianitatis eo quod Clerus talem habet pro legitimo. Cum autem de casu illo anno præterito tractatum esset coram Venerabili Patre Archiepiscopo *Canuar.* & Coepiscopis suis, & Magnatibus nostris *Anglie*, scilicet utrum inquisitio de tali nato deberet fieri in Curia nostra, vel in Curia Christianitatis? Tandem prædictus Archiepiscopus & Episcopi petierunt, sibi dari potestatem inquirendi; postea vero processu temporis, quia in forma brevis nostri eis super hoc transmissi contentum fuit, quod respondere deberent, utrum talis natus esse ante Matrimonium vel post? Videntes hoc esse contrarium legibus suis, noluerunt ad hoc respondere, set reliquerunt nobis & Curie nostræ hoc inquirendum & terminandum, & nondum provisum est in Curia nostra sub qua forma hoc debeat inquiri, vel per Sacramentum xii. Juratorum, vel per probationem a partibus producendam. Item, de Domino si debeat Warrantizare tenenti contra fratrem suum, vobis respondemus, quod non, eo quod tam natus post Matrimonium quam ante uno & eodem jure utuntur. Et Dominus in captione homagii potius circumventus fuit quam ratione strictus. Nec esse poterit duellum inter eos prædicta ratione: Et præterea quia Dominus tenetur plus Warrantizare petenti nato post Matrimonium, quam tenenti nato ante Matrimonium. Hiis igitur intellectis secundum quod prædictum est, in partibus vestris faciatis. Teste Rege apud *Mortclack*, Nono die *Maii*.

The Bishop of *Cloen* in *Ireland* resigning his Bishoprick, the Chapter thereupon, by the Kings chief Justice his License only, without the Kings special License first obtained, elected the Dean for their Bishop, who thereupon protured the Kings dispensation and confirmation of his Election, though unduly made, and restitution of his Temporalities, by reason of the poverty of this Church; which occasioned other subsequent Usurpations of this kind, to the prejudice of the Kings Prerogative, against \* former Prohibitions in such cases.

\* Here p. 378,  
402, 407, 424.

Pat. 20 Hen. 3.  
m. 9. intus.

**R**EX, Venerabili Patri in Christo D. eadem gratia Archiepiscopo *Arduacan.* salutem. Sciatis, quod electioni factæ de licentia dilecti & fidelis nostri *M.* filii *Geroldi* Justiciarii nostri *Hybernia*, ut dicitur, de *Thoma* Decano *Clorensis*, in Episcopum *Clorensem*, (licet fieri non debuisset sine licentia a nobis ipsi inde prius petita et optenta) propter paupertatem tamen Ecclesiæ *Clorensis*, hac vice Regium addidimus assensum et favorem. Et ideo vobis mandamus, quatenus quod vestrum est in hac parte exequamini. In cujus rei, &c. Teste Rege apud *Winds.* xvij. die *Aprilis*.

Et

Et mandatum est *M. filio Geroldi Justic. Hibernia*, quatenus quam cito predictus Archiepiscopus per Literas suas Patentes ei significaverit, quod ipse dictam electionem Authoritate Metropolitana confirmaverit, ipse Justic. de omnibus terris et tenementis ad dictum Episcopatum Cloenens. pertinentibus de quibus Elyas quondam Cloenensis Episcopus, predecessorum suus, seiscitus fuit, die quo dictum Episcopatum resignavit, prefato electo plenam seiscitum habere faciat. Teste ut supra.

The Archbishops, Bishops, Abbots, and Clergy granted the King, upon his humble request to them, an extraordinary Ayde to relieve his present necessities, upon condition it should not be drawn into consequence for the future to their prejudice; whereupon the King granted them this Patent to secure them and their successors from the like Ayde.

**R**EX, Omnibus ad quos presentes Literae pervenerint, salutem. Scitis, quod cum nuper rogassemus Archiepiscopos, Episcopos, Abbates, Priores, et alias personas Ecclesiasticas de Regno nostro, quod pro urgente necessitate nostra auxilium nobis impenderent, ipsi gratis et spontanea voluntate sua communiter nobis concesserunt quoddam auxilium de omnibus feodis suis, tam de illis de quibus nobis respondent, quando scutagium datur, quam de aliis quae retinent ad opus suum, videlicet duas Marcas de scuto: Ne igitur hujusmodi concessio et auxilii praestatio possit aliquo tempore trahi in consequentiam, concedimus pro nobis et heredibus nostris, et presentium tenore protestamur, quod pro gratia hac vice nobis facta, praedictis Archiepiscopis, Episcopis, Abbatibus, Prioribus, et aliis personis Ecclesiasticis, vel eorum successoribus aut Ecclesiis suis in posterum in nullo derogetur. In cujus rei testimonium has Literas nostras Patentes fieri fecimus. Teste Rege apud Westmonasterium, Quarto die Maii.

Par. 10 H. 3.  
m. 8. intus.

The Prior of the Preaching Freers presuming this year to arrest and imprison some persons in *York-shire*, pretended to be unsound and Heretical in matters of Faith, when as he had no legal power to arrest or imprison such, the King whereupon by his supreme Ecclesiastical Jurisdiction issued this Mandate to the Sheriff of *York-shire* to arrest and imprison all Heretical persons, till his further order therein.

**S**ignificat Regi frater *A. Prior Ordinis fratrum praedicat. Eborum*, quod cum ipse quendam de articulis fidei male sentientem, & pessime respondentem, invenisset, eundem tanquam infidelem arrestari fecit, et carceri mancipari; Quia igitur praefatus Prior nullam habet Jurisdictionem secularia judicia exercendi, nec aliquem arrestandi, vel carceri mancipandi; Praeceptum est *Aliccomiti Eborum*, quod cum plures sint in partibus illis infideles, et qui super haeretica pravitate, sicut Rex audivit, possint convinci, ad mandatum ejusdem infideles arrestari faciat et carceri mancipari, nemini vel in districtis abundant, vel alio aliquo favore deferens in hac parte: eosque salvo faciat custodiri quousque Rex aliud inde duxerit praecipendum. Teste Rege apud *Wintoniam*, Nono die Januarii.

Claus. 10 H. 3.  
m. 11. dorso.

The Bishop of *London* prohibiting any Victuals or other things to be sold to the Jews this year (as some other Bishops had done before) under pain of Excommunication; the King thereupon issued forth this Writ of Countermand to this his Usurpation, to the Mayor and Sheriffs of *London*.

Here p. 387.

Clauf. 20 H. 3.  
m. 23. dorso.

**R**EX, Majori & Vicecom. London. salutem. Mandamus vobis quatenus in Civitate nostra London. publice clametis faciat, et sterneret prohiberi, ne vicualia vel alia venditioni exposita, quæ Judæi nostri London. emere voluerint, eis denegentur vendenda; et si quis contra prohibitionem nostram vicualia vel alia denegaverit eis vendenda, illud sine dilatione faciat emendari, dictos Judæos nostros inde et aliunde manutinentes et protegentes. Teste Rege apud Westmonasterium, Sexto die Decembris, Anno, &c. Vicesimo.

I shall cloze up this Chapter with a most memorable Prohibition against the Popes and Spiritual Courts Usurpations on the Crown. The Archbishop of *Canterbury* being sued by the Prior and Monks of *Canterbury*, for certain Advowsons of Churches, Possessions, Rents, and Services, in the Ecclesiastical Court, by authority of the Popes Letters, despising the remedy of the Kings Court where they ought to sue for them; thereupon the King issued forth this Prohibition to the Archbishop, prohibiting him upon his Faith and Allegiance to him not to answer them in that Court, it being prejudicial to his Royal Crown and Dignity, against which he should repute it a voluntary contempt in the Archbishop, if he should wittingly and willingly disobey this his Prohibition, by answering in that Court.

Clauf. 20 H. 3.  
m. 12. dorso.

**R**EX, &c. Venerabili in Christo Patri *E. eadem gratia Cantuariensis Archiepiscopo*, &c. salutem. Ad aures nostras nuper pervenit, quod cum controversia mota sit inter Priorem & Monachos *Cantuarie*, ex parte una, & vos ex altera, super advocacionibus quarundam Ecclesiarum Possessionibus, Xenius, & Servitiis quibusdam. *Predicti Prior et Monachi*, sperto Curie nostre remedio, ad quam spectant hujusmodi placita, super predictis trahunt vos in placitum in Curia Christianitatis, auctoritate Literarum Domini Papæ. Quia vero sine manifesto præjudicio Regie dignitatis nullatenus sustinere possemus, sicut et nec deberemus, quod placita hujusmodi in Curia Christianitatis ventilentur, vobis prohibemus firmiter injungentes, in fide qua nobis tenemini, et sub debito fidelitatis nobis factæ, quatenus cum ad dignitates et jura Regia conserbanda sitis affecti, super præmissis in foro Ecclesiastico nullatenus respondeatis: pro certo scituri, quod si hanc Prohibitionem nostram secus ageretis, credere non possemus, quin ex certa scientia contra Coronam et Dignitatem nostram id attemptaretis, et sic in foro prædicto respondendo Regie dignitati manifeste derogaretis. Teste Rege apud *Merewell*, Vicesimo quarto die Maii.

Of which you shall have a further account in the following year and Chapter.



BOOK IV. CHAP. II.

Containing sundry Records, Patents, and Historical passages, evidencing the Kings Supreme Jurisdiction in and over Ecclesiastical Persons, Courts, Affaires, in England and Ireland: The Intollerable Usurpations, Extortions, Oppressions, Innovations, Proceedings of Popes, their Legates, Agents, Instruments, to the prejudice of the Rights, Priviledges of the King, Church, Kingdom, Subjects, in both these Realms; with the severall Complaints and Oppositions against them: The English and Irish Bishops, Covents, Courts Christians Encroachments upon the Kings Temporal Courts, Rights, Royal Dignity, and Subjects Liberties; Prohibitions and Oppositions against them; with the principal Ecclesiastical Affaires and Transactions in relation to England and Ireland, from the beginning of the 21. to the end of the 40. year of King Henry the 3d. his Reign.

I Have in the cloze of the preceeding Chapter presented you with King Henry the 3d. his memorable Writ of Prohibition directed to *Edmond* Archbishop of *Canterbury*, not to answer to a suit brought against him by the Prior and Monks of *Trinity*, concerning Advoufons of Churches, Lands, Services, and gifts to his Church, before the Popes Delegates, authorized to hear the same, to the prejudice of the Rights of his Crown and Royal Dignity: I shall now begin this Chapter with this Kings Prohibition, Attachment, for disobeying his former Prohibitions, issued against the Popes Delegates themselves, (being three Abbots) and the Prior who sued him, with other Prohibitions not to proceed therein under pain of seizing their Temporalities, for citing the Archbishop to appear before the Pope out of the Realm, or elsewhere, upon this untrue suggestion to the Pope, that such cases had been formerly handled in Ecclesiastical Courts in the time of his Ancestors, without any Prohibition, which the King and his Counsel deny, sending special Messengers to the Popes Delegates, together with Prohibitions to inhibit their proceedings, as these Records attest.

**R**EX Vicecomiti *Kanc.* salutem. Ponē per Vad. & salvos Pleg. de *Boule*, sancte *Radegund.* & de *Lesnes* Abbates, quod sint coram Iusticiariis nostris apud *Westmonasterium* in Octabis sancte Trinitatis, offensuri quare tenuerunt placitum in curia Christianitatis, super advocacionibus Ecclesiarum *Maneriorum Prioris et Monachorum sancte Trinitatis Cantuar.* et super rentis, quae idem Archiepiscopus percipit, de *Maneris ipsorum Prioris et Monachorum*, et super obedientiis domus sancte Trinitatis *Cantuar.* contra Prohibitionem nostram, cum placita de advocacionibus Ecclesiarum, alibi teneri non debeant, nec consueverint in Regno nostro quam in Curia nostra. Et praeterea, cum vacante Archiepiscopatu *Cantuar.* ad nos et Haeredes nostros dictorum rentium perceptio, et praedictarum obedientiarum dispositio pertineat. Ponē etiam per Vad. & salvos Plegios praedictum Priorem, quod tunc sit ibi offensurus, quare secutus est idem placitum

Anno 1237.  
Clauſ. 21H. 3.  
m. 15. dorſo.

citum in eadem Curia contra Prohibitionem nostram. Et habeas ibi nomina plegiorum & hoc breve. Teste Rege apud Windles Quinto die Maii.

Per W. de Raley.

Claus. 21 H. 3.  
m. 16. dorso.

**A** Maur. de Sancto Amando, Bertramus de Crivil, Johannes de Plessetis, & Silvester de Everdon Clericus, missi fuerunt ex parte Regis apud Rossian. 13. die Mars. ad Iudices delegatos ad inhibendum eis ne procederent in causa quæ ventilabatur coram eis, inter Dominum Cantuar. et Priorem Sanctæ Trinitatis Cant. de patronatu Ecclesiarum, quia hujusmodi placita spectant ad Coronam et dignitatem Regis: et si hujusmodi causæ coram eis terminarentur, interesse ejus præjudicium verteretur.

Postea scripsit eis sub hac forma.

**R**EX Abbati de Lesnes salutem. Audivimus quod Prior et Monachi Sanctæ Trinitatis Cantuar. coram te et Conjudicibus tuis trahit E. Cant. Archiepiscopum in placitum, in curia Christianitatis Autoritate Literarum Domini Papæ, super advocacionibus Ecclesiarum Warneriorum suorum, et super rentis quæ idem Archiepiscopus percipit, de Warneriis ipsorum Prioris et Monachorum, et super obedientiis domus Sanctæ Trinitatis Cant. Quia vero manifeste est contra Coronam et dignitatem nostram quod præfata loquela teneatur in Cur. Christianitatis, cum placitum de advocacionibus Ecclesiarum alibi teneri non debeat nec consueverit in Regno nostro quam in Curia nostra: Et præterea cum vacante Archiepiscopatu Cantuar. ad nos et hæredes nostros pertineat dictorum rentorum perceptio, et prædictarum obedientiarum dispositio, prohibemus tibi ne de cetero placitum illud teneas in Curia Christianitatis. Teste Rege apud Ross. 14. die Marc.

These Abbots notwithstanding this Prohibition proceeded in these suits; thereupon the King issued this second Writ of Prohibition to them and the Prior of Trinity, not to proceed therein under paine of seising their Temporalities.

Claus. 21 H. 3.  
m. 10.

**R**EX Abbatibus de Boxle, Sanctæ Radegund. & de Lesnes salutem. Memoriter tenemus, nos alias inhibuisse, ne teneretis placitum in curia Christianitatis inter venerabilem Patrem E. Cant. Archiepiscopum ex una parte, & Priorem & Monachos Sanctæ Trinitatis Cant. ex alia, super advocacionibus Ecclesiarum, Wariscis, Exenis et servitiis hominum. Et quia non obstante prohibitione nostra prædicta, iterum summoneri fecistis eundem Archiepiscopum, ut certo die coram vobis compareat ad respondendum super præmissis, vel diem recipiend. quo per se vel per procuratorem, coram Domino Papa compareat inde responsurus, et literæ Apostolicæ quorum auctoritate hoc faciatis per falsi suggestionem sunt impetratæ, cum contineant eandem causam in foro Ecclesiastico alias fuisse tractatam, nullo prædecessorum nostrorum Regnum Angliæ illum prohibente, quod manifeste falsum esse dignoscitur, cum hujusmodi causa nullo tempore alibi quam in Curia nostra et prædecessorum nostrorum tractari consueverit: Nobis districte prohibemus super omnia tenementa vestra, quæ tenetis in Regno nostro, ne in dicta causa procedatis, ipsi Archiepiscopo diem præfigentes extra regnum nostrum, vel alio modo, ante adventum Domini Legati in Angliam, qui in januis est, cui volumus prædicta communicare, et in eisdem ejus uti consilio. Teste Rege apud Woodstock Decimo die Julii.

After

After which I finde no more proceedings in this case.

The like Writ of Prohibition, upon the same grounds, was issued to the Abbot of St. Albans, and other Delegates of the Pope, in the case of the Archbishop of Canterbury, touching the Temporalities, Lands, and Services of the Bishoprick of Rochester, during the vacancy.

**H**ENRICUS Dei gratia Rex Angliæ, &c. Abbati sancti Albani & conjudicibus suis salutem. Quibusdam referentibus audivimus, quod cum Custodia Episcopatus *Roffensis* ratione vacationis sue \* existat in manu venerabilis Patris *E Cantuariensis* Archiepiscopi, cum omnibus ad Episcopatum illum spectantibus, tam spiritualibus quam Temporalibus, hoc eundem Archiepiscopum in causam trahitis in Curia Christianitatis, auctoritate litterarum Domini Papæ, super quibusdam rebus de *Haneris* vestris annuatim debitis Episcopo *Roffensi*, qui pro tempore fuerint sicut annuus Redditus, desicut præstatio illa et venit de Laico seculo, temporalis est. Et quoniam si in causa illa optineretis nobis in futuro posset præjudicium generari, si contingeret, quod vacarent eodem tempore tam Archiepiscopatus *Cantuariensis*, quam Episcopatus *Roffensis*, tum utriusque Custodia ad nos immediate pertineret; vobis prohibemus, quod causam illam in curia Christianitatis non prosequamini de cætero, quia prosecutio ejus manifeste est contra coronam, et dignitatem nostram, et etiam contra libertates nostras quas habuimus, de singulis Episcopatibus vacantibus in Regno nostro. Teste Rege apud *Windle* 14. die Novembris.

Pat. 21 H. 3.  
m. 13. Dorf.  
\* By vertue of  
King Johns  
Charter, Here  
p. 339.

In both these precedent cases of the Archbishop, the King by several Writs of Prohibition, countermanded the Popes own Bulls and delegates as contrary to the Rights and Dignities of his Crown, and prohibited their proceedings, which gave some check to his Usurpations of this kinde, though he was enforced to connive at or submit to other Papal inroachments for the present, as unable to withstand or redresse them.

The Kings Clerks and Household Chaplains in those dayes wearing long hair and Peruwigs, (against the \* Apostles and Natures dictates) thereupon the King out of piety and zeal to reform this abuse, issued this Writ to *William de Perecat*, authorizing and strictly commanding him to cut their hair, and pull off their yellow Peruwigs, under pain of being shaven, and polled himself, as this Writ assures us.

\* 1 Co. 11. 41

**R**EX *Willielmo de Perecat*. salutem. Sciatis quod concessimus & plenam potestatem vobis dedimus, sciendendi capillos Clericorum nostrorum, qui sunt de Hospitio nostro, et familia nostra longos crines habentium, et comas untrientium, et ad crocos Capillorum suorum deponendos. Et ideo vobis mandamus, quatenus ad hoc modum debito diligenter intendatis; hujusmodi potestatem nostram vobis concessam taliter exequentes, circa prædictos Capillos sciendendos et crocos deponendos, ne ad Capillos vestros sciendendos forcipes apponere debeamus. Teste meipso apud *Clyne* secundo die Septembris.

Pat. 21 H. 3.  
m. 3. dorset.

A memorable President fit to be imitated and put in execution in our effeminate degenerate age, more peccant in this kinde then any former times, there being more false Heads (if not hearts too) in England, and more long-haired *Ruffians*, both of the Clergy, Court, City, Country, needing such a Reformation and Reformer as this Writ prescribes, then in any precedent age.

The King having newly founded and endowed the Hospital of St. Johns in Oxford, whereby he became Patron thereof, the Archdeacon of *Lincoln* grew so presumptuous, as without the Kings privity, to remove *Freer William*, to whom he had for a time committed the administration of the Temporalities thereof, and to make one *Ely* Master



Master of the Hospital. Whereupon the King issued this Writ to the Archdeacon, and another to the Bishop of *Lincoln*, to rectify this his usurpation and presumption without delay.

Claus. 21 H. 3.  
m. 13. dorf.

**R**EX Magistro *R. Archidiacono Oxonia*, salutem. Cum super Jure patronatus Hospitalis Sancti *Johannis Oxonia* nobis quaestio referri non possit, nec debeat, utpote qui pro salute Antecessorum nostrorum idem Hospitale fundavimus, ac de bonis nostris ditavimus; Miramur non modicum, ac pariter movemur, quod nos nobis irrequisitis, fratrem *Wilhelmum*, cui administrationem temporalium ejusdem domus ad tempus commisimus amoventes, *Eljam* Capellanum ejusdem Hospitalis, Magistrum praefecistis, in regis dignitatis praedictum et gravamen. Quocirca vos requirimus firmiter prohibentes, ne falcem vestram mittatis in messem alienam, set potius jure vestro contenti, jus patronatus quod in dicto Hospitali obtinemus perturbare desistatis, culpam praecedentem per patientiam subsequentem taliter redimentes, ne de cetero de talibus ad aures magnificentiae nostrae querela perveniat. Teste Rege apud *Westmonast.* 27 die Maii.

Item Mandatum est Donino *R. Lincolnia* Episcopo, quod det ipsi Archid. in mandatis, ut quod praesumptum est ab eo in hac parte sine morae dispendio studeat revocare. Teste Rege ut supra.

The Monks and Converts of the *Cistercian Order*, contrary to their vows and rules, becomming common Merchants, buying and selling again Wools and Skins, to the prejudice of other Merchants, & scandal of their profession; the King for redresse thereof issued this ensuing Writ of Prohibition to all the Sheriffs of *England*, to seize the goods and monies of those Monks and Converts to his use, who should offend therein.

Claus. 21 H. 3.  
m. 14. dorf.

**M**andatum est Vicecomiti *Rotel.* quod in pleno Com. suo, & per omnes bonas villas Com. sui, & per totam Ballivam suam, clamari, et ex parte Regis firmiter prohiberi faciat, ne aliquis Monachus vel Conventus *Cisterciensis ordinis*, lanam vel coria emat aliis vendenda, nec aliquis eis hujusmodi Mercandisas vendat per manum suam iterum vendendas. Et si de cetero aliquis Monachus vel conversus praefati ordinis interceptus vel convictus fuerit super hujusmodi emptione, tam Mercandisae quam denarii eis quorum fuerint deperdentur, et ad opus Regis incurrentur.

Eodem modo mandatur omnibus Vicecomitibus *Angliae*.

\* Here p. 378,  
402, 407, 424,  
479.

The Dean and Chapter of *Ardfertin in Ireland*, electing a Bishop upon an avoydance by resignation; without the Kings License first obtained contrary to \* former Inhibitions, the King upon their Petition, would no ways confirme their election so unduly made, but declared it utterly voyd, lest he should derogate from, and destroy his own Regal Right, by such dispensations and connivance; yet because of the poverty of this Church, he did by special Writs Authorize the Archbishop of *Dublin* and his cheif Justice of *Ireland*, to give the Dean and Chapter in his name and right a license for a new election, and to give his royal assent to the person they should elect, as these 3. Records inform us.

Claus. 21 H. 3.  
m. 12. dorf.

**R**EX *L. Dublinensi* Archiepiscopo, & *M. filio Geroldi* Justic. suo *Hybernia*, salutem. Cum nuper nobis Nunciarunt Decanus & Capitulum Ecclesiae *Ardfertensis*, quod Ecclesia sua vacante per resignationem G. quondam Episcopi *Ardfertensis*, praeter assensum nostrum et licentiam alium sibi eligerent in Pastorem, et instanter nos rogassent, per Nuncium suum ad nos propter hoc destinatum, quod Electioni suae assensum regium adhiberemus et favorem, non durimus ipsos in petitione sua exaudiendos, cum sic videremur juri nostro manifeste derogare, eo quod mos est, sicut non ignoratis, in Ecclesiis Cathedralibus ad nostram spectantibus advocationem, quod vacante sede ante Electionem celebrandam, licentia

licentia Regia est requirenda, unde Electionem prædictorum Decani et Capituli irritam, quantum ad nos, reputabimus et inane. Merumtamen audita paupertate Episcopatus memorati, ut laboribus et expensis memorata Ecclesiæ parceremus, hanc eis duximus gratiam faciendam, quod concessa vobis potestate nostra hac vice, dandi eis talem eligendi licentiam, ipsam a vobis tanquam dignitate nostræ in hac parte utentibus requirant, et eā obtenta iterato ad eligendum procedant, et Electioni factæ postmodum, de persona nobis fideli et nostræ terræ Hyberniæ necessaria, auctoritate nostra favorem regium præbeat et assensum. Et ideo vobis mandamus, quod cum prædicti Decanus et capitulum ad vos venerint, aut certum nuncium cum literis Capituli sui patentibus ad vos miserint, licentiam prædictam petitori, ipsam auctoritate nostra hac vice eis concedatis, et post Electionem rite celebratam, eidem Electro suo vobis præsentato nomine nostro assensum regium præbeat et favorem. In cuius, &c. Teste Rege apud Werleberg, sexto die Decembris.

**E**T mandatum est per Literas Clausas Decano & Capitulo Artferten. Ecclesiæ, quod quia Rex quidem inhibuit, ne in aliqua Ecclesia Cathedrali vacante in terra Regis Hyberniæ, fieret electio, nisi Licentia a Rege petita prius et obtenta: Et ipsi nihilominus sine Licentia Regis processerunt ad eligendum sibi pastorem, electioni per eos factæ sine licentia, Rex non duxit assensum Regium præbere, cum ex eo posset sibi et heredibus suis præiudicium imminere, et volens Rex laboribus suis, quantum potest salvo jure suo, deferre, potestatem dedit L. Dublin. Archiepisc. et M. filio Geroldi Regis Just. Hyberniæ, eis licentiam eligendi, et Electro eorum assensum regium præbendi, et præsentent electum suum eis, petita prius ab eis vice Regis licentia eligendi, et procedant ad electionem suam faciendam. Teste Rege ut supra.

Ibidem.  
\* See here p.  
378. 402.

**R**EX M. Cassalensi Archiepiscopo salutem. Quia vacante nuper sede Artferten, Decanus & Capitulum ejusdem Ecclesiæ, præter licentiam nostram quam prius debuerunt requisisse, eligere præsumperunt, cum ad nos mitterent in Angliam Rogantes, quod Electioni suæ assensum regium præberemus, Nolumus, sicut nec debuimus ipsos exaudire: ut autem parceremus laboribus et expensis prædictorum Decani et Capituli, et dignitatem regiam servaremus illam, dedimus in mandatis venerabili in Christo patri L. Dublinensi Archiepiscopo, et Justiciario nostro Hyberniæ, quibus potestatem dedimus hac vice dandi prædictis Decano et Capitulo Licentiam eligendi, et post electionem eidem assensum suum nomine nostro præbendi; Quod cum prædicti Decanus et Capitulum ad ipsos venerint vel miserint, licentiam petitori, eam auctoritate nostra eis concedant, et electioni postea rite celebratæ, Assentiant. Cum igitur oporteat ipsos licentiam adhuc ab Archiepiscopo et Justiciario nostro petere, ne Juri nostra derogare videremur, et petita licentia iterato eligere, paternitatem vestram rogamus attentius, quatenus et si per errorem et negligentiam prædictorum Decani et Capituli contigerit semensse pertransiri, propter quod videatur forte vobis, quod ad Episcopatum illum manum possitis extendere, contra Coronam et dignitatem nostram inde nihil attemptetis ordinare, quia nullatenus sustineremus dignitati Regiæ in hac parte derogari; maxime, cum ex parte nostra

Claus. 21. H. 3.  
m. 11, 12.  
Ibidem.

nulla fuerit negligentia que nobis debeat esse dampnosa. Teste ut supra.

There being a great difference between the Bishop of *Clocbor* in *Ireland* and Archbishop of *Armach*, and their tenants concerning spoliations, injuries and greivances touching their Churches, the Archbishop of *Armach* procuring the Kings Letters to his Chief Justice by misinformation, whiles he was excommunicated: The King thereupon revoked his former Letters, and commanded his Chief Justice in *Ireland* to hear and determin the controversies between them, according to the Law and Custom of *Ireland*.

Claus. 21. H. 3.  
m. 16. dorf.

**M** Andatum est *M. Justic. Hibernia*, quod diligenter audiat querelas *N. Clocoren*, Episcopi quas audivit, & coram eo deponet per preceptum Regis, super injuriis, gravaminibus, spoliationibus terrarum & Ecclesiarum, ei & suis irrogati ab Archiepiscopo *Armach*. et suis. Et querellis suis plenius auditis et intellectis secundum legem et consuetudinem terræ *Hibernia*, plenam et celerem Justitiam ei exhibeat. Nec remaneat aliquatenus eidem exhibitio Justitiæ faciendæ occasione Literarum Regis quas aliquando Rex ei transmisit, pro parte præfati Archiepiscopi contra memoratum Archiepiscopum, de captione hominum ipsius Episcopi, quos ipse Archiep. Regi suggessit esse excommunicatos, quia ipse Archiepiscopus in impetratione earum per procuratores suos Regem circumvenit, cum ipse et sui fautores tempore impetrationis earundem Literarum essent excommunicati, sicut Regi postea plenius innotuit, ex mandato Venerabilium Patrum Archiepiscopi *Cantuar.* et Episcopi *Cycestrensis*, Cancellarii Regis, conservatorum causæ memorati Episcopi contra præfatum Archiepiscopum, qui ad mandatum Venerabilis Patris *Dublin.* quibus præfati Archiepiscopus *Cantuariensis* et Episcopus *Cycestrensis*, vices suas commisserant super executione prædicta, per Literas suas Patent. eis significaverunt. Teste Rege apud *Kent.* Decimo die *Februarii*.

The Archbishop of *Rohan* being elected, and his election approved by the King this year, the King out of his extraordinary favour, dispensed with his personal Oath of fealty to him, accepting it from his Proctor at this time, provided that who ever was elected Bishop afterwards, should do his fealty to the King in proper person not by proxy, as this memorable Record attests.

Claus. 21. H. 3.  
m. 19. intus.

**M** Andatum est Magistro *P. de Colle Medio*, Electo *Rotom.* & capitulo ejusdem loci, quod propter specialem & fidelem amicitiam quam Dominus Rex invenit in prædicto Electo, & propter affectionem quam sperat ipsum erga dominum Regem velle continuare, quod petitioni suæ quam fecerunt, ut fidelitatem a Magistro *Sileberto de Commovill*, vice ipsius Electi juraret in animam ipsius Electi, benigne condescendit; sed Dominus Rex vult eos scire, quod quotiens de cætero continget Ecclesiam suam vacare, a nullo alio fidelitatem recipiet Dominus Rex, quam ab eo qui præfata Ecclesiæ præficietur. Teste Rege ut supra.

After his Proctor had thus sworn fealty to the King he issued this Writ to the Sheriffs and others to restore the Temporalities of his Archbishoprick in *England* to this his Proctor, in the Archbishops behalf.

Claus. 21. H. 3.  
m. 19. intus.

**R**EX vicecomiti *Eborum*, salutem. Scias quod Electioni factæ, de Magistro *Petro de Colle Medo* in Archiepiscopum *Rotom.* quam Dominus Papa confirmabit, Regium adhibuimus assensum et favorem. Et ideo tibi præcipimus, quod de terris & tenementis ad Archiepiscopum prædictum pertin. in Balliva tua, & de quibus proximus prædecessor suus ejusdem loci Archiepiscopus obiit seiscus



situs, Magistro *Gileberto de Comonvil*, nomine ejusdem Electi plenam seisinam habere facias. Teste Rege apud *Merleberg*. Duodecimo die *Decembris*.  
Eodem modo scribitur *Bulivo de Odyham*, de terris & tenementis in *Balliva* sua.

Upon the death of *Richard* Bishop of *Durham*, the King upon the Petition of the Prior and Covent, granted this Licence to elect a new Bishop.

**R**EX Priori & Coventui de *Dunholm*. salutem. Venientes ad nos cum literis capituli vestri patentibus fratres, *Robertus Supprior*, *Thomas de Witwell*, & *Rogerus de Nova Burgo*, Monachi domus vestre, nunciaverunt nobis Episcopatum *Dunholmensem*, vacantem esse per mortem R. quondam Episcopi eiusdem loci, et petierunt a nobis licentiam alium vobis eligendi in patrem et pastorem. Nos vero petitioni vestre & sue in hac parte benigne condescendentes, licentiam vobis concedimus alium vobis eligendi in Pastorem, Rogantes quatenus talem vobis eligere curetis in Patrem & Episcopum, qui Deo devotus, nobis et regno nostro necessarius, et Ecclesie vestre Regimini utilis esse dinoscatur. Teste Rege apud *Windles* Quinto die Maii. Pat. 21. H. 3. m. 8. intus.

Pope *Gregory* granted this special favour to King *Henry*, upon a Treaty with his Legat, that 6. of his Clerks might enjoy pluralities of Benefices; when as in his Instrument of dispensation there were only 5. which defect his Legat by his own power undertaking to supply, the King recommended a sixth Clerk to him by this Writ.

**R**EX Legato salutem. Nuper, sicut recolimus, *London*. constituti, cum vobis cum tractatum haberemus, de gratia nobis a Domino Papa concessa, dixistis nobis, quod Dominus Papa vobis cum sex de Clericis nostris dispensandi dederat potestatem. Et nos secundum dictum vestrum, illam gratiam quam Dominus Papa nobis fecerat sex de Clericis nostris concessimus, de gratia liberali. Verum postmodum Dominus *Valentinus* Ecclesie procurator nobis retulit, quod inspexerat autenticum ubi non nisi de quinque Clericis nostris mentio habebatur; sed dixistis ei vestri gratia. Quod illud quod in Autentico deerat, ex officio vestro suppletis, super quo multimodas vobis referimus gratiarum actiones, nihilominus discretionem vestram rogantes, quatenus illam sextam gratiam *Willielmo Hardel* Clerico nostro ad preces nostras concedatis. Teste Rege apud *Windles*. 14. die *Augusti*. Claus. 21. H. 3. m. 4. dorso.

The Bishop of *Norwich* dying this year; the Monkes elected *Symon* their Prior for their Bishop, whom the King disapproving, made a special Proctor against him before the Archbishop to hinder his confirmation, and to appeal against him to the See of *Rome*, if it were expedient, where he likewise constituted his Proctor, as these Records inform us.

**R**EX *Cantuariensis* Archiepiscopo salutem. Mittimus ad vos dilectum Clericum nostrum Magistrum *W. de Kilkenny*, Constituentes ipsum procuratorem nostrum ad assignandum quasdam causas contradictionis nostre contra Electionem de Priore *Norwic*. celebratam, & contra ipsum Priorem & Electores ipsius, salvis nobis aliis Juris remediis competentibus, ratum habituri quicquid idem *Willielmus* super premissis fecerit, Damus etiam eidem potestatem appellandi ad sedem Apostolicam si viderit expedire. Hoc idem Priori *Norwic*. & Monachis ejusdem loci significamus. In cujus, &c. Teste Rege apud *Westmonasterium* Undecimo die *Novembris*. Claus. 21. H. 3. m. 13. dorso.

**R**EX Domino Papa salutem. Constituimus dilectum Clericum nostrum Magistrum *Will. de Kilkenny*, procuratorem nostrum in Curia Romana, ad prosequendum Causas contradictionis nostre contra electionem, Electum & Electores *Norwic*. Ecclesie; damus etiam eidem Magistro *Will.* potestatem substituendi procuratorem in negotio memorato, ratum habituri quicquid idem Magister *WV.* vel ab eo substitutus procurator fecerit in premissis. Idem premissis electoribus & Electo significamus. Teste Rege apud *Westmonasterium* 23. die *Januarij*. Claus. 21. H. 3. m. 12. intus.  
Q q q 2 What

<sup>a</sup> Flores Hist. Anno 1237. p. Paris thus relate.

<sup>b</sup> Hist. Angl. p. 422, 423. Godwins Catalogue of Bps. p. 345.

What the issue was of this Election (<sup>a</sup>) *Matthew Westminster*, and (<sup>b</sup>) *Matthew Paris* thus relate.

**I**ngressis itaque viam universæ carnis, pax memoriæ Venerabilibus Patribus *Wigornienſi & Norwicensi* Episcopis, elegerunt Monachi *Wigornia* Magistrum *Walterum de Cantelupo*, filium *Willielmi de Cantelupo*, viri potentis & præclari, in Præfulem & Pastorem animarum suarum: quem sine difficultate Dominus Papa accepit, et in Episcopum consecravit. *Norwicenses* autem Priorem suum, virum religiosum & discretum, in suum sibi Præfulem elegerunt: cuius electio, licet vite facta, quia tamen Regi displicuit, quibusdam ridiculis rationibus vel exceptionibus contradicentium, fuit diu in pendulo, non sine peccatorum scrupulis, impedita. After near three years contests, *William de Raleigh* was consecrated Bishop thereof, and the Prior put by.

<sup>c</sup> Mat. Paris, Hist. Angl. p. 423. Miserabilis status Angliæ.

The deplorable, servile, irreligious condition of the Church and Realm of *England* at this time, under the manifold tyrannical Usurpations, Exactions, Corruptions of the Pope and his Instruments, (*bonis terra in Regni perniciem saginati*) is thus most emphatically remonstrated by an \* eye witness then living.

**T**emporibus illis ingruentibus, igniculus fidei coepit nimis refrigescere, ut per se in cinerem redactus, vix videretur sentillare. Jam enim simonia sine rubore perpetrata, usurarii manifeste diversis argumentis a popularibus & minoribus, pecuniam impudenter extorquebant. Expiravit charitas, libertas Ecclesiastica emarcuit, religio viluit suppeditata: & facta est filia *Syon* quasi meretrix effrons, non habens ruborem. Quotidie vilissimæ personæ et illiteratæ, Bullis Romanis armatæ, in minas statim erumpentes, redditus a piis Patribus, & Aliis religiosorum et sustentationem pauperum et hospitalitatem peregrinorum collatos, spretis privilegiis a Sanctis nostris antecessoribus indultis, diripere non formidant: fulgurantibus enim sententiis, sine dilatione captivum postulata receperunt. Quod si ad refugium appellationis vel privilegii, recurrerent injuriam patientes & spoliati, statim suspendentes per aliquem alium Prælatum, authentico Papæ compellente, fecerunt excommunicare. Et sic non prece, non canonice, sed imperiosa exactione simplices spoliarent: Juxta illud Poeticum:

— Armato supplicat ense potens.

Unde factum est, quod ubi solebant nobiles & dapiles Clerici, Ecclesiarum custodes & patroni, circumjacentis Patriæ latitudinem sua opulentia nobilitare, transeuntes suscipere, pauperes recreare: ibidem abjectæ personæ moribus vacui, versutia pleni, procuratores et firmarii Romanorum, quicquid præciosum in terra fuit et utile abradentes; Dominis suis in remotas terras desciolose ex patrimonio Crucifixi viventibus, et ex alieno superbientibus, transfuderunt. Erat igitur videre dolorem præcordialem, genas Sanctorum irrigare, querelas erumpere, suspiria multiplicare: dicentibus multis cum singultu cruentato, Melius esset nobis mori, quam videre mala gentis nostræ et Sanctorum. *De Angliæ*, quæ quondam Princeps provinciarum, Domina gentium, speculum Ecclesiæ, religionis exemplum, nunc facta est sub tributo. Conculcaverunt eam ignobiles, et facta est in prædam degeneribus. Sed hæc *Angliæ* flagella, multiformes reatus procurarunt: irato eo, qui Regnare facit Hypocritam propter peccata populi, & Tyrannum dominari.

<sup>d</sup> Mat. Paris, p. 422. Mat. Westm. p. 142, 145.

No wonder then, that \* *Temporibus eisdem*, Græcorum debacchante solita insolentia, tam adversus Ecclesiam Romanam, quam suum Dominum Imperatorem Constantinopolitanum, (who sided with the Pope) Dominum Papam & omnem Ecclesiam adeo exasperavit, quod multorum erat sententia & voluntas, Crucis-signatorum exercitum super eos retorquere; the Pope sending for some Souldiers to the Earl of *Britain*, and making him his General by Land and Sea, in this intended War against them, for which he wanted monies.

The

The Pope upon the Kings request, under pretext to rectifie some of these abuses (against which there was a universal complaint) sent *Ottobone* his Legate into England, who at first demeaned himself like a *Wolf in Sheeps clothing*; to take off the scandal, odium, prejudice of the people, against the Pope, See of *Rome*, and Legates, till by degrees he put off his *Sheeps clothing*, and proclaimed himself a *ravening Wolf*, as well as his Predecessors; whose arrival in England and proceedings are thus recorded by \* *Matthew Paris*, and † *Matthew Westminster*.

\* Hist. Angl. p. 434.  
† Mar. Westm. p. 146.  
Adventus Ottobonis Legati in Angliam.

**E**odem quoque anno, nesciebatur ad quid circa festum Apostolorum *Petri & Pauli*, Dominus *Otto Sancti Nicholai* in carcere *Tulliano* Diaconus Cardinalis, per mandatum Regis venit Legatus in Angliam, nescientibus Regni Magnatibus. **Unde plures aduersus Regem magnam conceperunt indignationem, dicentes:** Omnia Rex pervertit, jura, fidem, promissa in omnibus transgreditur. Nunc enim Matrimonio se sine suorum amicorum & hominum naturalium consilio, alienigenæ copulavit: nunc Legatum, Regni totius immutatum, clam vocavit: nunc sua dat, nunc data cupit revocare. Sic, sicque de die in diem, juxta dictum Evangelicum, in se divisum & dissipatum Regnum, est enormiter desolatum. Dicitur est autem, quod Archiepiscopus *Cantuariensis Edmundus* Regem talia facientem increpavit, præcipue de vocatione Legati; sciens inde in sui dignitatis præjudicium, magnam Regno imminere jacturam. Sed Rex, spreto tam suo quam aliorum suorum consilio, quod concepit animo nullatenus voluit propositum revocare. Venit igitur in magno apparatu Legatus prænominatus, & potentia magna. Et occurrerunt ei Episcopi & Clerici summi usque ad litus; & aliqui in naviculis navigando, obviarunt ei, applaudentes & muneribus impreciabilia offerrentes. Imo etiam *Parisus* in obviam ei, obtulerunt telas escarleti & vasa preciosa, nuncii diversorum Episcoporum. In quo facto nimis a multis meruerunt reprehendi, tum pro dono & pro dandi modo; quia in panno & ejus colore, videbatur legationis officium & adventum acceptari. Adveniens autem munera oblata omnia non accepit, sed aliqua, sed quæ non recepit, jussit sibi reservari. Redditus autem vacantes, suis quos secum adduxit, dignis & indignis largiter distribuit. Rex autem ei usque ad confinium maris occurrit, & inclinato ad genua ejus capite usque ad interiora Regni deduxit officiose. Et adventantes Episcopi, cum Abbatibus & aliis Ecclesiarum Prælatibus, eum cum omni honore & reverentia, cum processionibus & campanarum classico, & preciosis muneribus, ut decuit, & plus quam decuit, receperunt. With such cost, pomp, and servile obsequiousness did they entertain their greatest pest and grievance.

**D**ominus autem *Otto* Legatus, prudenter & modeste se gerens, munera preciosissima sibi oblata in magna parte respuens, contra consuetudinem Romanorum, indignationem in toto Regno conceptam (upon his sudden arrival in it) tam a Clero quam multis, circa opinionem multorum, per gestum suum ordinatum temperavit. Primo enim quosdam Magnates, ex quodam odio latenter concepto, sibi discordes, pacificavit; & indice osculo in bona fide consideravit. **Utpote** Dominum *Petrum* Episcopum *Wintoniensem*, & Dominum *Hubertum* Comitem *Cancia*, & alios quamplures diu ante ibi dissidentes. Quos postquam Domini Legati pacificavit industria, omnibus Prælatibus Angliæ scripsit, ut in Octavis Sancti *Martini Londoniensis* convenirent, autenticum Domini Papæ, de plenaria potestate Legationis sibi concessa vel tradita, communiter in Ecclesia Sancti *Pauli* audire, & in eadem communiter de reformatione Ecclesiæ Angliæ tractaturi, & in præsentia ejus Concilium celebraturi.

Mar. Paris, p. 427, 428.  
Legati modestia.

Before this Council assembled, the King in a Parliamentary Council of his Nobles, wanting monies: \* *Petitis instantissime, ut sibi Regni tricesima concederetur & daretur; ut status Regni & Regis honorabilis sustentaretur, & firmiter roboraretur. Quod audientes, cum graviter accepissent, responderunt, Quod sæpius gravati, videbant alienigenas suis bonis saginari; statumque Regni præ paupertate vacillare, & multipliciter periculum imminere, &c.* After some sharp contests between the King and Nobles, they at last with much difficulty granted him an Ayde with certain conditions, that he should be counselled by his native Nobles, not by the Popes Legate, and strangers.

\* Mar. Paris, p. 430.  
Mar. Westm. p. 143.  
Indignatio Nobilium Angliæ contra Regem.



gers. *Sed Rex tam Comitis Cornubiæ Richardi fratris sui, quam aliorum suorum hominum spretis consilio, magis ac magis, ut incepit, deliravit; et se voluntati Romanorum, præcipue Legati, quem inconsultus advocaverat, mancipavit adeo, ut videretur quasi vestigia sua adozare: affirmans, se tam in publico quam secreto, sine Domini sui Papæ vel Legati consensu, nil posse de Regno disponere, transmutare, vel alienare: ut non Rex, sed feudarius Papæ diceretur. His igitur et aliis deliramentis, Rex omnium Nobilium suorum corda cruentavit. Consiliarios quoque habuit infames & suspectos, qui hujus rei fomentum esse dicebantur: quos idcirco magis habebant Nobiles Anglia exosos, quia de Regno ipso duxerunt originem. Et hi erant, *Johannes Comes Lincolnia, S. Comes Legria, frater G. Templarius.**

Interim Domino Legato offerebantur dona pretiosa, tam in palefridis concupisibilibus, quam vasis pretiosis, & vestimentis mollibus & duplicibus, pellibus variis & sylvestribus, nummis, esculentis, & poculentis: ita quod unus solus Episcopus, scilicet *Wintoniensis Petrus*, cum constaret ei quod *Londonia* esset hyematurus, quinquaginta boves pascuales, & centum summas tritici electi, & octo dolia vini meracissimi, transmisit ei in alimentum. Alii quoque secundum vires & facultates suas ei similia contulerunt. Legatus vero, *Romanam* avaritiam temperando, non omnia, sed aliqua oblata sereno vultu suscepit gratanter: considerans illud *Seneca* Philosophicum: *Omnia oblata recipere, avarum est: nulla, rebelle: aliqua, sociale.*

Mat. Paris Hist.  
Angl. p. 431,  
432.

**E**odem quoque anno scripsit Rex omnibus Magnatibus suis, ut coram eo & Domino Legato, in festo exaltationis Sanctæ Crucis, apud *Eboracum* convenirent, de arduis negotiis Regnum contingentibus tractaturi. Venerat autem eis obviam Rex *Scotia*, vocatus a Rege *Anglia*, & Legato, apud *Eboracum*: ut ibi habita communi deliberatione, de pace reformanda inter eos, feliciter componeretur: & Dei dante gratia, omnis lis mota prævia ratione sedaretur, & de justis utriusque debitis satisficeret. Ubi tandem cum pervenissent, sic elaboratum est, ut Rex *Scotia* perciperet de Regno *Anglia*, trecentas libratas terræ, sine Castri constructione, homagiumque Regi *Anglia* faceret, & fœdus inter eos amicitie sanciretur: & hoc se fideliter facturum Regi *Anglia* & conservaturum juraret: & sic omnis querela & vendicatio ex parte Regis *Scotia*, conquiesceret.

After the peace thus concluded, this covetous Legate desiring to enter into *Scotland*, to prey upon it, as he had done on *England*, Volenti Domino Legato intrare Regnum *Scotia*, (his chief design in summoning this Council at *York*) ut ibi de negotiis Ecclesiasticis tractaret, sicut in *Anglia*: respondit Rex *Scotia*, Non me memini Legatum in terra mea vidisse, nec opus esse aliquem esse vocandum, Deo gratias, nec adhuc opus est, omnia bene se habent. **Nec etiam tempore Patris mei, vel alicujus antecessorum meorum, visus est aliquis Legatus introitum habuisse, nec ego dum mei compos fuero, tolerabo.** (So prejudicial did they deem a Legates entry to their Kingdom.) Veruntamen, quia fama te Sanctum virum prædicat, moneo te, ut si forte terram meam ingrediaris, caute progrediaris, ne quid sinistri tibi contingat. Indomiti enim & sylvestres homines ibi habitant, humanum sanguinem sitientes, quos nec ego ipse valeo edomare, qui etiam si in vos irruant, nequeo eos cohibere. Me etiam nuper, ut forte audistis, voluerunt invadere, & a Regno expellere exheredatum. Quibus auditis, Legatus avidam voluntatem intrandi *Scotiam* temperavit, & latera Regis sui, scilicet *Anglia*, sibi per omnia obedientis, non reliquit. Remansit autem cum Rege *Scotia* quidam *Italicus* Legati consanguineus, quem Rex cingulo militari, terram etiam conferendo, ne penitus rebellis videretur, nobilitavit. Et sic soluto Concilio, Rex *Anglia* cum Legato suo versus *Australia* remeavit.

Appropinquante vero tempore Concilii, jussit sibi Legatus Sedem parati in Occidentali parte Ecclesiæ Sancti *Pauli Londoniæ* fastigiosam nimis & solennem, longis trabibus & sedilibus gradatim exaltatam. Misit igitur Literas suas, ut vocati omnes *Anglia* Prælati, scilicet Archiepiscopi, Episcopi, Abbates, Priores installati, tam sub Conventus sui vel Capituli, quam suo nomine, Literas procuratorias deferentes, ut quicquid

quicquid in Concilio statueret Legatus, ratum utrobique haberetur. Venerunt igitur omnes iuxta mandatum Domini Legati, nimis vexati & fatigati in corporibus propriis, equorum & viaticis; utpote ingruente hyeme & multiformi tempestate, omnes Prælati suæ Legatiæ, Angliam tamen potissime.

Advenerat etiam cum aliis ad idem Concilium properantibus, quidam Clericus, nomine Magister *Walterus*, cognomento *Præ*, qui palam asseruit, omnes fere Planctas sub uno signo, scilicet Capricorno, tunc convenientes, commotionem magnam in aere facturos, & ventos validissimos commocuros: pestemque magnam animalium, præcipue cornutorum, quæ pecudes vel pecora appellamus, subsecuturam pronuntiabat. Et addidit quasi jocose: Utinam non hominum cornutorum, scilicet Episcoporum. Nec fecellit omnino hæc prædicentis opinio. Statim enim Ecclesiam Sancti Pauli, ubi tunc erant congregati, tantus ventus concussit, quod omnes, præcipue Legatum, tremor magnus occupavit. Nocte autem Sanctæ Cecilie, nubeculæ teterimæ, turræ, & inordinatæ, Luna existente prima, in occidente apparuerunt; & ceperunt mugire tonitrua, micare coruscationes, venti quoque commoveri, & per totam noctem sequentem & diem ventus inhorruit validissimus, qualem non se meminit aliquis prævidisse: & hic ventus per quindecim vel plures dies duravit continuatus. Corruerunt robora radicitus avulsa, domus, turres, ædificia, motionem senserunt vel ruinam; ut merito aer perturbationi hominum videretur concordare.

Nota.

Cum igitur convenissent Londoniæ Prælati Angliæ, in Ecclesia Sancti Pauli, die prima Concilio assignata, scilicet in crastino octavarum Sancti Martini, non comparuit Legatus; quia Episcopi rogaverant eum, ut ea die daretur eis copia inspiciendi quæ proposuit statuere, & secum super his deliberare, ne aliquid in præjudicium eorum statuere attentaret. Altera igitur die, constitutis in secretis & abdatis locis militibus armatis & servientibus cincter dacentis, quos ei ad instantiam precum suarum Dominus Rex commodaverat: timebat enim valde sibi, eo quod dicebatur, eum nimis velle defavire in eos, qui plura habebant beneficia, & præcipue illegitimos. Apparuit autem summo mane, scilicet diluculo, in Ecclesia prædicta. Erat attem ibi tot expectantium multitudo tam compressa, quod ipsi Legato erat ingressus difficillimus. Et ingressus Ecclesiam, coram majori Ecclesia, Pontificibus se induit, scilicet \* *superpellicio*, & *desuper Cappa chorali*, *Pellibus variis furrata*, & *Mitra*. Et præcedentibus Archiepiscopis *Cantuariensi* & *Eboracensi* eum, cum processione solenni, cum cruce & cereis accensis, & cum Letania, sedem suam ascendit per gradus pompose, ut dictum est, præparatam, & jam pomposius tapetis & pallis redimitam: collocante se a dextris Domino *Cantuariensi* & *Eboracensi* a sinistris: propter quod orta est inter eos dissensio, scilicet de ordinatione sessionis. Et appellatum est ex parte *Eboracensis*, pro jure suo, quod sibi vendicabat. Lecto igitur solenniter Evangelio, scilicet, † *Ego sum Pastor bonus*, sicut moris est, dictisque collectis propriis ab ipso Legato, & cantato *Veni creator Spiritus*, appellatoque ab *Eboracensi*, ut dictum est; sederunt juxta Legatum duo Archiepiscopi, *Cantuariensis* a dextris, *Eboracensis* a sinistris. Quibus dixit Legatus, volens ipsam controversiam pacificare, neutrius tamen juri derogando: \* *In Bulla Domini Papæ stat imago Pauli à dextris Crucis in medio Bullæ figurata, & Petri à sinistris: nulla tamen inter tantos Sanctos est orta unquam contentio, ambo enim sunt in coequali Gloria. Verumtamen propter Petri clavigeri dignitatem, & Apostolatus principatum, necnon & Cathedralem dignitatem, cum Prioratu vocationis, merito à dextris Crucis eius imago collocanda videtur. Sed quia Paulus credidit in Christum, quem non vidit; à dextris figuratur: Beati enim qui non viderunt, &c. Sic Dominus Cantuariensis totius Angliæ primas, & qui præest antiquissima ac nobilissima Ecclesia Cantuariensi, necnon & Londonensi, quæ est Sancti Pauli, non sine ratione à dextris est collocandus. Et ex tunc sequentibus diebus sedit Cantuariensis a dextris, Eboracensis a sinistris. Secundo autem die, Concilio jam incepto, missi sunt ex parte Domini Regis, Comes *Lincolniensis Johannes*, et *Johannes filius Galfridi*, et *Willielmus de Rale*, Canonici Sancti Pauli: ut dicto Legato \* ex parte Regis et Regni inhiberent, ne ibi contra Regiam Coronam et Dignitatem aliquid statuere attentaret. Et remansit ibi, ut hoc observaretur, *Willielmus de Rale*, indutus *Cappa Canonicali* et *superpellicio*, aliis recedentibus. An Argument of the Kings care to preserve the Rights of his Crown and Kingdom as far as possible, against Papal, Legatine, and Prelatical encroachments.*

Nota.

\* Christ never went nor sat in such state, ornaments, procession, nor the Apostles & St. Peter in their first Council, Act. 15. as this Legate did. † Christ was no such Shepherd as this Legate, and proud Prelates.

\* A Learned Argument, worthy observation, against St. Peters pretended primacy See Mat. West. p. 146.

\* See hete p. 443. A Prohibition to this purpose to the Bishops assembled at Gloucester.

Eodem

\* This fear was  
an evidence of  
his guilt.

\* Pluralities for  
private persons  
pomp and state  
preferred before  
the general  
good of the  
peoples souls.

Eodem quoque die petiit Dominus *Simon Cantuariensis* Archidiaconus, Dominum Legatum in audientia omnium, ut audiretur ab omnibus authenticum suæ Legationis, a Domino Papa sibi commissum: quod & factum est. Et eodem die, ad *impetractionem Domini Regis*, lectum fuit quoddam privilegium, de festivitatibus Sancti *Edwardi* per totam *Angliam* celebrandis. Et de mandato Domini Papæ, de Sanctis *Francisco & Dominico* canonizatis. Et quia audierat Dominus Legatus, dum adhuc in hospicio suo esset, multos pluribus Ecclesiis beneficiatos, nobiles sanguine & possessionibus, & illegitimos, de quibus mentionem in quodam statuto Concilii fecerat, contra ipsum murmurasse, & ei etiam insidias præparasse: quosdam Magnates, scilicet Comitem *Marescallum G.* & Comitem *Lincolnia J.* & Comitem de *Monte-fortis S.* & quosdam de familia Domini Regis, cum gladiis & fustibus munitos, ad tuitionem sui suorumque, secum ad Concilium duxit & reduxit. In Concilio vero, cum statutum contra eos qui \* plura beneficia obtinuerunt, contra Concilium *Lateranense*, pronuntiaretur, Episcopus *Wigorniensis Walterus*, scilicet de *Casselupo*, surgens in medio, deposita Mitra sua, sic Dominum Legatum est affatus. Pater Sancte, cum multi Nobiles, quorum sanguis noster est, plura obtineant beneficia, cum quibus nondum dispensatum est, quorum etiam aliqui provectæ sunt ætatis, & usque ad præsens honorifice vixerunt, & hospitalitatem ad posse procurando, elemosynas patentibus januis erogarunt, durum esset nimis, tales suis beneficiis spoliatos, in ignominiosam trudi paupertatem. Quidam vero juvenes feroces ac strenui, maximis periculis se opponerent, antequam suis se sinerent privari beneficiis, unico tantum retento. Quod bene perpendo per memetipsum. Antequam enim ad istam vocarer dignitatem, proposui in animo meo, quod si unicum amitterem beneficium talis prætextu constitutionis, omnia amitterem. Unde timendum est, quod multi ad præsens in simili proposito perseverent. Quoniam igitur multitudo talium in causa est, Sanctæ Paternitati vestræ supplicamus, quatenus ob salutem vestram & nostram, super huiusmodi statuto Dominum Papam consulatis. Præterea, cum statutum vestrum in religione Sancti *Benedicti*, ad omnes æqualiter se extendat, & durum sit multis, tum propter locorum penuriam, & præcipue Monialibus, cum sint debiles & fragiles, hoc statutum observare, necesse est huic rigori discretum addere temperamentum. Super quo etiam postulamus, ut Dominum Papam super his velitis consultare. Cui Dominus Legatus respondit, Quod si omnes Prælati, scilicet isti præsentis Archiepiscopi & Episcopi, una cum eo, super his Domino Papæ scriberent, libenter consentiret. Et sciendum, quod quia aliqui opinabantur, sicut datum fuit intelligi Domino Legato, quod statuta sua robur nisi tantum in tempore suæ Legationis non obtinerent; iussu ejusdem surrexit in medio quidam Clericus suus, Magister scilicet *Alrho*, & aperto libro authentico, scilicet registro Domini Papæ; ad majorem auctoritatem, ut validius talium opinionem improbarer, quandam decretalem legit distincte & aperte, quam Dominus Legatus distinguens approbavit: per illam asserens manifeste, quod etiam post recessum ejus, sua statuta perpetuæ firmitatis robur debeant obtinere. Nec prætereundum, quod primo die Concilii, collocatis, ut prædictum est, Archiepiscopis *Cantuariensis*, scilicet a dextris, *Eboracensis* vero a sinistris, perlectoque Evangelio, *Ego sum Pastor bonus*, dictisque collectis ad hoc pertinentibus, indictoque silentio, & turba comprimente castigata, Dominus Legatus sedendo quasi tubam vocem suam exaltans, sermonem suum inchoavit, thema suum sic præordinando: *In medio sedis & in circuitu ejus quatuor animalia plena oculis ante & retro*. In sermone prosequendo innuens, quod Prælati, quasi animalia habentia oculos ante & retro, debent esse in rerum secularium dispositionibus providi, & in spiritualibus circumspècti, Priora sequentibus caute continuantes. Et post sermonem legi fecit statuta, alta voce & distincte, quæ firmiter statuit observari, quæ subscripta in hoc libro duximus annotari.

Mat. Paris, p.  
433.

Quoniam domum Domini decet Sanctitudo & Ministros ejus, a Domino dicitur, *Sancti estote, quoniam Sanctus sum ego Dominus Deus vester*. Satagit astutia humani generis inimici, ut Sanctitatem subtrahat vel destruat utrobique, dum in plerisque locis ut ne consecrentur Ecclesiæ vel retardat, & ne suo digne fungantur officio, Ministrorum mores & vitam multorum viciat & depravat, Sanctorum Patrum regulis & statutis, generaliter omnibus Christianæ religionis profectibus opponendo. Huic est igitur armata manu a cunctis Christi fidelibus fortiter in fide resistendum, & ad ejus molimina renovatis & novis semper utendum viribus enervanda: sicut *Isaac* puteos quos foderant filii *Abramæ*, sed humo impleverant *Palestini*, prius studuit renovari,



novari, deinde alios fodere prorsus novos. Denique nos Otto, miseratione divina, Sancti *Nicholai* in carcere *Tulliano* Diaconus Cardinalis, & Apostolicæ sedis Legatus, ad partes *Anglia*, cum Legationis officio a sede Apostolica destinati: divino fultu auxilio, et assantis Concilii suffragio et consensu, ad roborandum et refozmandum statum Ecclesiasticum in partibus Anglicanis, salvis illis Canonicis institutis, quæ cum reverentia volumus & cupimus observari, quædam ex commissa nobis potestate duximus observanda, quæ per certos articulos fecimus digeri & distingui. After which follow all the Canons made and promulged in this Council, which those who please may peruse at leasure in *Matthew Paris*, and in *Johannes de Aton*, his *Constitutiones Legitimæ Ecclesiæ totiusque Regionis Anglicanæ*, ab *Legatis à Latere Summorum Pontificum collectio*, fol. 1, to 121. with his Glosse upon them. The 1. Canon was for the Dedication and Consecration of Churches, many Cathedrals as well as Parish Churches being then unconsecrated: The 2. and 3. concerning Ecclesiastical Sacraments and Baptism: Others concerning the covetousness of Priests, their hearing Confessions, the qualities of such as were to be ordained, their Farmers and Vicars, Presentations to Churches, not dividing one Church into more, the Residence of Bishops and Priests, Pluralities, the habit of Clerks, Clandestine Marriages of Priests, Priests Concubines, their sons succession in their Benefices, protecting of Theeves, Murderers, eating of flesh, the Office of Archdeacons, Bishops, their Judges, Procurations, undue, unjust Citations, Exactions by Procurations, Registers, abuses of Proctors and Ecclesiastical Judges, and an Oath to be prescribed to them, to prevent the like abuses for the future. In this Council, this Legate introduced the use of Oathes in Ecclesiastical Courts and Causes, never formerly used in *England*, under a specious pretext, by colour whereof the Bishops and their Agents, extending their Authority beyond the Canon, introduced these and other Oathes, against the Laws and Customes of the Realm: to the peoples great oppression, as you shall hear anon, till the King by his Prohibitions restrained this Usurpation. The Canon first introducing an Oath of Calumny made in this Council, runs in these words. *Jurandum calumniæ in causis Ecclesiasticis cujlibet, & de veritate dicendi, in spiritualibus quoque, ut veritas aperiat, facilius, & causæ celerius terminentur, statuimus de cætero præstari in Regno Angliæ, secundum Canonicas et Legitimas Sanctiones, obtenta in contrarium consuetudine non obstante.* Huic statuto utiliter annectentes, ut judiciales induciæ judicis dentur arbitrio, juxta Legitimas & Canonicas Sanctiones. The nature, kinds, forms, words of this *Juramentum Calumniæ*, you may read at large in *Johannes Schneidewin*, a most famous Civilian, professor *Academie Wittebergensis*, in *quatuor Institutionum Imperialium D. Justiniani libros, Commentarius*, printed *Argentorati* 1599. lib. 4. Tit. 6. and Tit. 16. *De Juramento Calumniæ*, to whom I referre the Readers desiring satisfaction therein. He resolving p. 1102. *Istud juramentum hodie non æstimatur nno obolo, quia facti sumus contemptores Dei, & religionis ejus. Unde ego puto, quod litigatores nostri temporis, potius jurant de calumnia committenda quam vitanda, & ideo melius esset, quod istud juramentum ex toto tolleretur a judicio, causa vitandi tot perjuria, non obstante quod hoc juramentum sit inventum ob publicam utilitatem.* The corrupt depraved condition, extraordinary Rapines, Symony, Covetousness, Extortions of the Pope, Court, and Church of *Rome* in that age, which gave general scandal to all conscientious Christians, and some Cardinals themselves, yea caused the Greek Church wholly to separate from the Latine, deny the Supremacy of *Rome*, and renounce all obedience to her, is thus recorded by *Matthew Paris*, out of a private Letter sent from *Rome* to the Popes Legate in *England*, advising him to moderation, to prevent a total rejection of the Pope and See of *Rome*.

\* Hist. Angl. P. 435, &c.

\* Mat. Paris, P. 438. Jurandum Calumniæ.

Nota.

Eodem quoque tempore, circa dies Domini Natalitios, quidam *Romana* Ecclesiæ potens ac specialis Consiliarius, scilicet Dominus *J. de Columna* Cardinalis, Legato in *Angliâ* commoranti, secretius scripsit in hæc verba.

Mat. Paris Hist. Angl. p. 443, 442.

*Frater fratri, Levita Levita, dilecto dilectum in Christo, salutem. Si pagina exarata secretum valeret extraneis, & ob locorum distantiam non subjaceret discrimini, multa calamitas commendarentur, quæ lingua subicit nec pandit amico. Veruntamen hac charitati vestra celare non debeo, quod nimis absde, vel potius inconsulte, se mater immergit fluctibus, et in fauces lupoꝝ ultronea se jactabit, duorum tantum*

R r r

tantum

tantum fuit consilio, tertio annuente, quin versus gressu precedente consilium, et cocis precedentibus cum tractatu. Hinc est, quod libertas abjicitur, servitus inchoatur, sanctuarii opus effunditur, ancillatur patrimonium, superbia exaltatur, tonantium carcer emitur, donorum contemnitur, appetitur confusio, armatur molestia, tranquillitas effugatur, non curatur de fratrum et exterorum scandalo, irrisionibus irridetur, cæcus loco dividitur, differuntur negotia, instantes protrahi sermonibus diutina expectantium lassitudine fatigantur. Bene vobis accidit, quod ab his tormentis abstracti, abiistis ad Regionem longinquam, ne videretis mala gentis vestra & sanctorum, ne pulsaremini quotidianis ictibus, crebris punctionibus lacerati. Voluimus reformare statum, ut sape tentavimus, & ecce deformis desinitio subintravit. Incassum traduntur consilia, ubi voluntas non sistitur freno prudentia, sed impetu agitata, proflit ad procliva, nec patitur retardari. Accedit quoque ad doloris cumulum, nobilis illa Columna, qua tam magnificè structuram Ecclesie sustentabat, recolenda videlicet memoria Domini Sabiniensis, subito subtrahitur de medio; molestia primum dolore percussus, ac postmodum infirmitate lenta vexatus, obiit in Domini potentius ingressurus; ruina casum occasionaliter matri relinquens, cum gemitu & dolore. Redierunt fratres a regione dissidente cum Principe, sed pacis impressa vestigia non apparuerunt; quia non paruerunt pacis bajulis discordia sectatores. Antiochenis a societate distrabuntur, nec a redemptibus commendantur. Vellem quod breviori familia stiparetur amicus, ne fieret alius Oneri, & obtreccantium dentibus laceraretur. Et quia invalescentibus fluctibus scandalorum & plurimum tempestatum, necesserint esset matri, vos ad reditum preparate. Datum Viterbii, festo Sancti Lucae.

Mat. Paris p.  
441.

\* And is it not  
so still?

Hoc igitur & similibus indicis manifeste compertum est, Ecclesiam Romanam, Dei (proh dolor!) indignationem incurrisse. Ipsius enim Magistratus et Rectores, non populi devotionem, sed marcupia plena quarunt denariozum: non animas Deo lucrificare, sed redditus rapere, et pecuniam congregare, religiosos opprimere, poena, usura, simonia, et aliis diversis argumentis, sibi aliena impudenter usurpare. Non curatur de iustitia et honestate, de simplicium informatio: \* imo cum quocumque modo quis beneficio Ecclesiastico inestitur, de summa pecunie, quam inde sortiri possunt, statim sciscitatur: ultima vero vel nulla questio oritur de Sancto vel ejus nomine, quo Ecclesia intitulatur: hinc imprecatio, murmur in populo suscitavit, & diutim ira Dei merito provocatur. Visa igitur tanta malicia & oppressione, erigitur Græca Ecclesia contra Romanam: Imperatorem suum expellendo, & soli Archiepiscopo suo Constantinopolitano, nomine Germano, obediendo. Qui protaciter Græcorum errores, non tantum veteres, imo novos & adinventos detendens, enormiter a religione Catholica delirat. Eorum enim hæc est desipientia: Afferunt, Spiritum Sanctum non à Filio, sed à Patre solo procedere, eo quod scriptum reperitur: Spiritus veritatis, qui à Patre procedit. Præterea, conficiunt de fermentato. Et in multis, Latinis contradicunt, & eos spernunt, Ecclesiam Romanam in pluribus condemnantes, magis tamen ejus fallia quam dicta. Constituit igitur sedem suam, quasi alter Lucifer, in Aquilone, scilicet in Constantinopoli, Græcorum Civitate Metropolitana, filius scilicet degener & Antipapa, vocans Ecclesiam suam et asserens digniorem, et Ecclesiam Romanam sororem ejus dicens esse, non matrem: eo quod Beatus Petrus Apostolorum Princeps quondam, prius quam Romam venerat, Antiochia, quæ Imperio Græcorum adjacet & pertinet, sedem constituit Cathedralem. Addens, quod Antiochia omnem quem potuit Apostolo Christi, & sic Christo, exhibuit honorem & reverentiam: propter quod Theophilus meruit appellari. Roma vero eundem Apostolum Petrum & Coapostolum ejus Paulum, post probra & contumelias, mortis supplicio condemnavit. Hinc honor & reverentia, illinc dedecus & insolentia: unde Græci filii, Romani vero privigni, jure meruerunt appellari. Veruntamen, ut ex tenore superscriptarum Epistolarum perpendi potest, prædictus Germanus Archiepiscopus convocare desiderat Græcos suos & Latinos, scilicet Romanos, ut propositis utrinque rationibus, in unam sententiam conveniant; quos fortius rationum & authoritatum corroborat adimiculum: ut universalis Ecclesia Deo militans, una & integra

integra nuncupetur, & juxta Salvatoris decretum, unus sit Pastor, & unum ovile per totius mundi latitudinem. Scribit igitur idem *Germanus* Domino Papæ in hæc verba. His two Epistles to Pope *Gregory* and the *Cardinals of Rome*, concerning a brotherly union between the *Greek* and *Latine* Churches, and Pope *Gregories* Epistles in answer to them, (wherein he justifies his pretended Primacy by misapplied Scriptures) being over-long, and not so pertinent to my subject matter, those who please may peruse in *Matthew Paris*: Only I cannot pretermitt this passage in *Germanus* his Epistle to the *Cardinals*, touching the large extent of the then *Greek Church*. † *Hoc solum addam, & verbo finem imponam, quod videlicet multa & magna Gentes sunt, qua nobiscum sapiunt, & nobiscum, qui Græci sumus, conveniunt in omnibus. Primi, illi qui in prima parte Orientis habitant, Ethiopes, deinde Syri, & alii qui graviores sunt, & magis virtuosius, scilicet Hyberi, Lazi, Alani, Gothi, Chazari, innumerabilis plebs Russiæ, & Regnum magna victoria Bulgarorum. Et hi omnes tanquam matri nostræ obediunt, in antiqua Orthodoxia immobiles hactenus persistentes.*

\* Hist. Angl. p. 442, to 449.  
† Mat. Paris, p. 446.

This year the *Greek Churches* with all these her members, renounced all obedience to; and communion with the *Church of Rome*, upon this just occasion, (for which the Church and Realm of *England* might then more justly have rejected her iron yoke of bondage, had they been able to accomplish it.)

**H**oc schisma & diffidium inter *Romanam Ecclesiam* & *Græcam*, tale sumpsit seminarium. Quidam Archiepiscopus electus canonice ad quendam nobilem Archiepiscopatum in *Gracia*, vel postulatus, *Romam* adiit confirmandus: nec potuit eraudiri, nisi pro impetratione illa, infinitum aurum promitteret. At ipse detestans prostantis Curie *Simoniam*, infecto negotio recessit; & hoc toti *Græcorum* nobilitati nuntiavit. Et alii, qui *Romam* adierant, testimonium de similibus aut deterioribus perhibebant: Et sic omnes a subiectione *Romanæ Ecclesiæ* tempore *Gregorii* ipsius recesserunt. Indeed they never acknowledged any subjection to the Church of *Rome* before, but only retained a brotherly Christian communion with her, which they now renounced for her manifold corruptions.

\* Mat. Paris, Hist. Angl. p. 449.

The Pope and his Cardinals, upon *Germanus* and the *Greek Churches* Letters to them, endeavouring to prove St. *Peters* universal Supremacy over all Churches, from *Tu vocaberis Cephas, quod interpretatur Petrus. Pasce oves meas*, &c. and answering their objections against it very unsatisfactorily, resolved to reduce them to obedience by force of armes, not argument or Scripture; and published a Crossado against them, as if they were worse then *Infidels*, most unchristianly diverting the forces designed to ayde the Holy Land against the *Saracens*, to murder and destroy the *Greek Churches*; especially that of *Constantinople*.

\* See here p. 57 & c. 67. to 72.

**H**IS autem salutaribus monitis auditis, sed non exauditis, non se *Græci Ecclesiæ Romana* subdiderunt: forte tyrannidem, et avaritiam ejus pertimescentes; vel erecti in contumaciam, juxta dictum Evangelistæ, quod invitati ad cenam noluerunt venire, se tamen excusantes: humiles in excusatione, superbi & contumaces in operis executione. Super quo Dominus Papa & Cardinales tractatum habentes diligentem, proposuerunt exercitum Cruce signatorum universalem, super eos reflectere. Et facta prædicatione, signati sunt nonnulli, super *Græcos*, præcipue *Constantinopolitanos*, profecturi. For which purpose he sent *Baldwin* their depofed, expelled Emperor, with all the forces he could raise, to War upon and subdue them, who arrived in *England*, where he received some small supplies of money.

Mat. Paris Hist. Angl. p. 449.

**E**isdem temporibus, profectus est in partes *Gracia*, ad expugnandum sibi & *Ecclesiæ Romana* rebelles, Imperator *Constantinopolitanus Baldwinus*, in manu robusta, & militia non minima, quantam & qualem, omnes ejus amici & consanguinei potuerunt administrare. Qui etiam, ut thesaurum accumularet & adaugeret, reliquias charissimas & certissimas vendidit Regi *Francorum*, necnon & quædam sibi charissima impignoravit. Erat namque a *Francorum* Nobilibus ducens originem. Cui etiam Papa, in odium et grabamen æmuli sui Imperatoris Romanorum *Frederici*, modis omnibus, quibus scivit et potuit, manum extendit auxiliatricem.

Mat. Paris, p. 453.  
Mat. Paris, Hist. Angl. p. 465.  
Mat. Westm. p. 250. Baldwinus Imperator, Constantin. in Græciam armata manu tendit.

Hereupon the Archbishop of *Antioch*, and *Germanus* Archbishop of *Constantinople* were so far incensed against the Pope and Church of *Rome*, that they excommunicated them; asserting themselves and their Churches to be above the Pope and



Church of *Rome*, yea more antient and excellent then they, even by Arguments drawn from *St. Peter* himself.

Mat. Paris Hist.  
Angl. p. 465.  
Antiochenus se  
præfert Roma-  
no Pontifici.

**A**Nno quoque sub eodem, ad tantam ausus est proterviam impetu temerario prorumpere *Antiochenus* Archiepiscopus, (consentiente *Germano Constantinopolitano* Archiepiscopo, *Gracorum* advocato, & vices agente Antipapæ,) quod Dominum Papam cum tota sua Romana Ecclesia et Curia, inani auctoritate excommunicabit. Et blasphemando, se suamque Ecclesiam solenniter prædicando, tempore et dignitate Domino Papæ et Romanæ Ecclesiæ præposuit, et esse, et fuisse Romana Ecclesia excellentiorem, eo quod beatus *Petrus* Apostolus, primo Ecclesiam *Antiochenam* cum summo honore rexerat per septennium ibidem cum summa qua decuit receptus reverentia, & similiter honorifice incathedratus. *Roma* vero fuit multis injuriis & convitiis, multipliciter laceffitus: tandemque sub imperatore *Nerone* passus, cum Coapostolo suo Sancto *Paulo*, speciali *Gracorum* doctore, diræ mortis supplicium consummavit. Unde merito clarior & amabilior eidem esse tenetur ea Civitas & Regio, cum suis Civibus & omnibus incolis, quæ eidem beato *Petro* Apostolo honorem & reverentiam contulerunt, quam quæ dedecus & tormenta inflixerunt. Potestatemque ligandi & solvendi, liberaliter potius Ecclesiæ *Gracorum* contulisse, quam *Romana*: quam simoniæ & usuræ, avaritiæ & aliorum facinorum maculis constat jam sordere. Hac & aliis rationibus superficialibus, suas in propriam perniciem cicatrices, dictus Antipapa palliavit, & excusationes in peccatis excusavit. Sed columna Ecclesiæ Dominus Papa, verus divi *Petri* successor, (etsi non plene imitator) non movebatur, omnem vindictam reservans, in tempore retributionis: Sending *Baldwin* with Armes to subdue them, though with very ill successe, as \**Mat. Paris*, and *Mat. Westmister* relate.

Mat. Paris Hist.  
Angl. p. 596.  
Mat. Westm.  
p. 150.  
Imperat. Con-  
stantin. victus  
ad Imperat. Fr.  
confugit.

**S**ed defuit divinus favor propositis. Perit enim *Francorum* in ejus exercitu multitudo numerosa. Ipsoque eodem tempore, cum fugisset Imper. *Constantin*, a persecutione *Gracorum*, nec quicquam haberet in ærario, ut bellum amplius continuaret, & *Gracorum* impetus continuos sustineret, confugit ad consilium & auxilium Imperatoris *Romanorum Frederici*. Qui *Gracis* tum terribiliter comminando, tum consultius postulando, tandem treugas per annum unum impetravit. Interim procuravit idem Imperator *Fredericus*, ut filiam suam cuidam magno Principi *Gracorum*, nomine *Battacio*, matrimonio copulavit. Quod Domino Papæ simulque toti Curie *Romana* molestum videbatur & grave, quia per ipsum *Battacium* schisma ortum est inter Ecclesiam *Romanam* & *Gracam*. Unde ipsa *Romana* Ecclesia vocat eum schismaticum, & factum est obstinatius odium proinde, inter Dominum Papam & Imperatorem *Fredericum*.

This schisme of the *Greek* Church from, and opposition against the Pope and Church of *Rome*, made the Pope and his Court fear the like schisme and revolt in *England*, occasioned by the Legates violent proceedings, extortions, and advancement of strangers to Benefices; whereupon he intended to recall him thence to prevent these ill consequences; but the Legate loth to depart, prevailed with the King and others to sollicite the Pope for his continuance in *England*, upon pretence of public good.

Anno 1138.  
Mat. Paris Hist.  
Angl. p. 450.

**E**odem tempore, Dominus Papa & tota Curia *Romana*, audiens tot tumultus in *Anglia* fuisse subortos pro alienigenarum multitudine, quam Rex inconsulte vocaverat: et pro adventu Legati in *Angliam*, quem similiter in depauperationem suorum in *Angliam* attraxerat: multosque contra ipsum commoveri: sub magna eundem Legatum festinatione revocando, rigorem ejus temperavit, sic scribens ei.

**GREGORIUS**, &c. dilecto filio *Ottoni*, Sancti *Nicholai* in carcere *Tulliano* Diacono Cardinali, Apostolicæ sedis Legato, salutem & Apostolicam benedictionem. Cum sic intellexerimus, quod nonnulli Clerici habentes plura beneficia sint in Regno *Angliæ*, & contra eos, propter parentum potentiam, juxta generalis statuta Concilii, sine turbatione Regni & sanguinis effusione, procedi non possit: attendentes quod si peccatum non debeat pro scandalo vitando committi, bonum tamen quod agi debeat, prudenter

prudenter interdum intermititur, ut scandalum evitetur: discretioni tuæ per Apostolica scripta mandamus, quatenus si contra dictos Clericos sine scandalo procedere non poteris, subsedere procures. Et eisdem, vel aliis proximis, Dominus Papa timens ne quid sinistri ei accideret, vocavit eum. Sed Legatus malens adhuc in *Anglia* remanere, & metere ubi non seminaverat, caute procuravit, ut scriptum Domino Papæ destinandum componeretur, & appenderentur sigilla Regis & fratris sui Comitis *Richardi*, & omnium Episcoporum, in testimonium veritatis: scilicet, quod multum utilis esset mora sua in *Anglia*, tam Regi, quam Regno, et Ecclesiæ Anglicanæ. Et hujus tenoris scriptum Domino Papæ transmissum, mentem suam pacificavit.

I find this supplication to the Pope for the Legates stay in *England*, thus entred in our Records, being procured by his own solicitation.

**S**upplicatum est Domino Papæ, quod pensatis periculis diversis quæ Regi & Regno suo possent imminere ex revocatione Legati, quem Dominus Papa jam pridem revocavit, indulgere velit, ut dictus Legatus Officio Legationis suæ fungatur in *Anglia*, donec negotia Regia per ipsum laudabiliter incepta, prospero fine fuerint terminata, & tranquillitas Regis *Anglia*, cui exitit per omnia necessarius, sicut *P. Sacerdotis* ei exponet, ejus moderamine fuerit in posterum fortius roborata. Teste Rege apud *Kenton*, vi. die *Marc.*

Pat. 22 H. 3.  
m. 9. dorso.

Eodem modo scribitur per claufas Papæ & Cardinalibus quod partes suas interponant.

After this, the King to honour this Legate all he could, and secure him and his followers from violence where ever they travelled through *England*, granted him this Patent and Protection.

**R**EX, Omnibus Ballivis & fidelibus suis per quorum Ballivas Venerabilis Pater *O. Dei gratia S. Nicholai* in carcere *Tulliano* Diaconus Cardinalis, & Apostolica sedis Legatus, transiturus est, salutem. Mandamus vobis firmiter præcipientes, quatenus cum idem Dominus Legatus vel sui per Ballivam vestram transitum fecerint, ipsos honorifice admittatis, & saluum conductum per Ballivam vestram eis faciatis. Ita quod pro defectu vestri sibi vel suis nullum dampnum eveniat. In cujus rei testimoniam, &c. Teste Rege apud *Ely*, x. die *Junii*.

Pat. 22 H. 3.  
m. 4.

The Legate soon after travelling to *Oxford*, was there honourably entertained and presented by the University and Schollars at first, which through the insolency of his Porter and Cook ended in a Tragical Tumult, Excommunication, and Interdict; thus registred to posterity.

**T**unc vero temporis, Dominus Legatus cum *Oxoniam* adventasset, & honore summo, prout decebat, reciperetur: hospitatus est in domo Canonicorum, scilicet Abbacia de *Offencia*. Clerici vero Scholares, eidem xenium honorabile in poculentis & esculentis transmiserunt ante prandii tempus. Et post prandium, ut eum salutarent, & reverenter visitarent, ad hospitium suum venerunt. Quibus adventibus, janitor quidam transalpinus, minus quam deceret aut expediret facetus, & more *Romanorum* vocem exaltans, & januam aliquantulum patefactam tenens, ait: Quid queritis? Quibus Clerici: Dominum Legatum, ut eum salutemus. Credebant enim confidenter, ut essent honorem pro honore recepturi. Sed janitor conviciando loquens, in superbia & abusione introitum omnibus procaciter denegavit. Quod videntes Clerici, impetuose irruentes intrarunt: quos volentes *Romani* reprimere, pugnis & virgis cadebant: & dum objurgantes ictus & convicia geminarent, accidit, quod quidam pauper Capellanus *Hybernensis* ad Ostium Coquinæ staret, & ut quippiam boni pro Deo acciperet, instanter, more pauperis & famelici, postulaverat. Quem cum Magister Coquorum Legati (frater Legati erat ille, & ne procuraretur aliquid venenosum, quod nimis timebat Legatus, ipsum ipsi officio præfecerat, quasi hominum specialissimo) audivit, nec exaudivit, iratus in pauperem, projecit ei in faciem aquam ferventem, haustam de lebe ubi carnes pingues coquebantur. Ad hanc injuriam exclamavit quidam Clericus de confinio *Wallia* oriundus: Proh pudor!

Mat. Westm.  
Anno 1238. p.  
146, 147.  
Mat. Paris Hist.  
Angl. p. 453.  
454. Discordia  
inter Legatum  
& Scholares  
*Oxonienfes*.

ut

ut quid hoc sustinemus? Et arcum, quem portavit, tetendit, (dum enim tumultus accreverat excitatus, Clericorum aliqui arma, quæ ad manus venerunt, arripuerant) ipse missa sagitta corpus Coci, quem Clerici Satyrice *Nebuzardan*, id est, Principem Coquorum, vocabant, transverberavit. Corruente igitur mortuo, clamor excitatur. Ad quem stupefactus Legatus, & nimis perterritus timore, qui posset in constantissimum virum cadere, in turrim Ecclesiæ indutus Capa Canonicali se recepit, seratis post terga Ostiis. Ubi cum noctis opacæ conticinium tumultum pugnæ diremisset, Legatus vestimentis Canonicalibus exutus, equum suum optimum ascendit expeditus, & ducatu eorum qui vada secretiora noverunt, amnem, qui proximus erat, licet cum periculo, transivit, ut ad protectionem alarum Regis ocyus avolaret. Cleri enim furia infecti, Legatum etiam in abditis secretorum latebris querere non cessabant; clamantes & dicentes: Ubi est ille usurarius, simonialis, raptor reddituum, & sititor pecuniæ, qui Regem pervertens, & Regnum subvertens, de spoliis nostris ditat alienos? Insequentium autem adhuc clamores cum fugiens Legatus audiret, dixit intra se:

Nota.

*Cum furor in cursu est, currenti cede furori.*

Et patienter omnia tolerans, factus est sicut homo non audiens, & non habens in ore suo redargutiones. Cum autem (ut prædictum est) amnem vix pertransisset, paucis, pro difficultate transitus, comitantibus, cæteris in Abbazia latitantibus, ad Regem anhelus & turbidus usque pervenit, & lachrymabiliter, singultibus sermones suos interrompentibus, rei gestæ ordinem, gravem super hoc reponens querimoniam, tam Regi quam suis collateralibus explicavit. Cujus querulis sermonibus cum Rex attonitus nimis compateretur, misit properanter Comitem *Warennia* cum armata manu *Oxoniam*: eos qui latuerant *Romanos* eripere, & Scholares arripere. Inter quos captus est truculenter Magister *Odo* Legista, & ipse cum aliis triginta vinculis & carceribus in Castro de *Waligeford*, quod non multum distat ab *Oxonia*, ignominiose mancipatus. Legatus vero contrito laqueo liberatus, Episcopis convocatis nonnullis, *Oxoniam* supposuit Interdicto: & omnes illi enormi facto consentaneos, excommunicavit. Postea in bigis, more latronum, ad arbitrium Legati *Londonium* sunt transvecti, & ibidem carceri & vinculis arctæque custodiæ, redditibus spoliati, & anathe mate innodati, mancipantur. Such was his transcendent Tyranny against these *Oxbians*, for this tumult occasioned by the insolency and inhumanity of his own Porter and Cook, which rendred him very odious, so as he deemed himself secure in no place, without armed Guards to protect him, which he requested and obtained from the King, till his reconciliation to the University of *Oxford*, upon their extraordinary humiliation and pennance, thus related by our Historians.

Mat. Westm.  
p. 247. Mar.  
Paris, p. 454.  
Reconciliatio  
Universitatis  
*Oxonie* cum  
Legato.

Legatus vero, qui versus partes *Anglia* Aquilonares tetenderat, flexo loro, *Londonium* reversus est. Et vix ausus in Regali hospicio Episcopi *Dunelmensis*, ubi solito hospitabatur, commorari: significavit Rex Civitati *Londonensi*, ut eundem Legatum diligentibus excubiis cum armata manu, ut pupillam oculi, custodirent Major Civitatis cum Civium universitate. Legatus igitur Archiepiscopum *Eboracensem*, & omnes Episcopos *Anglia*, autoritate qua iungebatur, ut *Londonium* convenirent, districte convocavit: de statu Ecclesiæ & Cleri periclitantis, decimo sexto Calend. *Junii* communiter tractaturi. Quo cum die præfixo pervenissent, tractatum est diligenter per Episcopos, ut salvaretur status Clericalis Universitatis, veluti secundæ Ecclesiæ: quibus & Legatus condescendit, salvo tamen honore Ecclesiæ *Romana*; ne impropere diceretur, ut qui venerat Clerum cum Ecclesia reformare, potius deformaret. Tandem suggestum est Legato ab Episcopis ab universitate Cleri, quæ ibidem in præfenti fuit, quod certaminis discrimen a familia sua sumpsit exordium; & in fine certaminis Clerus deteriore calculum reportavit: insuper jam de Clero pars magna, ad nutum suum carceri mancipatur; & pars reliqua mandato suo parens, parata fuit humiliter subire, in loco ab *Oxonia* circiter tribus distante dietis, ad petitionem tot & tantorum virorum, ad misericordiam, quod comitantibus Episcopis pedes euntibus Scholares omnes ibidem congregati, ab Ecclesia Sancti *Pauli*, quæ fere per unum milliare ab hospicio Legati distabat, pedes irent; ita tamen, quod cum venirent ad hospitium Episcopi *Carleolensis*, illinc sine capis & mantellis discincti & discalceati, usque ad hospitium Legati procederent; humiliter veniam postulantes, misericordiam



miseriordiam & veniam consequendo conciliarentur, quod& factum est. Videns autem dominus Legatus hanc humiliationem, recepit eos in gratiam suam restituens Universitatem loco suo ipsius municipii; Interdictum cum sententia misericorditer ac benigne relaxando, literasque eis conficiendo, ne illis proinde nota infamiz aliquando procaciter objiceretur.

I find these several Patents and Records, concerning this *Oxford* tumult and reconciliation to the *Cardinal*, and revocation of the Schollars to the University, upon pledges given to appear before and stand to the Cardinals censure.

**R**EX Vicecom. *Oxonie* & Majori salutem. Precipimus vobis quod in presentia Pat. 22. H. 3. m. 7. intus. Magistrorum *Roberti Bacnu*, & *Johannis de Rogat*, recipiatis Literas Patentes singulorum Magistrorum regentium apud *Oxoniam*, & singulorum Clericorum beneficia Ecclesiastica habentium, qui sunt in Villa *Oxon.* quod ad mandatum Domini Legati, vel mandatum ipsius super transgressionem; eidem Domino Legato facta nuper apud eos, et ab aliis Clericis *Oxon.* commorantibus et beneficiis non habentibus, plegios salvos recipiatis, illos vobis possint invenire, Clericos vel laicos, videlicet singuli Clerici singulos plegios, quod similiter, ad mandatum ipsius Legati, vel nostrum, venient parituri mandatis ipsius Domini Legati super transgressionem predicta. Et omnes Clericos predictos & magistros tam beneficiatos quorum Literas Patentes receperitis, de veniendo, ut predictum est, quod alios beneficia non habentes, a quibus plegios recipitis sicut predictum est, libere & sine impedimento, a Villa *Oxon.* recedere, & illuc redire cum voluerint permittatis. Alios autem Clericos, qui plegios nobis invenire non poterunt ut predictum est, a Villa *Oxon.* recedere, nec illuc redire permittatis, donec plenior de transgressionem predicta, fieri fecerimus inquisitionem. Teste Rege apud *Windsore* Septimo die *Maii*.

**R**EX Constabulario Majori & Balivis suis *Oxon.* & omnibus aliis ad quos presentes Literae pervenerint, salutem. Sciatis quod Venerabilis Pater *W. Karl.* Episcopus, manucepit coram nobis Magistrum *Johannem de Melton*, *Michaelum* de Sancto Albano, *Petrum* de *Karleol.* & *Henricum* de *Rad.* socios suos *Galf.* de Sancto *Agaba* & *Nicholaum* socium suum, clericos, habendi eos coram Domino Legato ad mandatum nostrum, vel ad mandatum ipsius Domini Legati, ad parendum mandatis ejusdem Domini Legati super transgressionem ei & suis nuper facta apud *Osney.* Et ideo vobis mandamus, quod eosdem Clericos cum hominibus, equis & hernefio suo ad partes suas ire, & alibi quo voluerint, libere permittatis, non obstante mandato quod nuper fecimus, ne Clerici recederent ab *Oxon.* sine Mandato, & de ipsis alibi arrestandis. Teste Rege apud *Wesm.* 11. die *Maij*. Pat. 22. H. 3. m. 6.

Per *W.* de *Rad.*

**R**EX Constabular. Majori & Balivis suis *Oxon.* & omnibus aliis ad quos presentes literae pervenerint, salutem. Sciatis quod dilectus & fidelis noster *Henricus* de *Bailol.* manucepit coram nobis pro *Engerim* de *Bailol.* *Bernard* de *Hindel.* *Roberto* de *Pastou.* *Adam* de *Bockingfield.* Clericos, habendi eos coram Domino Legato ad mandatum nostrum, vel ad mandatum ipsius Domini Legati, ad parendum mandatis ipsius super transgressionem ei nuper illata apud *Osney.* Et ideo mandamus quod eosdem Clericos cum hominibus, equis & hernefio suo ad partes suas, ire & alibi quo voluerint, libere permittatis, non obstante mandato nostro quod nuper fecimus, ne Clerici recederent ab *Oxonie* sine mandato nostro. Teste Rege apud *Windsore* 12. die *Maij*. Pat. 22. H. 3. m. 6.

Per *Amaur.* de Sancto Amando.

**R**EX Constabulario Majori & balivis suis *Oxonie* salutem. Sciatis quod concessimus omnibus Clericis *Oxoniam* commorantibus, quod ipsi libere & sine impedimento, ingredi & egredi possint villam *Oxonie*, & ad partes suas seu alibi quo voluerint ire, ad praefatam villam *Oxonie* quando voluerint redire. Et ideo vobis mandamus, quod eosdem Clericos praefatam villam ingredi & egredi, & ad suos Pat. 12. H. 3. m. 6.

partes suas ire, & ad præfatam Villam si voluerint redire libere, & sine impedimento permittatis, non obstante præcepto nostro quod vobis fecimus, de Clericis ab *Oxonia* recedere non permittendis. Reddi etiam faciatis omnibus Clericis prædictis Carralla sua quæ capta sunt occasione transgressionis factæ in Dominum Legatum vel suos, exceptis illis qui de prædicta transgressionem rectati sunt per inquisitionem quam inde fieri fecimus, & illis qui occasione prædicta in carcere detenti sunt. Teste Rege apud *West.* 15. die *Maij*.

Pat. 22. H. 3. m.  
9. intus.

**R**EX Archidiacono & Cancellario universitatis *Oxonie* salutem. Mandamus vobis rogantes, quod publice in locis quibus videritis expedire denunciari faciatis, quod omnes Clerici qui fugerunt, aut se subtraxerunt de Villa nostra *Oxonia*, pro insultu facto in Dominum Legatum apud *Osneyam*, secure & sine timore captionis corporum suorum & amissionis rerum suarum, veniant ad ipsum Dominum Legatum pœnitentiam facturi, & absolutionem recepturi de transgressionem sua, si voluerint. In cujus, &c. Teste Rege apud *Rading* Nono die *Julij*.

How prevalent this Legat was with the King, in disposing even of the Aydes granted to him at his pleasure, will appear by this Record

Pat. 22. H. 3. m.  
11. intus.  
Concessio facta  
Domino Legato  
de ordinando  
per ipsum de  
Tricesima.

**R**EX omnibus, &c. Sciatis, quod concessimus Venerabili Patri *O.* &c. Apostolicæ sedis Legato, quod de Tricesima nostra nobis concessa in Regno nostro *Anglicum* collecta fuerit, de consilio suo, eam in loco tuto & competenti reponi faciemus, & de ea prudenter expendenda ad honorem & utilitatem nostram, consiliis suis nos supposuimus; ita quod sine ipsius consilio nihil inde ordinabimus. In cujus, &c. Teste meipso apud *Roff.* 28. die *Novembris*.

This Legate not only purveyed for himself, but likewise procured Prebendaries and other Ecclesiastical preferments, in the Kings gift, for his Chaplains (to the great offence of his English Subjects) as these following Records will demonstrate.

Pat. 22. H. 3. m.  
10.

**R**EX concessit, & quantum ad eum pertinet, dedit Magistro *Ala* Clerico Domini Legati quandam Prebendam in Ecclesia de *Norton*. vac. & ad donationem Regis spectantem, ratione Episcopatus *Dunholm.* &c. Et mandatum est *Johanni* filio *P.* Custodi ejusdem Episcopatus, quod eidem Magistro de prædicta Prebenda sine dilatione plenam seisinam habere faciat. Teste Rege apud *Westmonasterium* 13. die *Januarii*.

*St. Martins* in *London* being one of the Kings Free Chapples, exempt from all Episcopal Jurisdiction and visitation, the King upon this consideration granted this Prohibition, to the Prior and Dean of *St. Gregory* in *Canterbury*, not to proceed in a suit concerning the state and Liberties thereof, and appealed likewise to the Pope.

Pat. 22. H. 3. m.  
10.

**R**EX Priori Sancti *Gregorii* Cant. & Decano ejusdem Civitatis, salutem. Cum *Hericus* Rector Ecclesiæ Sancti *Leonardi* trahat in causam coram vobis *Herbertum*, Canonicum Ecclesiæ sancti *Martini London.* ejusdem Ecclesiæ procuratorem super quibusdam, statum & libertatem dictæ Ecclesiæ tangentibus, quæ in editione prædicto *Herberto* facta continentur super quibus contra dictum procuratorem ferretur præjudicium, qui sumus dictæ Ecclesiæ sancti *Martini* patroni, quæ nostra libera Capella est, & ab omni Jurisdictione Episcopali per \* sedem Apostolicam exempta, ne contra ejusdem Ecclesiæ Decanum & Capitulum, vel eorundem Procuratorem ulterius in dicta causa procedatis, Dominum Papam appellamus, *William de Wakering.* Capellanum procuratorem nostrum ad appellandum nomine nostro, & appellationem nostram innovand. constituentes ratum habituri, quicquid idem *W.* appellando & appellationem innovando coram vobis fecerit. Teste apud *Vindl.* 6. die *Maij* anno regni nostri. 22.

\* See here p.  
358.

Moreover the King granted this memorable Prohibition to the Archdeacon of *Oxford*,

Oxford, not to hold plea of Legacies and other things belonging to his Chapple of *Stinesfeld*, which it seems was one of his free Chapples, and appealed thereupon to the See Apostolick.

**R**EX Magistro R. Archidiacono *Oxonie*, salutem. Noveritis ad nos pervenisse quod persona de *Northleya*, & ejus procuratores Legata defunctorum, & quædam alia, ad Capellam nostram de *Stinesfeld*, secundum antiquam & approbatam consuetudinem pertinentia, in nostrum præjudicium extorquere nituntur. Quare discretionem vestram prohibemus, quatenus in causa, quæ vertitur inter *Joseph*, Capellanum prædictæ Capellæ nostræ, & Parochianos ipsius super præmissis, ex una parte, & personam de *Northleya* & ejus procuratores ex alia, minime procedatis, in præjudicium regis dignitatis. Et ne aliquid contra Excellentiam nostram præsumatis in causa memorata, sedem Apostolicam appellamus. Teste Rege apud *Wodstock*, 9. die Septembris.

Pat. 22. H. 3. m. 7. intus.  
De Appellati-  
one.

The King by these Letters Patents, granted a License to the Bishop of *Lincoln* to erect a Vicaridge in the Church of *Essenden*, whereof he was Patron.

**R**EX Episcopo *Lincolniensi*, salutem. Sciatis quod ordinationi fiendæ per vos, & Magistrum *Nicholaum* de *Farnham*, de competenti Vicaria in Ecclesia ejusdem Magistri de *Essenden*. quæ est de advocacione nostra, assensum nostrum adhibemus. In cujus rei testimonium, &c. Teste Rege apud *Westmonasterium* 19. die Maii.

Pat. 22. H. 3. m. 5. intus.  
De vicaria faci-  
enda.

This year there hapning a difference between the King, and Monks of *Durham* about their Bishop elect, whom the King would not approve, he thereupon issued these Letters Patents to the Archbishop of *Tork*, appointing his Proctors to appeal to the See Apostolick against this Election, only for delay to preserve his right.

**R**EX *Eborum* Archiepiscopo, salutem. Noverit paternitas vestra nos appellati- ones quas dilecti Clerici nostri magistri *S. de Steyland*, Domini Papæ Capellanus, & *VV. de Glouc.* & *Blasius* de *Mara*, in negotio electionis *Dunelm.* coram vobis apud *Eborum* & apud *Blid.* prius interposuerunt; Ratas habentes, dilectum Clericum *Blasium* de *Mara*, latorem præsentium, ad dictas appellationes innovandas, & appellandum de novo, si necesse fuerit, procuratorem nostrum constituimus. Et ne ulterius in dicto negotio procedatis sedem Apostolicam appellamus. In cujus rei testimonium has literas nostras vobis mittimus Patentes. Teste meipso apud *Westmonasterium* Tertio die *Febr.* anno regni nostri 22. After which he constituted another Proctor in this case and renewed his appeal.

Pat. 22. H. 3. m. 10.  
De Procuratore  
Constituendo.

**R**EX Venerabili Patri *VV.* eadem gratia *Eborum* Archiepiscopo *Anglia*, salutem. Noverit Paternitas vestra quod nos appellationes, quas dilecti Clerici nostri Magistri *Simon* de *Steyland*, Domini Papæ capellanus, & *Willielmus* de *Glouc.* & *Blasius* de *Mara*, in negotio electionis *Dunelm.* coram vobis apud *Eborum* & *Blijam*, & *Pontem fraithum* interposuerunt ratam habentes, ad dictas appellationes innovandas, & appellandum de novo, si necesse fuerit, prædictum Magistrum *S.* procuratorem nostrum constituimus, & ne ulterius in dicto negotio procedatis sedem Apostolicam appellamus. In cujus rei testimonium has literas nostras Patentes vobis mittimus. Idem parti adversæ significamus. Teste Rege apud sanctum *Edmundum* primo die *Junii* anno regni nostri 22.

Pat. 22. H. 3. m. 5. intus.  
De Procuratore  
Constituendo.

The like Proctor he constituted in the difference about the election of the Bishop of *Norwich*, referred to the Popes Legat, to determin.

**R**EX Domino Legato, salutem. In causa electionis quæ vertitur inter nos ex una parte, & Priorem & Conventum *Norwic.* Ecclesiæ, ex altera, Auctoritate Domini Papæ sanctitati vestræ commissa, dilectum Clericum nostrum magistrum *Williel.* de *Kilkenni*, procuratorem nostrum constituimus. Ratum habituri, quicquid idem Magister *Williel.* fecerit justitia mediante, in causa memorata. Idem parti adversæ significantes. Teste Rege apud *Diston*, undecimo die *Junii*.

Pat. 22. H. 3. m. 4.

This year *Richard* Earl of *Cornwel*, with all the Nobility and Barons of *England*, (except the Earl of *Kent*) and generality of the Citizens and people of *England* made a commotion against the King, by reason of this Legate, and other aliens, by whom he



was wholly swayed, neglecting and suffering them extreemly to oppresse his natural subjects; The contents hereupon are at large related by *Matthew Paris*.

Mat. Paris, Hist.  
Angl. p. 451.  
452, 453.

**E**T sperabatur certissime tunc, quod ipse Comes *Richardus* esset liberaturus terram tunc, tam a *Romanorum* quam aliorum alienigenarum misera, qua premebatur, servitute, & omnes a puero usque ad hominem senem, crebras in ipsum benedictiones congesserunt. Nec adhuc aliquis Regi, nisi solus Comes *Cantia H.* Quod comperiens Rex, animo & vultu nimis consternatus, nobilium terrarum singulos per nuntios suos interrogavit, diligenter sciscitando, si in hunc vel illum hac jam exorta tempestate, possit de adiutorio confidere? Cui responderunt universi, præcipue cives *Londinenses*, asserendo universaliter, quod honori suo, & comodo Regni procuratum est circumspecte, quod incipiebatur ab ipso Comite *Richardo*, licet ipse Rex salubri consilio ejus non adquiesceret: unde incepta nullo modo impedirent. Hæc comperiens Legatus, summam adhibuit, imminere videns pericula, diligentiam, ut Regem suis naturalibus hominibus reconciliaret, secreto admonens Comitem *R. & Replicans*, quod ipse qui Capitaneus hujus impetus factus est deinceps ab incepto desisteret, promittens Regem ei ampliores possessiones collaturum, & Dominum Papam collatas confirmaturum; addens, quod si omnes terrarum in Regem insurgerent, ipse qui frater ejus, cum eo contra omnes stare haberet indefessus. Ad quod respondit Comes *R. domine Legate, De terris Laicorum et earum confirmationibus nil ad vos, de rebus autem Ecclesiasticis curam geratis.* Nec miremini, si status Regni moveat me, cum sim hæres solus apparens. Rex enim cum fere omnium Episcopatum terrarum & multarum escaetarum custodias habuit, nullum tamen Thesaurus ejus sentit ad Regni tuitiones incrementum: cum tamen undique variis vallemur inimicis. Præterea, redditus & beneficia Ecclesiastica, a piis prædecessoribus nostris collata (præcipue quæ contulerunt antecessores nostri viris religiosi) permittit quasi spolia diripi, & alienigenis, cum abundet ipsa terra viris idoneis, distribui: & sit *Anglia* quali vinea sine maceria, quam vindemiant omnes qui prætergrediuntur viam.

Legatus studet  
Pacem facere  
inter Regem &  
suos magnates.

Cum autem audisset Legatus hos sermones, Regem adiit, una cum Episcopo *Wintoniensi* *P.* monens & muniens, ut se ex tunc voluntati suorum juste in eum insurgentium, subderet & obtemperaret: nunc minis, nunc monitis, nunc precibus eundem reformantes. Rex videns impetus suos favoribus caruisse, & omnes fratri suo Comiti *Richardo* inclinantes; quæsit quæ potuit diverticula: inducias deliberandi postulando, ut competentius responderet. Induciarum igitur ad instantiam petentium concessæ sunt Regi (licet cum difficultate) usque in crastinum Dominicæ primæ quadragesimæ. Convenerunt igitur Magnates die statuto *Londini* super his diligenter tractaturi. Et venerunt multi equis & armis communiti, ut si Rex circumventus per levitatem recalcitraret, ad præmissa complenda cogeretur. Ibi igitur post multas multorum deceptiones, se subjecit Rex quorundam provisioni de gravioribus viris; jurans se eorum provisioni adquiescere. Quod & factum est, & in scripta redactum, & appensa sunt tam Legati quam aliorum Magnatum Sigilla, omnibus in communi manifestanda. Interim his nondum perfectis, sed cum spe tamen pendentibus, *Simon de Monte forti* (who had unlawfully married the Countesse of *Pembroke*, the Kings and Earls sister, and to prevent a divorce, Extorta prius undecunque potuit immensa pecunia, *Romanam* curiam adiit quam speravit pecunia circumvenire, ut illicito matrimonio liceret gratulari) humiliavit se Comiti *P.* & obtinavit ab eo osculum concordie. Quod gravissime alij Magnates acceperunt, sine quorum conniventia hoc fuit attemptatum, quorum laboribus fuit res hucusque deducta. Quibus enormibus factis totum negotium in magna parte mutilatum, perfectum non sumpsit effectum, sed miseras regni continuavit, & famam Comitis *Richardi* in magna parte denigravit: & sic factus est deinceps suspectus, qui credebatur baculus fortitudinis.

*Edmond* Archbishop of *Canterbury*, Anno 1237. Hebdomada ante Natale transfretavit & *Romanam* adiit, nec propter Legatum ipsum revocantem, voluit remanere, unde sibi ex tunc adversabantur. The occasion and successe of this his journey against the Legates revocation is thus reported by *Matthew Paris*. Anno 1238.

\* Mat. Paris p.  
463, 464, 468,  
469. Edit *Lon-*  
*dini*, Mat. *Par-*  
*ker*, and *God-*  
*win* in *Vita*  
*Edmundi*.

Illo quoque Anno, &c. data est sententia a Domino Papa pro Monachis *Roffensibus*, super controversia mota inter Archiepiscopum *Edmundum* & eosdem Monachos, de eligendo sibi Episcopo, & data est sententia pro eis, tam de petitorio quam de

de possessorio: & confirmatus est electus eorum, magister *Richardus de Wendoure*, die sancti *Cuthberti*. Convenerat autem eosdem Monachos dictus Archiepiscopus, expensis & laboribus exinanitos: insuper transalpinaverat, ut sicut jus dictaret, lis tanta debito fine determinaretur. Similiter data est sententia tunc temporis contra eundem Archiepiscopum, qui tunc in Curia *Romana* præsens fuit, super gravi causa, quæ versabatur inter eum & Comitem *Arundellia*: & condemnatus est utrobique in expensis, circiter mille marcarum: relaxata sententia quam tulerat, idem Archiepiscopus in Comitem supradictum. Habuit enim adversarium validissimum *Ottone* Legatum: qui & ad hoc etiam Regem efficaciter stimulavit.

After the death of *Henry de Sandford* Bishop of *Rochester*, the Monks of *Rochester* elected *Richard Windeley*, a learned man, for their Bishop; who being presented by the Monks to *Edmund* Archbishop of *Canterbury* for his confirmation, he refused to admit him, unde *Monachi Domini Papa presentiam appellarunt*. Upon this Appeal the Pope gave judgment for the Monks against the Archbishop, and condemned him in costs of suit, confirming their Election in despite of the Archbishop, with whom the Pope was very angry for opposing his shamelesse and intolerable exacti- ons in *England*: whereupon this Bishop elect was consecrated at *Canterbury* in *St. Gregories* Church, by the Archbishop, the Bishop of *London*, and other Bishops; quia Archiepiscopus suspendit Ecclesiam *Cantuar.* à divinarum celebratione, præmissa debita postulatione à *Priori* *Roffensi* *Ricardo*, & installatus fuit in die *S. Andreæ* apud *Roffen*.

Although the Archbishop miscaried in these two precedent suits at *Rome*, yet he obtained an Indulgence from the Pope to the prejudice of the Monks of *Canterbury*, thus related. † Archiepiscopus *Cantuariensis* *Edmundus*, a curia *Romana* rediens, venit in *Angliam*. Qui contra Monachos suos *Cantuarienses*, quamvis cum gratia Conventus ab *Anglia* recessisset, a Domino Papa pro se impetravit: unde sub- orta est discordia nimis enormis & indecens inter gregem & Pastorem; & passa est Ecclesia damna multa, & dedecus, suspensionem & ignominiam. Unde vocatus Le- gatus ad reformationem illius deformationis, dum in capitulo *Cantuariensi* præsideret, propter quoddam scriptum, in quo privilegium quoddam, tempore beati *Thomæ* impetratum, continebatur (quod quidam imprudenter combusserunt) Priorem *Cantuariensem* deposuit, & ad strictiorem ordinem, ut ibidem perpetuam ageret pæ- nitentiam, destinavit, quosdam Monachorum dispersit, quia (ut dicebatur) in prædicto privilegio, quæ sibi videbantur manifeste adversari, pietate minus discreta oc- culte abraaserat, & quæ pro eis agere apposuerat. Et quia tales rasuræ in tam authen- tico scripto non poterant diligenter intuentes latere, ne † notam infamiae falsarii Conventus incurreret, unus fratrum combussit inconsultus. Unde Legatus, cum mentionem illius scripti fecisset Archiepiscopus, interrogassetque, & non invenire- tur, & licet invitum de re gesta veram facerent confessionem, Legatus, merito commo- tus in vindictam tanti excessus, Priorem ab administratione amovens, aliquos qui rei videbantur dispersit, commonens ut arctius viverent perpetuo pœnitentes. Post- ea, quia Prior cum secularibus Capitulum intravit, contra domus approbatam consu- etudinem, ad electionem celebrandam, Conventus sibi priorem absque assensu Ar- chiepiscopi elegit. Unde hoc audito, Archiepiscopus electionem reprobando cassavit: totum Conventum, præcipue electum & electores, non tantum suspensionis, sed etiam anathematis vinculis innodavit. Conventus autem contra Archiepiscopum in hoc ad præsentiam domini Papa constanter appellavit. The Legate lodging at this time in the Archbishops Palace, and the Archbishop lying in the Monastery of *St. Au- gustines*, lest he should thereby claim a Jurisdiction over it, made this Protestation in writing; Noverit universitas vestra, quod cum de mandato sedis Apostolicæ spe- ciali, Dominus Otto Apostolicæ sedis Legatus, in domibus nostris apud *Cantuariam* morabatur, nos de speciali gratia Abbatis & Conventus Monasterii Sancti Augustini *Cantuarie*, ad *Romanam* Ecclesiam nullo medio pertinentis, & in eorum domibus in- fra septa sui Monasterii per aliquot dies in nostris expensis hospicium habuimus: Protestantes, per hoc eorum privilegium, & compositioni inter nos & ipsos initæ, nos in nullo velle in posterum derogari, & ut de hac nostra protestatione & voluntate successoribus nostris liqueat, in futuro has literas nostras fecimus, &c.

Anno Domini M. D D. XXX VIII. *Edmundus* Archiepiscopus mandavit officiali- bus & Decanis suis, ut in Capellis & Ecclesiis Parochialibus denunciari facerent in ge- nere, et communicatos omnes illos qui maleciose terras vel possessiones occuparunt, libertates scienter impugnarunt, decimas vel redditus iniuste detinu-

Mat. Paris, Hist. Angl. p. 395. Godwins Cata- logue of Bi- shops. p. 150. Mat. Westm. Anno 1238. p. 150. Mat. Parker, p. 164, 165.

† Mat. Paris p. 457. Mat. Par- ker, and God- win in Vita Edmundi.

† Nose the rasures and forgeries of Monks.

Chronicon, Willielmi Thorn. Col. 1884. 1885.

Willielmi Thorn. Chron. Col. 1883.

detinuerunt ad istud Monasterium de iure spectantes. Hoc addens in fine, Hoc mandatum nostrum exequentes, quod non de negligentia redargui, sed de diligentia debeatis merito commendari.

How corrupt the Pope, Court of *Rome*, and what unjust sentences were given by them for bribes and money in that age; this story, amongst others, will inform us.

\* *Mat. Paris, Hist. Angl. p. 455. Mat. Westm. p. 148.* \* Interim *S. de Monte forti*, cum gratia Imperatoris & Literis supplicatoriis, se transfert ad Curiam Romanam: & effusa & promissa infinita pecunia, a Domino Papa impetravit: ut ratum habeatur Matrimonium, quod non sine læsione conscientie contraxerat cum *Alienora* Regis *Henrici* 3. sorore. Votum enim solenne fecerat coram *Edmundo* Archiepiscopo, continuanda in vita sua castitate. The Pope for money dispensed with this Marriage; Quamvis votum solenniter factum coram *Edmundo* Archiepiscopo *Cantuariensi* repugnaret, ut liceret illicitis abuti amplexibus. Scripsitque Dominus Papa Legato *Ottone*, ut pro præfato *Simone de Monte forti*, solenniter sententiaret. Quo audito, frater *Willielmus de Abendune*, de ordine *Prædicatorum*, & multi alii periti, Zelum Dei præ oculis habentes increpaverunt hanc sententiam; sanctitatem Papæ circumveniri, & animas periclitari, Christumque Zelotypari veraciter affirmantes. Quia licet, sicut pars adversa protestatur, habitum cum velo non assumpserit mulier de qua agitur; annulum tamen, quo se Christo subarravit, vel potius desponsavit, assumpsit, & sic sponso Christo indissolubiter copulatur; testante authentico scripto in Sententiis Magistri *Patri*, in tractatu de voto; scilicet libro quarto. In quo, præmissis rationibus & autoritatibus Sanctorum & Canonum, subinfert. Ex his apparet, virgines vel viduas voto continentie astrictas, siue fuerint velatæ, siue non, nullatenus conjugium sortiri posse. Quod itidem de omnibus intelligendum est, qui continentiam voverunt. Quod autem erat ante licitum, post votum erit illicitum. Sed aliquid forte subtilius, quam nobis datum sit intelligi, *Romana* Curia speculabatur. The sight and receipt of Golden Angles at *Rome*, over-balanced all Laws, Canons, Decretals, both of God, Man, Councils, and Popes themselves. Hence King *Henry* the 3d. soon after, when *Simon de Montefort* and his Wife, came to visit him and his Queen, and to accompany her to a Monastery for her Purification; \* Rex eum excommunicatum vocavit, prohibuitque ne ipse vel uxor ejus, quam ante Matrimonium inter eos contractum, nequiter & furtive maculaverat, festivis suis solenniis interesset: & cum multiplicaret convivia, Comes confusus cum uxore sua ad hospitium suum, per aquam venire properavit. Sed Rex statim eos præcepit ejici truculenter. Et cum flentes & ejulantes reverterentur, veniam flagitantes, Regiam iram non sedarunt. Dixit enim: Sororem meam seduxisti ante sponsalia, quod cum comperiissem, ut vitaretur scandalum, dedi sed invicem. Et ut votum suum Matrimonium non impediret, Romam adiiisti, Romanamque Curiam donis et promissis impreciabilibus, ut illicitum tibi liceret, corrupisti. Novit tunc præfatus *A. Cantuariensis Archiepiscopus*, qui Papa veritatem super his intimavit: sed victa veritas Romanæ cessit avaritiæ, numeribus multiplicatis. In cuius pecuniæ solutione cum defecisti, excommunicationis sententia innovari meruisti. Ad cumulum etiam miseria tua, me inconsultum & nescium, fidei iussorem per falsum testimonium interposuisti. Comes vero, cum hæc audisset, erubuit, & cum dies inclinasset, per *Tamesim* in cymba minima cum uxore tunc & pauca familia ad mare festinanter declinans, continuo transfretavit.

The like corruption, bribery, and partiality appeared in their proceedings, sentences at *Rome*, concerning the elections of Bishops, witness that concerning *Winchester*. \* Anno quoque eodem, quinto Idus Junii, obiit Episcopus *Wintoniensis*, *Petrus* scilicet de *Rupibus*. Qui cum Ecclesiam *Wintoniensem* circiter triginta duobus annis strenue rexisset, & laudabiliter peregrinationem suam in *Terra Sancta*, una cum *Exoniensi* Episcopo, peregisset, domosque religionum plurimas construxisset; apud *Fernham* manerium suum, plenus dierum, facto nobili testamento, diem clausit extremum. Sepultus est autem in Ecclesia sua *Wintoniensi*, ubi etiam dum viveret, humilem elegit sepulturam. In cuius obitu totum Concilium Regni *Anglicani*, tam Regale quam Ecclesiasticum, jacturam incurrit irrestaurabilem. Rex vero audito de obitu *Petri Wintoniensis*, omnem quam potuit adhibuit diligentiam, ut inclinaret corda Monachorum *Winton.* ad electionem *Gulielmi* electi *Valentini*, ut eundem in præfatum promoverent. Sed Monachi videntes ipsum esse alienigenam, & Nobilibus Regni suspectum, posseque de facili nocere ipse Regno, cum frater ejusdem electi Comes sit *Flandrensis*, & si forte in subversionem Regni conspirarent, alter al-

\* *Mat. Paris, Hist. Angl. p. 456. Mat. Westm. p. 148, 149. Godwins Catalogue of Bps. p. 174, 175.*



teri auxiliaretur, noluerunt aliquo modo consentire. **Unde Rex ipsis damna incessanter et gravamina undique inferre moliebatur.** Ipsi vero maiuerunt persecutionem pati pro iustitia, quam soli Regi acceptum vitium, curæ pastorali insufficientem, moribus, gestu & literatura inpositum, natu alienum, & de effusione sanguinis infamem, in suarum animarum pastorem eligere, contra suarum conscientiarum puritatem. Dissimulantes igitur Monachi, sub induciis a Rege impetratis, eligerunt *Gulielmum de Rale*, virum discretum, & Regi familiarissimum, quem nullo modo credebant Regem velle repellere. Quod cum Rex cognovisset, iratus valde, **nec electionem, nec electum acceptabit, imo ipsum Gulielmum electum a consilio suo et familiaritate propulsabit.** Similique impetu, Episcopum *Cicestrensem*, quem Monachi pio spiritus postularent, ab officio Cancellariæ privavit, & a sua familiaritate & consilio exclusit. Necnon **Auctoritate Domini Papæ**, missis ad Curiam Romanam Magistris *Simone Normanno*, & *Alexandro* seculari, legistis conductitiis, non sine multæ pecuniæ effusione, cassari procuravit.

*Matthew Paris* thus relates the proceedings in this election, a little more largely. \* In illis diebus, Rex omnem quam potuit, plus & secus quam deceret, adhibuit diligentiam (quamvis prius sæpe jurasset alienigenas amovere, non promovere) ut electus *Valentinus* (qui tamen vir sanguinum esse dicebatur) in Episcopum *Wintoniensem* promotus eligeretur. Quod constanter Monachi, ad quos specialiter ex antiquo jure pertinere dignoscitur electio, inter se renuentes, **sicut mox est, Regem adierunt, licentiam eligendi postulantes.** Rex autem antequam responderet, eos de electione & promotione electi *Valentini*, quem suum vocavit avunculum, sollicitavit. At Monachi dissimulantes, inducias super hoc deliberandi simul cum Conventu, ad quem pertinebat electio, postularunt. Sed cum Rex preces suas talibus induciis sentit effectu caruisse, divertens ad solitas cavillationes, petitioni Monachorum respondit: **Intimatum est mihi, quod duo Archidiaconi Episcopatus Wintoniensis, electionis vestra tenentur interesse; nec eos in presenti video, unde petitioni vestra non est annuendum.** Cui Monachi responderunt: **Quod etsi electioni interesse (quod nimis absurdum & iustitia dissonum esse videtur) debeant, postulationi electionis interesse non debent.** Et ita Rex, licet diu recalcitraret, justæ postulationi eorum non potuit contradicere. Sed cum postea fida relatione cognovisset, quod iidem Monachi communiter de *Willielmo de Rale*, viro utique per omnia laudabili, diligenter tractarent, ut in Episcopum eligeretur, & omnes jam in eum consensisse: Rex iratus, nimis procaciter respondit: **Remissis electum Valentinum, dicentes eum virum sanguinum, & Willielmum de Rale, qui multo plures lingua, quam alius Gladio trucidavit, elegistis.** Et in superbia & abusione juravit, **se nunquam hoc ullo modo tolleraturum.** Monachi igitur indignationem Regiam pertumescentes, declinarunt ab incepto. Interim Rex possessiones Episcopatus & instaurationes demoliendo, crebro in maneriis Episcopatus jacuit, agmine stipatus numerofo. Monachi igitur *Wintonienses*, videntes moram destitutionis damnosam, de sibi eligendo pastore diligenter tractaverunt. Quod cum cognovisset Rex, illuc illico acceleravit, & instantius quam deceret vel expediret, in Capitulum intrans, Conventum comminando & promittendo petiit, quatenus electum *Valentinum*, avunculum suum, in Episcopum eligerent. At illi, caute volentes Regiam indignationem declinare, impetus indiscretos induciis emollire studuerunt: & nolentes injustis petitionibus annuere, Episcopum *Cicestrensem Radulphum de Neville*, Regis Cancellarium, unanimi consensu sibi in Episcopum & Pastorem animarum suarum postularunt. Cum autem videret Rex, iterum instantiam precum suarum effectu caruisse, justæ postulationi Monachorum adversando, multa convitia congestit in eundem Episcopum, dicens eum impetuosum, iracundum, perversum, vocans omnes fatuos, qui cum in Episcopum postularunt. Insuper sigillum suum, quod idem Episcopus per universitatem Regni receperat custodiendum, Rex violenter abstulit, & fratri *Gualfrido Templario*, & *Johanni de Liximuna* commisit bajulandum: emolumentis tamen ad Cancellariam spectantibus, Episcopo, quasi Cancellario, redditis & assignatis. Prosequens autem Rex conceptum impetum, misit ad Curiam Romanam, *Simone Normannum*, & *Alexandrum* secularem, Legistas conductitios. **Qui multa data et promissa pecunia, vitium iustum de jure suo privando, et iustum iudicium subvertendo, prædictam postulationem perpetam cassaverunt:** Such was the Bribery and Injustice of the Court of Rome in this age.

These Appeals and contests about Elections, as they brought much filthy lucre to the

\* Mat. Paris, Hist. Angl. p. 457, 458.

the Pope, his Court and Officers, so they extraordinarily advanced, and in a great measure confirmed his injurious Vsurpations over the King, Kingdoms; Prelates, Covents, Chapters, Churches of *England* and *Ireland*, so as they could not for many years after retrench them, with all their complaints, diligence, oppositions against them. Soon after, *Electus* *Valentinus* *Gulielmus Romanus* adiit, vocante eum *Domino*

\* Mat. Westm.  
P. 149.

† 1 Tim. 3. 3.

*Papa* ad qu. infama ipsius pervenerat, quod vir erat in negotiis bellicis strenuus & circumsp. *Electus*, (an ill qualification for a † *Bishop*, in *St. Paul's* judgement) & procurante eodem *Papa*, in *Curia Romana* postulatus est in electum *Leodiensem*, & nihilominus tamē, ut electus *Valentinus* diceretur & esset, mutato solummodo nomine; scilicet, ut diceretur electus *Leodiensis*, & procurator *Valentinus*, ut abusus vocabulorum vitaretur.

**Monstruosa humanæ cæcitatīs ambitio! Adhuc et ad Winton. non habito tamen respectu ad officium Pontificale, sed emolumentum temporale, Rege favente totis nīsis adspirabit.** Which *Matthew Paris* thus relates.

\* Mat. Paris,  
P. 499.

\* Tunc temporis vocatus est *Willielmus* electus *Valentinus*, procurante *Papa* (quia, ut dicebatur, proposuit eum habere ducem exercitus sui contra Imperatorem) ad Episcopatum *Leodiensem*, retenta procuratore *Valentini* Episcopatus, quasi non esset notatus de perpetrato homicidio: unde nec mirum, si cum stupore admirarentur hæc audientes, quod adhuc tam anhelō spiritu ad Episcopatum *Wintonia* aspiravit, Regemque *Anglia* diligentem ad hoc constituit procuratorem.

\* Mat. Paris, p.  
509.

**Heu, heu, quæ numerosa pecunia Curiam Romanam adconsensum et permissionem inclinavit?** \* Circa idem tempus, Rex vehementer oppressit Ecclesiam *Wintoniensem*, & quendam alienigenam, contra voluntatem totius Conventus, in eandem violenter intrusit, ut præesset Conventui: (because they opposed the election of this Bishop *W. de Valentia*) Qui inordinate se gerens, timore Dei postposito, omnia subvertit, omnes pervertit: & thesaurum Ecclesiæ dilapidando, soli Regi placere cupiebat. Unde libera electio Monachorum, dum idem Prior adulterinus fere medietatem stellarum secum cauda sua traxit, periclitabatur, & multorum corda ad electionem *Willielmi* avunculi Reginæ in Episcopum, corrumpendo inclinavit: Rex enim ad hoc summo nisu anhelabat. But this *William*, cum a Domino *Papa* impetrasset, ut in Episcopum *Leodiensem* eligeretur, & Episcopatum *Wintoniensem* obtineret: apud *Viterbium* potionatus, ut dicitur, diem clausit extremum, die omnium Sanctorum, procurante Magistro *Laurentio Anglica*, sed postmodum eo rite purgato. Quod cum *Papa* audisset, doluit nimis, quia proposuerat de ipso facere ducem militiæ suæ in bello suo contra Imperatorem: **et sic iteo eundem quasi monstrum spirituale, et belluam multorum capitum effecerat.** Noverat eum ad stragem strenuum, ad cædem pronum, ad incendia protervum: Magistrum Regis *Anglia*, amicum Regis *Francorum*, sororum utriusque, avunculum Reginarum, fratrem Comitis *Sabandia*, & aliis multis vel affinitate, vel consanguinitate confederatum. Sed hæc mors inopinata, omne hoc propositum transmutavit. Rex autem, cum hos lugubres rumores audivit, non se præ dolore capiens, scidit vestimenta sua, & ea projecit in ignem; & rugitum magnum emittens, noluit alicujus admittere consolationem. Regina quoque, quam causa familiarior stimulavit, funus avunculi deflevit tempore diuturno. So much was the death of this warlike, wicked, unpreaching, avaritious scandalous Prelate lamented, especially by the Pope.

\* Mat. Paris,  
Hist. Angl. Edit.  
Londini 1640.  
P. 519.

After his death, \* Monachi *Wintonienses* a Romana Curia redeuntes, a Domino *Papa* impetrarunt, ut nullam alienigenam personam, & invisam universitati Regni, per Regis acerbam instantiam, vel imperiosas ejus preces in suarum animarum custodem & Episcopum eligerent; sed rite, ut justum & Canonicum est, quemcunque viderent idoneum, libere & sine exactione in suum Antistitem sumerent & Pastorem. **Quapropter Dominus Rex in vehementem iram excanduit, quasi non potens invenire Angligenam illi Episcopatu sufficentem.** Et ex tunc Prior ille, quem Rex intruserat, diligentem curam adhibuit; ut constantiam Monachorum enervaret, & eorum qui pro Ecclesia hætenus viriliter steterunt, concordem unitatem dissiparet.

\* See here p.  
450, to 455.

Though *K. Henry* the 3d. was very obsequious to this Pope *Gregory*, yet the Pope was so unchristianly malicious towards the Emperor *Frederick*, (who married his sister by this \* Popes solicitation) that he grew extremely angry with *K. Henry* for sending some few *English* Souldiers and money to the Emperour, to help subdue the *Italians*, who rebelled against him, and for writing an Epistle to him, to deal more mildly

mildly with him, so that he neglected all busineses, especially such as related to the King and *English* for a season, although his intended General the Bishop of *Winchester* cautelously passed over with *Trumbleville*, laden with monies and plate, to assist the Pope. \* Eodem anno; statim post Pascha, misit Dominus Rex *Anglia* militare præsidium ad Dominum Imperatorem iuvandum contra rebelles suos, in partes *Italicæ*, sub ducatu *Henrici de Trumbleville*, viri in re militari peritissimi. Cum quo etiam misit *J. Mansell*, & *Willielmum Hardel* Clericum, & Civeim *Londinensem*, cum pecunia stipendiariis distribuenda. Et strenue per totam ætatem exercitus Regis Imperatori militavit; & quarundam Civitatum Cives, volentes obstarè, vicerunt, & Imperio reddiderunt: ubi strenue se dictus *J. Mansell* gessit. Quod Papa nimis moleste tulit. Et circa idem tempus, direxit Rex elegantem Epistolam Papæ: petens ut mitius ageret cum Domino Imperatore; Quod gravius accepit Papa, secus respondens quam deceret, et commotus est in tantam iram, ut per aliquod tempus omnia negotia, præcipue *Anglicorum*, suspenderentur. Cumque audiret electus *Valentiæ*, quod profecturus esset talis exercitus in *Italiam*: caute, quasi Dux eorum; associavit se Domino *Henrico de Trumbleville*, & cum eo transfretavit. Sub illis quoque diebus, electus *Valentinus*, videns nulli placere moram suam in *Anglia*: sponte, vel invitatus, caute tamen, quia citellis suis refertis, & equis oneratis auro & argento & vasis Regalibus, transfretavit.

\* Mat. Paris, p. 454, 455.

These \* differences and Wars between the *Emperor*, *Pope*, *King*, *Italians*, and *Greek Church*, upon the Popes account, hindred the Emperors voyage to the Holy Land, and ayde of the Christians against the Sarazens.

\* Mat. Paris, p. 450, 455, &c.

The same year, \* Dominus Legatus *Otho*, omnes Abbates *Anglia* Nigri ordinis Auctoritate Domini Papæ citavit, ut coram eo apparerent *Londini* in Ecclesia Sancti Martini: de statutis, quæ Dominus Papa, habita deliberatione, ordinavit, de ordine Monastico refozmando, tractaturi. Abbatibus igitur ordinis Nigri congregatis, exorsus est Dominus Legatus sermonem elegantem; & animans omnes ad patientiam, incepit sic: In nomine Domini nostri *Jesus Christi*, *Patris*, & *Filii*, & *Spiritus Sancti*, Amen. Cum grande sit opus & arduum, Civitatem Dei, quæ est religio, novis & innovatis propugnaculis præmunire: contra versuti hostis insidias, qui eam novis & antiquis jugiter nititur machinis debellare: Nos *Otho*, miseratione divina, Sancti *Nicholai* in carcere *Tulliano* Diaconus Cardinalis, Apostolicæ sedis Legatus; ex injuncto nobis Legationis officio, ad juvandum pro viribus tam favorable opus nos obnoxios reputantes, quædam tum ex Sancti *Benedicti* Patris regula, tum ex sacris Conciliis & Canonis sanctionibus, tum ex statutis Abbatum ordinis ejusdem beati *Benedicti*, colligi fecimus & notari: quæ si servata fuerint, sacræ religioni erunt in subsidium & tutelam. After which follow severall Canons and Statutes, recorded at large by *Matthew Paris*, for regulating the abuses among Monks and Nuns, whereof this was one, relating the grosse Symony then in use among these pretended Religious Orders. (a) Quoniam Symoniaca labe pleraque Moniales infecit, ut vix aliquas sine pretio recipiant sorores, paupertatis pretextu, volentes hujusmodi intolerabile vitium & scandalum totius religionis palliare: Ne id de cætero fiat, penitus inhibemus. Statuentes, ut quæcunque de cætero talem commiserit pravitatem, tam recipiens, quam recepta (sive sit subdita, sive Prælata) sine spe restitutionis, de suo Monasterio expellatur: in aliquem locum arctioris & strictioris regulæ, ad agendam pœnitentiam retrudenda. De his autem, quæ ante hoc Synodale statutum taliter sunt receptæ, ita duximus providendum: ut remotæ de Monasteriis, quæ sic perperam sunt ingressæ & receptæ, in aliis locis ejusdem ordinis collocentur. Quæ si forte, propter earum nimiam multitudinem alibi nequiverint commodè collocari; ne damnabiliter iterum in sæculo evagentur, recipiantur in eisdem Monasteriis dispensative; de novo mutatis Prioribus locis, & inferioribus deputatis & assignatis. He closeth his Canons thus. Hec etiam circa Monachos, vel alios regulares, decernimus observandum. Verum, ne per simplicitatem vel ignorantiam se valeant excusare, præcipimus ut Diocæsani Episcopi singulis annis hoc faciant per suas Diocæsas, de verbo ad verbum fideliter publicari, &c. His igitur perlectis, Abbates & Priores congregati, audientes quod sancta religio per hoc non modicum reformatâ, foelix susceperet incrementum, verbum quasi hostiam cœlitus missam cum omni alacritate & unanimi consensu susceperunt, facientes hoc in omnibus suis Capitulis publicari, transgressores ejusdem, graviter disciplina regulari

Anno 1238.

\* Mat. Paris, Hist. Angl. p. 459, to 465.

a Mat. Paris, p. 463, 464. De Symonia.

Acceptis Statutorum.



regulari percellendo. Fecerunt autem quamplures hæc in martyrologia scribi: ut sæpius in Capitulo recitata, sicut solet regula beati *Benedicti*, audientium cordibus inhaerent.

b Mat. Paris, p. 465, 564.

(b) Anno 1238. Dedicatæ sunt nobiles Ecclesiæ conventuales, in Diocesi *Lincolniensi*, in *Marisco*, videlicet *Ramefeie*, *Burgi*, & *Sauterie*, a Venerabili Episcopo *Lincolniensi Roberto*. Ecclesia *Ramefeie*, decimo Calend. *Octobris*, die scilicet Sancti *Mauritii* sociorumque ejus. Ecclesia de *Burgo*, quarto Calend. *Octobris*. Ecclesia de *Sauterie*, eadem septimana. The next year, (Anno 1239.) Dedicata est Ecclesia conventualis *Abendunensis*, similiter Ecclesia de *Welles*, & Ecclesiæ *Eveshamensis*, *Glovernensis*, *Theneburienfis*, *Wicumberienfis*, *Perforensis*, *Alencestrensis*, & multæ aliz Ecclesiæ per totam *Angliam*, secundum Constitutionem *Londini* per Legatum *Ottone* celebratam. Which Constitution runs in these words. (c) Basilicarum dedicatio, a veteri Testamento initium dignoscitur habuisse, & in Novo est a Sanctis Patribus observata; in quo est eo dignius & studiosius faciendâ, quo in illo tantum offerebantur hostiæ animalium mortuorum: in isto vero cœlestis hostia viva & vera, ipse scilicet unigenitus Dei filius, in altari offertur pro nobis, manibus Sacerdotis. Quare statuerunt provide Sancti Patres, ne in aliis locis quam Deo dicatis, nisi necessitatis causa, celebraretur officium tam sublime. Porro, quia vidimus per nos ipsos, & a plerisque audivimus tam salubre ministerium contemni, vel saltem negligi a nonnullis, dum multas invenimus Ecclesias, & etiam Cathedrales, quæ licet sint ab antiquo constructæ, nondum tamen sunt consecratæ oleo Sanctificationis. (An argument that their consecration was not so necessary as this Constitution pretends.) Volentes huic periculosa negligentia obviare, statuimus, & statuendo præcipimus, ut omnes Ecclesiæ Cathedrales, Conventuales, & Parochiales, quæ perfectis parietibus sunt constructæ, infra biennium, per Diocesanos Episcopos, ad quos pertinent, vel eorum autoritate, per alios consecrentur. Sicque infra simile tempus fiat de cætero construendis. Et ne tam salubre statutum transeat in contemptum, si loca hujusmodi non fuerint infra biennium a perfectionis tempore dedicata, a Missarum solenniis usque ad consecrationem, manere statuimus Interdicta; nisi aliqua rationabili causa excusentur. Ad hoc, ne præsumant Abbates, Ecclesiarum rectores, antiquas Ecclesias consecratas, sub prætextu pulchrioris vel amplioris fabricæ faciendæ, diruere, absque licentia Diocæsani Episcopi & consensu, præsentis statuto districtius inhibemus. Diocæsanus vero diligenter consideret, utrum expediat dare licentiam, vel negare; & si dederit, attendat & intendant, ut opus quam celerius poterit, consummetur: quod extendi statuimus & volumus ad jam cœpta. De Capellanis vero minoribus, nil novi duximus statuendum. Consecrationes earum, qualiter & quando fieri debeant; diffinitionibus Canonis relinquentes.

c Mat. Paris, p. 433. See Gratian de Consecratione, Dist. 1. Bochartus Decreta Eccles. Gal. l. 4. Tit. 1. Hostiensis Summa l. 3. Tit. De Consecratione Ecclesiæ, Summa Angellica & Rosella, Tit. Consecratio. \* Christ and his Apostles instituted and celebrated it always in unconsecrated places.

On what weak and false grounds these Consecrations were prescribed, appears by this Constitution; the chief end whereof was only to gain monies by such consecrations, made with most ridiculous, absurd, superstitious Ceremonies, Formalities, Conjurations, and Prophanations of sacred Scripture, as those who please may read at large in *Pontificale Romanum*, p. 209, to 282. cap. *De Ecclesiæ Dedicazione*: and in *Matthew Parker* Archbishop of *Canterbury*, his *Antiquitates Ecclesiæ Britanniæ*, p. 85, 86, 87. Bishop *Pilkington* his *Exposition of Aggeus*, cap. 1. vers. 7, 8. & cap. 2. vers. 2, 3. *Thomas Bacon* his *Reliques of Rome*, and Mr. *Calfhill* his Book against *Marshall*, fol. 91, 92, 93. who censure them as (d) *Superstitious and Papal Innovations*.

\*d See my *Canterburies Doom* p. 114, to 127.

Pope *Gregory* being informed that King *Henry* the 3d. by ill advice had alienated, or given away, and dissipated to sundry Bishops, Churches, and Noblemen, divers Liberties, Possessions, Dignities, and other things appertaining to the Right and State of the Crown of *England*, to the great prejudice of the Church of *Rome*, to which the Realm of *England* was well known to belong, obliging himself by his Charters and Oathes, not to revoke those Grants and Charters, commanded the King to revoke them, notwithstanding his Oathes, by this Bull, which I found extant under Seal in the *White Tower*.

Anno 22 H. 3.

**G**REGORIUS Episcopus servus servorum Dei, Charissimo in Christo filio illustri Regi *Angliæ*, salutem & Apostolicam Benedictionem. *Gravi sumus turbatione commoti, quod sicut audivimus, quorundam minus discreto*

discreto ductus consilio, Libertates, Possessiones, Dignitates, et alia quamplura, quæ ad jus et statum Coronæ spectabant, in grave præjudicium Ecclesiæ Romanæ, ad quam Regnum Angliæ pertinere dignoscitur, et enormem læsionem ejusdem Regni, in plures Prælatos, Ecclesias, et alios Magnates Angliæ liberalitate improvida dispersisti, et de non veniendo contra alienationem hujusmodi te Juramentis, ne non instrumentis publicis obligasti. Attendentes igitur quod ex alienatione prædicta, sedes Apostolica, cui præjudicare minime potuisti, non modicum læditur, et Regnum ipsum vix subsistere poterit, cujus honor particularibus diminutionibus enervatur; Serenitati tuæ præsentium auctoritate mandamus, quatenus Juramentis et instrumentis prædictis nequaquam obstantibus, alienata prædicta revocare procures. Dat. Lat. an. x. Calend. Martii, Pontificatus nostri Anno Undecimo.

in sigill. } Gregorius  
Papa IX.

By colour of this Bull, the King revoked many of his Grants, as being invalid without the Popes consent, as the (e) forecited passage in *Matthew Paris* assures us, relating to this Bull (as I apprehend) though he placeth his revocations a year or two before the date thereof, since I find no other Bull preceding it, nor any intimation thereof in this, enjoining him to violate his former Oathes, or to recall his Grants of this nature.

Anno 1239. The Pope being informed by sundry frequent and almost daily complaints, of the insatiable avarice and rapines of *Otho* his Legate in *England*, resolved to recall him the second time in shew, but by compact between the King and Legate, still continued him at the Kings request, to increase their oppressions, exactions, instead of redressing them. (f) Dominus Papa audiens per crebras admonitiones & fere quotidianas, scandalum jam in dies magis ac magis de *Romanorum* insatiabili cupiditate & avaritia inextinguibili oriri in *Anglia*, vocavit Dominum *Othonem* Legatum suum: ut cum omni festinatione, *Romam* reverteretur. Quod audiens Dominus Legatus, convocavit omnes Episcopos *Anglia* ut *Londinum* die qua cantatur, *Lætare Hierusalem*, convenirent de reditu suo, & salvo conductu, communiter tractaturi. Dominus Rex vero, cum hoc audisset, timens sibi de Parlamento futuro in Octavis Paschæ, in quo adventum speraverat electi *Valentini*, & confidens de præsentia Domini Legati, cepit nimis contristari: & timere, ne Magnates aut Proceres terræ unanimiter insurgerent in eum, propter varios & crebros ejusdem excessus & transgressiones, contra suas proprias constitutiones, toties promissas ac juratas. Instantissime igitur procuravit Dominus Rex, ut missis expeditissimis nuntiis ad Dominum Papam, moraretur dictus Legatus in *Anglia*, ut per eam imminens turbatio sedaretur. Ipse vero Dominus Legatus, Regem id petentem nolens contristari, sustinuit expectando. (g) Legatus quoque ad Curiam *Romanam* maturando, a Rege, Archiepiscopis & Episcopis, Civibus quoque *Londinensibus*, in sermone quem propter hoc specialiter fecit, quasi irrediturus, humiliter salutavit. Equos nobiles sibi datos vendidit bonis conditionibus, & viles loco eorum comparavit: sarcinas disposuit, clitellas præparavit. Sed Rex credens eo absente expirare, totis viribus elaboravit parumper adhuc ut moraretur. Misit enim ad Curiam *Romanam* unum Legistarum suorum, quorum magnam catervam retinuit, quasi venator canes venaticos, super electores Prælatorum discopulandos, videlicet *Simonem Normannum*, ut impetraret a Papa, ut daret in mandatis Legato, quod adhuc in *Anglia*, ut multis obviaret ibidem periculis, remaneret. Nec fefellit eum sua opinio. Ecce enim omni suppellectili Domini Legati cum aliis viaticis dispositis, *Simon Normannus* venit, ei offerens Literas secundum desiderium Regis impetratas. Quibus Domino Legato obtemperante, Rex præ gaudio saltitavit. Quod comperientes nobiles, qui *Londini* infecto negotio suo, & timentes Legati mulcupulas, venerant, & comperientes vulpina diveracula Regis, recesserunt indignantes, & Regis verba sicut sophismata detestantes.

Soon after, (h) Vocavit Dominus Legatus omnes Episcopos Angliæ, ut in die qua cantatur, *Lætare Hierusalem*, convenirent *Londini*, de negotiis Ecclesiæ tractaturi. Et

Anno 1239.

f Mar. Paris, p. 467. Legatus domum vocatus manet in Anglia Rege procurante.

g Legatus non recessit procurante Rege.

h Mar. Paris, p. 467, 481.

i Concilium  
Londinense inter  
Episcopos  
Angliæ et Le-  
gatum.

k Mat. Paris.  
Hist. Angl.  
Mat. Westm.  
p. 152.  
Ingressus Le-  
gati in Scotiam.

de his ibidem cum diligenti deliberatione, quadam statuta Monachis Regi ordinari, sub  
succincta brevitate inviolabiliter observanda. In quibus, rigorem iudiciorum in multis  
temperavit. But this was only a specious popular Prologue to his design, new ex-  
actions being demanded from the Prelates, who took time to advise thereof till their  
next meeting; in pursuance whereof, (i) *Conveniunt omnes Episcopi Londoniæ,*  
*pridie scilicet Calendæ Augusti, de oppressionibus Ecclesiæ Anglicanæ tractaturi.*  
Erigebat enim Legatus, post quotidianas Exactiones, Procuratio-  
nes. Cui habito consilio, responderunt Episcopi communiter, quod  
toties bonæ Ecclesiæ exhausserat Romana importunitas, quod nullo  
modo amplius tolerarent: exhibeat vos, qui inconsulte vos docu-  
bit. Et sic non sine querulo murmure, a Concilio recesserunt.  
The Legate hereupon being defeated of his intended prey in England, resolved to  
make a new attempt to enter into Scotland, to make a prey of the Scottish Churches,  
under pretext of reforming them, where he met with great opposition from the  
King; thus related. (k) Eisdem diebus Legatus in Scotiam intrare festinavit, dis-  
positis rebus necessariis, & ducibus Anglicis, qui viarum si forte pararentur, infi-  
dias explorarent, iter arripuit, hospitium sumptuosa eligens in Abbatibus & Ecclesiis Ca-  
thedralibus. Et antequam Regnum Scotiæ intrasset, occurrit ei Rex  
Scotiæ, non acceptans ingressum suum. Dixit enim, quod nunquam  
aliquis Legatus, excepto illo suo, in Scotiam intrabit. Non enim,  
ut asseruit, opus erat: Christianitas sibi floruit, Ecclesiæ prospere se  
habebat. Et cum sermones multiplicarentur, et Rex fere ad con-  
tradiciendum erigeretur, confectum est scriptum intercedentibus  
utriusque Regni Magnatibus inter eos: cuius tenor fuit, ut nun-  
quam ratione illius adventus, talis consuetudo in consequentiam  
verteretur: insuper in recessu suo, scriptum illud signaret. Et hoc  
procuratum est, ne confusus in Angliam quasi repulsus reverteretur. Veruntamen  
mare non transiit: sed in bonis Civitatibus commorans cismarinis, vocavit Episcopos  
& nobiles terræ beneficiatos, & de rebus Ecclesiasticis ibidem pro libitu ordinavit,  
pecuniam non minimam colligendo. *Mat. Westminster* writes, that *Rufus* pro-  
hibente, Legatus ab omnibus Prelatis et Clericis beneficiatis 13.  
partem reddituum suorum Collegit: et Domino Papæ transmisit.  
Rege vero in interioribus terræ commorante, Legatus sine Regis  
licentiâ clam et subito recedens, prædictum scriptum asportavit.  
Such was his perfidiousness.

l Mat. Paris, p.  
495, 496, 497.  
Rob. de Tuinge  
Miles Romanus  
adiit.

m Magnates  
Angliæ ægre  
ferunt se privati  
jure patronatus  
Ecclesiarum.

The same year Sir Robert de Tuinge and other Patrons of Churches, being deprived  
of their Patronages and Rights of presenting to Churches, by the Popes and his Le-  
gates Provisions, thereupon the King writ and sent a sharp Letter to the Pope by Sir  
Robert, complaining against, and desiring speedy reformation of this Innovation and  
grievance, which the Pope in some measure redressed, thereupon. (l) Sub eisdem  
temporibus, quidam Miles de partibus Aquilonaribus Angliæ oriundus, summo nisu  
renuens colla iugo subdere Romanorum, super patronatu cuiusdam  
Ecclesiæ ad eundem Militem spectante (in quam Ecclesiam per Ar-  
chiepiscopum Eboracensem manus cupiditatis injecerant Romani)  
Romam adiit. Et cum gravem super hoc coram Papa querimoniam  
reposuisset, sub hac forma subscripta, meruit Literas impetrare.  
Per quod conjici potest, qua devotione viros Ecclesiasticos (a qui-  
bus impune licet sua Ecclesiastica bona rapere, pia Patrum intenti-  
one collata, et in sustentationem pauperum provisa) Romana diligit  
Ecclesia, semper hiens, semper importuna.

(m) Iplis quoque temporibus, Comites & Barones, & alii Magnates Angliæ, ad  
quos ab antiquo jus patronatus Ecclesiarum spectare dignoscitur, dolentes se privari  
sua libertate, et per cupiditatem Romanæ Ecclesiæ jure conferendi Ec-  
clesias enormiter privari, et alienigenas præcepto Papali illis vi-  
tari, quorum personas et conditiones penitus ignorabant, licet sero  
Domino Papæ scripserunt: & ipsam Epistolam per dictum Robertum de Tuinge Mi-  
litem,



tem, qui per eandem violentiam privatus jure suo super patronatu Ecclesiæ de *Luthnum* in Diocesi *Eboracensi*, conquestus est graviter nobilibus Regni, quod Archiepiscopus se asseruit nihil posse, vel contra Romanam Ecclesiam velle recalcitrare. Ipse igitur Robertus Romanam Curiam non segniter adiit, hanc Epistolam ex parte Magnatum Angliæ præsentans.

(\*) Excellentissimo Patri & Domino G. Dei gratia Summo Pontifici, devoti sui de *Cestria* & de *Wincestria*, &c. salutem, reverentiam promptam, & pararam, si placet, devotionem. Mergente jam navicula nostræ libertatis, progenitorum nostrorum sanguine subacta, prozumpentibus in nos plus solito perturbantium procellis, dormientem Dominum in navicula Petri cogimur excitare, acclamantes jugiter et una voce: *Domine salva nos, perimus*: Ut cum judicium & justitia sint correctio sedis ejus, unicuique nostrum jus suum tribuat, et conserve illæsum. Ne si secus fieret, corrumpente charitate, devotioneque deleta, provocarentur filii contra Patris viscera, et mutux dilectionis affectus, subintroducata injuria, penitus evanesceret. Cum igitur, Sanctissime Pater, a prima Christianitatis fundatione in *Anglia*, tali fuerint hætenus progenitores nostri gavisi libertate, quod decedentibus Ecclesiarum rectoribus, Ecclesiarum patroni personas idoneas eligentes, ac easdem Diocesanis præferebant, ab eisdem Ecclesiarum regimini præficiendas: verum \*vestris temporibus, de consuetudine vestra vel voluntate nescimus, talis contra nos invaluit adversitas, quod decedentibus Ecclesiarum rectoribus, quidam executores vestri, ad hoc dati, Ecclesias de patronatu nostro passim conferunt, in nostræ præjudicium libertatis, et in eminens periculum juris patronalis, licet super hoc pridem cautione litterarum Apostolicarum nobis prospereritis, continentium, quod decedentibus Ecclesiarum personis *Italicis* vel *Romanis*, autoritate provisionis vestre in Ecclesiis promotis, licite possemus personas idoneas præsentare: cujus oppositum videmus quotidie demandari, (*so little faith and truth was there then in Papal Bulls and promises*) de quo plurimum miramur, cum non debeat ab uno & eodem fonte, aqua dulcis & amara defluere. Sane licet hæc contra nos sit communis pestis introducta, pro qua contentiones, æmulationes, iræ, rixæ, nec non et cædes hominum poterunt fortassis exoriri, unius tamen compariū nostrorum afflictionem exempli gratia producere decrevimus in medium; ut quod contra eum & juris sui patronalis periculum hætenus est improvide procuratum, auctoritate vestra, si placet, revocetur in irritum. Cum igitur Robertus de *Tuirge* patronus Ecclesiæ de *Luthnum* decedente *N. Italico*, ejusdem Ecclesiæ rectore, personam idoneam præsentasset ad eandem; obstante mandato vestro, distulit ipsum admittere Dominus *Eboracensis*, licet contra personam præsentatam nihil inveniret quod obsteret, sed solam inhibitionem vestram prætenderet. Verum, cum in incendio vicinæ domus, nostrarum immineat periculum: vobis tanquam patri supplicamus, quatenus tam prædictum Robertum quam nos omnes et singulos prædicta libertate præsentandi Clericos nostros ad Ecclesias nostras vacantes libere uti permittatis: injungentes prædicto Archiepiscopo, quod *J. Clericum* ad prædictam Ecclesiam ab eodem præsentatum, pro quo etiam preces effundimus devotas, præsertim cum sit negotiis Regis & Regno nostro necessarius, nisi aliquod Canonicum obtulerit, non obstante priori mandato vestro, admittat: Ut ex hoc nos ad propensorem devotionem & famulatum Ecclesiæ provocetis: Ne cum sit jus advocacionis prædictorum feudorum, pro quibus Domino nostro militamus, cogamur illius invocare subsidium, qui iura et libertates Laicorum protegere tenetur et conservare. Valete.

Hereupon the Pope fearing a general revolt from him and the See of Rome, by the English as well as the Greeks and other Churches, if he gratified them not in some measure in this their just request, returned them this answer.

GREGORINS Episcopus, servus servorum Dei, dilectis filiis, nobilibus viris, *Rich. r. lo Comiti Pictavia & Cornubia*, & Baronibus *Anglia*, præsentibus

n. Litteræ Magnatum Angliæ ad Papam.

\* Then this mischief began as to Lay Patrons, though some years before this Letter.

\* Mat. Paris, ii. l. i. m. Litteræ Papales ad Magnates.

litteras inspecturis, salutem, & Apostolicam benedictionem. Cum ex operibus nostris, quæ plenum perhibent testimonium veritati, sit liquidum universis, quod nos personam Charissimi in Christo filii nostri, Illustræ Regem & Reginam inter alios Reges & Principes Orthodoxos & regna, in quibus nomen colitur Christianum, in Charitatis visceribus specialiter gerimus, & pacem ac tranquillitatem eorum propensius affectemus, rite præsumi non potest, & omnino credi non debet, quod nos, quantum cum Deo possumus agere, seu tolerare velimus, quod iuste possit honorem regis serenitatis offendere, aut in eodem regno scandalum generare. **Unde cum intentionis nostræ non fuerit nec existat, ut beneficia in Regno Angliæ constituta, quæ ad præsentationem pertinent secularium patronorum, auctoritate nostra cuiquam conferantur,** sicut ex quibusdam literis nostris, quondam in *Angliam* destinatis, quarum tenore de verbo ad verbum celsitudini Regis, sub bulla nostra duximus destinandum, colligitur evidenter; comperto nuper ex ejusdem Regis & vestrarum continentia litterarum, quod quidam prædicti regni miles in Ecclesia de *Lathun. Eboracensis* Diocesis, quam olim cuidam de partibus nostris Clerico, ignorantes quod præsentatio ad Laicum pertineret, contulisse dicimur, jus obinet patronatus, prælibati Regis & vestris precibus inclinati, **concessionem eandem auctoritate Apostolica revocamus,** venerabili fratri nostro Archiepiscopo *Eboracensi*, nostris dantes literis in mandatis, ut eum quem dictus miles ad præfatam ecclesiam duxerit præsentandum, admittat & instituat in eandem, prout pertinet ad eundem, diuturnitate temporis cum per ipsum minime steterit non obstante, dummodo aliud sibi rationabile non obstat. Tenore præsentium districtius inhibendo, **ne alicui de cætero liceat Ecclesias prædicti Regni, in quibus laici sunt patroni, præter eorum assensum, Apostolicæ sedis auctoritate conferre.** Datum, &c. (It is observable that the Kings and Clergies rights of presentation were not privileged by this Letter from his Papal usurpations on them by Provisions, Translations, Appeales, and Cassations of the persons elected which were by them still continued.)

As the Pope Writ to the Nobles of *England*, so he directed his Letters to his Legate to the same effect, concerning the Advowsons and Benefices of Lay Patrons.

Mat. Paris,  
Ibidem.  
Littera Papæ ad  
Legatum.

**G**REGORIUS Episcopus, servus servorum Dei, Legato salutem. Ad tuam volumus notitiam pertinere, quod cum intentionis nostræ non fuerit, nec existat, ut beneficia Regni Angliæ, quæ ad præsentationem secularium pertinent patronorum, auctoritate nostra cuiquam conferantur; nos nuper ex charissimi in Christo filii nostri Regis illustris, et nobilissimum viro Comitum et Baronum Angliæ insinuatione comperto, quod quidam in regno *Angliæ* miles, in Ecclesia de *Lathunum*, *Eboracensis* Diocesis, quam olim cuidam de partibus nostris Clerico, ignorantes quod præsentatio ad laicum pertineret, contulisse dicimur, jus obtinet patronatus: Regis & nobilium eorundem precibus inclinati, concessionem eandem auctoritate Apostolica revocantes, venerabili fratri nostro Archiepiscopo *Eboracensi*, nostris dedimus literis in mandatis, ut eum quem dictus miles ad præfatam ecclesiam duxerit præsentandum, admittat & instituat in eandem prout pertinet ad eundem, diuturnitate temporis cum per ipsum minime steterit non obstante, dummodo aliud rationabile non obstat, **districtus inhibendo, ne alicui de cætero liceat Ecclesias Regni prædicti, in quibus laici sunt Patroni, præter eorum assensum Apostolicæ sedis auctoritate conferre.** Datum, &c. *Per hæc & his similia, perpendi potest in libra rationis evidenter* (It is *Matthew Paris* his observation) quanti in his temporibus mundi senescentis, constet juris rigor et Ecclesiæ reverentia, et pietas religionis. Solum enim data sunt in direptionem et prædam possessiones personarum Ecclesiasticarum et imbellium religiosorum. Jamjam igitur in antiquum Chaos mundus ruere comminatur.

Mat. Paris, Hist.  
Angl. p. 467.  
468.

Tempore sub eodem *Petrus Saracenus*, this Popes agent in *England* (taken and kept Prisoner by the Emperor passing from *England* towards *Rome*, for acting against him) quem dominus imperator *Fredericus* in vinculis pro redemptione sua detinebat, obtulit

tulit decem millia librarum bonorum esterlingorum ut sic saltem redemptus & liberatus, gratiam mereretur Imperialem. Quod annuit dominus Imperator, si Rex *Anglia* amicus suus pro tantæ pecuniæ solutione, & ne iterum Imperialem, ipse dictus *Petrus Saracenus*, vel aliquis suorum læderet dignitatem, occasione nacta ex hoc, fidejuberet. Et scripsit etiam prædictus *Petrus Saracenus* ad dominum Papam & amicos suos, ut exhortarentur dictum dominum Regem *Anglia*, per dominum Legatum & alios Regi familiares, ut, sicut erat semper pronus & promptus, effundere pecuniam suam in promotionem *Romanorum*, sese & Regnum suum obligaret ad prædicta. Cum igitur dominus Legatus hujus negotii diligens esset mediator & procurator, dicebat, quod nullo modo posset suo Nuntio incarcerato deesse honeste. Dominus Rex autem videns paratam sibi muscipulam, & quantum esset periculum regni ipsius, id suis *Romanis* nihil curæ esse, dummodo sua salvarentur sibi, proflit in verba iracundiæ: jurans, quod poenituit ipsum, quod Legatum in regnum suum, qui bona terræ jam dissiparet, et confundens fasque nefasque, relictis honestis viris *Anglia*, advocasset. Facta est igitur *Anglia* eo tempore sub talibus Potentatibus, quasi vinea, quam vindemiant omnes qui prætergrediuntur viam, non habens ullam maceriam includentem, aut custodem vel vigilem satis diligenter excubantem. Nam quod semel vetuit, permittit iterum tepor Ecclesiasticus.

The same year there fell out sundry contests between the Archbishop of *Canterbury* and the Monkes there, and the Bishop of *Lincolne* and his Dean and Canons, about their Jurisdictions, Priviledges and Visitations, which begat Appeals to *Rome*, thus related. Eo quoque tempore, aggravavit dominus Archiepiscopus *Edmundus* manum suam super Monachos suos. Et interdicta est Ecclesia Monachorum *Cantuariensium*; & novum quem sibi elegit Conventus Priorem, cum ipsis electoribus sententia excommunicationis innodavit. *Lincolniensis* quoque Episcopus, religiosorum in sua Diocæsi, factus est malleus et immanis persecutor. Nimirum in suos Canonicos propriæ Ecclesiæ Cathedralis, qui eundem creaverunt, insurgens, exegit instanter, ut postposito decano *Lincolniensi*, ab ipso Episcopo, contra consuetudinem ecclesiæ infra tempus cujus non extat memoria, visitarentur. Ipsi vero insistentes appellationi, tempusque protelantes nimiumque altercantes, tandem compromiserunt in Arbitros: scilicet, dominum Episcopum *Wigornensem* *W.* & ejusdem Archidiaconum, & Magistrum *A. de Blefcites*, Qui si non Canonice processissent, liceret utrique partium, ad Dominum Papam iterum appellare, cessante interim utraque partium a visitatione. In qua adjectione, hoc, Cessante interim utraque partium a visitatione, videtur pars Canonicorum periclitari: Episcopus enim nunquam visitavit, nec potest cessare qui nunquam incipit: sicut nec *Diogenes*, quæ nunquam habuit cornua amittere. Veruntamen Decanus, pro quo Canonici certaverunt, visitare cessaret, & sic videtur possessione privari vel ad horam, unde murmure multiplicato, caput oriri scandalum gravissimum. Mota igitur lite & controversia usque ad iracundiam, non permiserunt Canonici Episcopum in Capitulum, nec ullam super eos facere visitationem: Et prætulit graviter super se talem Episcopum de tam humili creasse, & hoc publice coram ipso eodem Episcopo proteitabantur. Facta contentione magna, & utrobique inutiliter profusis expensis non modicis, appellatum est ad præsentiam Domini Papæ: Constituto magistro *Odono de Kinkenni* Advocato, ex parte Capituli: Uno dierum casus contigit admirabilis. Dum unus Canonicorum, causam fovens Capituli, sermonem faciendo populo in medio illius nobilissimæ Ecclesiæ *Lincolniensis*, querimoniam reposuit coram omnibus, de oppressione Episcopi, & ait: Et si nos taceamus, lapides reclamabunt. Ad quod verbum, quædam magna pars Ecclesiæ corruit dissoluta.

This year *Magister R. de Meideneston*, Episcopus Herefordensis, sponte cedens Episcopalis, Episcopatus, 16. Calendas Januarii, habitum fratrum minorum apud Oxoniam accepit.

The same year there arose sundry contests and transactions, about the election of Bishops thus reported.

Mat. Paris, p. 468. Cantuariensis Episcopus molestatur Monachos.

Contentio inter Episcopum Lincolniensem & suos Canonicos.

Mat. Westm. Anno 1239. p. 151. 152. Godwins Catalogue of Bishops. p. 317.

Sub



\* Mat. Paris,  
Hist. p. 467.  
469, 472, 473.  
498, 500, 505.  
Cassanur Ele-  
sti Norwic, &  
Cicester, Epif.

Sub eisdem temporibus cassati sunt, Rege procurante (eo quod propositum suum ad votum non processerat de electione *Willielmi Electi Valentini*) Electus *Norwicensis*, Prior ejusdem domus, vir discretus, & per omnia commendabilis, & postulatus in Episcopum *Wintoniensem*, Episcopus *Cicestrensis*, scilicet Dominus *R. Cancellarius*, vir fidelis & discretus, & tere inter omnes Aulicos singularis columna veritatis. *The King soon after repented of this unconsiderate action, not only in vacating his election, but taking the great seal from him, whereupon he courted him to resume his Chancellors Office, which he refused to do.*

Mat. Paris, Hist.  
Angl. p. 469.  
Rex tentat re-  
vocare Cancell.

Tunc temporis, Rex dolens de facto suo nimis enormi & indiscreto, quod dominum Episcopum *Cicestrensem*, Cancellarium, qui irreprehensibiliter officium suum diu ante administraverat, secus quam deceret, ablato sigillo, à se & Curia sua repulerat, eundem blanditiis & promissis attentavit revocare, Sed ipse malens quietem quam curas: & emolumentum sigilli quam pericula: noluit incidere in laqueos quos evasit; recordatus qualiter ipsum vocatum, & instanter postulatum ad Episcopatum *Wintoniensem*, cassari perperam procuravit Dominus Rex, cui tam diu tam fideliter, patrique ejus in alio obsequio, ministravit.

*Radulphus* Bishop of *Coventry* deceasing, the Monks obtaining a License from the King to Elect a new Bishop, resolved to chuse such a one in the Kings favour, as he would not probably refuse.

Mat. West. p. 191.  
Mat. Paris p.  
457. Godwins  
Catalogue of  
Bishops. p. 345.  
258.  
Eligitur W. de  
Ræle in Epif.

Et tunc temporis circa festum Sancti *Matthie*, Monachi *Coventrenses*, videntes Regem in electionibus processum canonicum procaciter semper impedire: nec in aliquem electum ab eis consentire, nisi cui favor Regi us inclinasset; ne amplius Ecclesia sua, per diuturnam & morosam expectationem, pateretur dispendia & damna irreparabilia: dominum *Willielmum de Ræle*, domini Regis Clericum specialem, virum discretum, & legum terræ peritissimum, in Episcopum suum & animarum suarum pastorem, (utpote eum, in quo rationabiliter nævus reprobationis vel contradictionis non apparuit) unanimiter & communi consensu elegerunt.

But he taking time to deliberate, whether he should accept of their Election, was in the interim chosen Bishop of *Norwich*, which Election he embraced, refusing that of *Coventry*. Whereupon the Monks of *Coventry* proceeded to elect another, who absolutely refused to accept thereof, though much importuned both by the Monks and Canons of *Lichfield*, \* who claimed a voyce and right in the Election, which *Matthew Paris* thus reports.

\* Godwins Ca-  
talogue. p. 258.

Electio Williel.  
de Ræle in Epif.  
Norwic.

Monachi quoque *Coventrenses*, qui jam composuerant honestam formam eligendi, cum Canonicis *Lichfeldensis* Ecclesiæ, unanimi consensu *Willielmum de Ræle*, cum, ut prælibatum est, sibi in Episcopum suum elegissent, timentes ne si alium quam Regi specialem accepissent, Rex in faciem contradicens, eos more solito inquietasset: pendens electus idem *Willielmus* adhuc hæsitasset, & adhuc, utpote vir miræ prudentiæ & experienciæ, eventus futuros libra rationis trutinaret: videntes Monachi *Norwicenses*, se jam expectasse nimis, eo quod eundem *Willielmum* in Episcopum suum non elegissent, in qua electione nec Regem, nec alium offendissent, statim in unum convenientes, ipsum *Willielmum de Ræle*, sibi in Episcopum suum elegerunt. Ipse vero *Willielmus*, Episcopatu *Norwicensi*, spreto alio Episcopatu quem favore subaravit, adhæsit. Maluit enim manere cum *Anglicis* in *Anglia*, quam cum indomitis *Walesibus* in *Wallia* contermino.

Anno 1139.  
Mat. Paris,  
Hist. Angl. p.  
498. Mat. West.  
p. 153.  
Consecratio  
Willi. de Ræle  
in Epif. Norwi-  
censem.

*After which he was consecrated Bishop of that Sec.* Anno quidem eodem *Willielmus de Ræle* rite in Episcopum electus *Norwicensis* in Ecclesia sancti *Pauli Londinensi*, ab *Admundo Cantuariensi* Archiepiscopo, præsentè infinita Prælatorum & Magnatum multitudo, munus consecrationis accepit. Cujus cum prognosticum esset, *Gaudium est Angelis Dei super uno peccatore pœnitentiam*, &c. Omnes bonam spem de ipso conceperunt, ut quasi alter *Marthæus*, qui de telonia ad Apostolatam & Evangelii auctoritatem, sic de curiali occupatione ad magnæ sanctitatis culmen subvolarat.

The Monks of *Coventry* thus defeated of their expectation, proceeded to a new election, and chose *Nicholas de Fernham* for their Bishop, who refused to accept thereof, both in respect of his own insufficiency to undergo the weight and burden thereof, and in regard the Monks elected one, and the Canons another, which made the business litigious, whereupon he constantly refusing it, the Monks of *Coventry* con-  
sented

sented to his Election, yet he still peremptorily resolved not to accept thereof; whereupon they at last chose *Simon de Pateshull*, who accepted it.

Eodem tempore, postulatō siue electō *Willielmo de Rale* ad regimen Ecclesiæ *Norwicensis*, & assensum tam populo præbente, quam Clero, Monachi *Conventus* instanter procurarunt in negotio suo de aliquo idoneo pastore sibi eligendo, ne merito reprobanda electione amplius vexarentur: Elegerunt igitur Magistrum *Nicholaum de Fernham*, virum optime literatum, & quod pluris est, multiplici virtutum gratia decoratum, statura elegantem, discreto sermone facundum, vultu & gestu maturum & modestum; ne nævus reprobationis propositum eorum possit impedire. Quod cum Rex acceptasset, & Clerus, & populus: Magister *Nicholaus*, ut vir profundus pectoris, videns rem esse litigiosam, & in confinio Regionis *Anglicanæ*, & reputans se more humilis & discreti, tanto oneri insufficientem, ponderantque tot animarum custodiendarum onus periculosum, in reddenda ratione, noluit aliquo modo acquiescere, sed oblatum omnis cum honore constanter recusando, resignavit. Erat nempe res ita litigiosa inter Monachos & Canonicos, quod affirmaret pars Canonicorum tunc debere eligere, eo quod juxta formam, qua conquievit lis inter eos mota, celebrata electione una per Monachos, secunda electio ad Canonicos devolveretur. Sed Canonicis talia proponentibus, Monachi responderunt, electionem annihilatam ad effectum non pervenisse, nec finem fuisse sortitam per eventum non opinatum, quem ordinatio divina, non sua præmeditatio, quæ omnia secundum voluntatem suam dispensat, disposuerat. Dixerunt Canonici: *Nolumus vos ignorare, quod placet nobis electus vester, qui etiam ad majorem dignitatem sufficeret; sed nobis forma displicet eligendi, cum ad nos jure deputatur electio, non ad vos, & hoc bene per factum nostrum probavimus. Elegimus enim nobis Decanum nostrum in Episcopum & custodem animarum nostrarum.* Et cum insonuisset tumultus, qui comminaretur damnosam imminere discordiam, Decanus vir pius, & discordiam volens terminare, exaltando vocalia publico, ait: *Sinite, sinite, nescio qua ratione me insufficientem ad omnes Episcopatus assumptis. Tota mente, tota corde commendo, et cedo: Sed quiescat iste tumultus, & ad hæc omnes unanimiter illi bono viro, de quo tanta bona prædicantur hac vice; Salvo tamen jure suæ Ecclesiæ utrobique, miserunt omnes unanimiter, tam Canonici quam Monachi, ad dictum Magistrum *Nicholaum*, significantes, quod omnes qui prius dissidebant, in unum jam conveniant, ipsumque elegerant: suppliciter exorantes, ut honorem, licet onerosum, sibi in Domino, & pro Domino oblatum, grateranter suscipere dignaretur. Quibus Magister *Nicholaus* respondit: *Grates vobis rependo multisplacitis junctis manibus, vos amici & Domini mei, tam Canonici quam Monachi, in quorum oculis tanti eram, ut me qualem qualem in pastorem vobis elegissis. Sed, amici mei, sufficit mea conditio mihi, & me gravat jam commissum onus vehementer, & cura ac custodia ratioq; animarum mihi commissarum, sollicitas & perterret.* Quiescite igitur, quiescite, fratres charissimi, amplius me in hoc negotio inquietare. Dico enim vobis præcise, siue consentiatis, siue non, non acquiesco. Quod cognoscentes alii, inito consilio, elegerunt secundum prædictam formam, Dominum *Hugonem de Pateshull* (filium præclari viri Domini *Simonis de Pateshull*, cujus sapientia aliquando tota *Anglia* regebatur) Canonicum Sancti *Pauli Londinensem*, & Domini Regis Cancellarium, in Episcopum & custodem animarum suarum. Ipse vero, ut vir honestus & discretus, habita deliberatione morosa, cogitans de illo Apostolico, scilicet: *Qui bene administrat, bonum gradum sibi adipiscitur*, & alibi: *Qui Episcopatum desiderat, bonum opus desiderat*: tandem motus & misertus super Ecclesiæ desolatione, & lachrymis petentium, laboribus, curis, & expensis, acquievit, ut tristitia eorum in gaudium verteretur. *Which election was confirmed the year following.* † Eodem tempore confirmata est electio *Hugonis de Pateshull*, electi *Conventus*. Qui cum *Thesaurarius* Domini Regis per aliquot annos antea fuisset, & se ibidem irreprehensibiliter habuisset; sedens ad Regis *Scaccarium*, accessit ad omnes Barones *Scaccarii* sedentes ibidem, secundum solitum ordinem suum, & cum omnes assurgerent ei, solitum honorem impendentes, ait eis: *Amici mei, et socii charissimi, valedico vobis, non recedens unquam a vobis, sed a Scaccario: vocavit me Dominus, licet indignum, ad Regimen animarum.* Et cum prorupissent in singultus verba sequentia, omnes singularim ostentatus est, pro recessu ipsius tenerrime lachrymantibus. (A good president for all Bishops, to desert all secular offices and employments, when called to the cure of souls, sufficient to take up a whole man.) This*

Mat. Paris, p. 472, 473. Godwins Catalogue of Bps. p. 245, 258. Electio Magistri Nicholai de Fernham in Episcopum Cestr.

† Mat. Paris, p. 505. Mat. West. p. 154. Godwins Catalogue of Bishops, p. 258. Electio Hugonis de Pateshull in Episcopum Coventensem.

a See here, p.  
438, 439.  
b Mat. Paris, p.  
473.

c Where doth  
God forbid  
Mayors to ar-  
rest Traytors  
upon the Kings  
command,  
though Clergy  
men?

This year the Dean and Canons of *London*, in the Bishops absence, presumed to Excommunicate the Mayor of *London* and his Officers, and to Interdict the Church of *St. Paul*; after which the Bishop and some other Prelates threatened to Interdict the whole City of *London*, only for apprehending *Ranulphus Brito*, a Canon of *St. Pauls*, in his house near the Church, and carrying him Prisoner to the Tower of *London* by the Kings command, (being accused of *High Treason* by one *William*) unless he were forthwith released, & absolutely discharged, enforcing the King thereby to release him without any conditions, to prevent the Cities Interdict, much against his will, in high affront of his Regal Authority and Prerogative, (a) *Sanctuary* extending not to this case, thus chronicled to posterity. (b) *Ranulphum* quoque *Britonem*, Clericum, & Ecclesie *Sancti Pauli Londinensis* Canonicum, qui aliquando Domino Regi fuerat familiaris, etiam *Thesaurarius*, criminaliter (*Willielmum*) accusavit, quem Rex, cum hac audisset, capi precepit per Literas suas, quas Major *Londinensis*, scilicet *Willielmo Gomerio* (sive *Girardo Bat.*) destinavit, & in Turri *Londinensi* tradi compeditum. Cui Major, (c) plus quam Deo obediens, Regia precepta precipitanter effectui mandavit. Ipsum enim *Ranulphum* a domo sua, quae vicina est Ecclesie *Sancti Pauli*, truculenter extraxit, & in Turri *Londinensi* vinculis ferreis, quae vulgariter annuli nuncupantur, inclusit mancipatum. Quo cognito, Decanus *Londinensis*, scilicet Magister *G. de Lucy*, cum suis Concanonicis (quia Episcopus tunc praesens non fuerat) *sententiam excommunicationis dedit in comitenti generali*, in omnes tantae enormitatis presumptores, Ecclesiam *Sancti Pauli* supponens Interdicto. Rex autem admonitus per Episcopum, cum errores non correxit, & mala malis comminando cumulasset, Episcopus totam Civitatem *Londinensem* sibi subiectam, erat Interdicto suppositurus: (*Such was his daring insolency in this case.*) Cum autem parati essent tam Archiepiscopus *Cantuariensis*, quam Legatus, & Episcopus *Londinensis*, & multi alii Praelati, manum aggravare, *Rex dictum Ranulphum, licet invitatus, solvi, et in pace dimitti precepit: Sed cum voluisset addidisse conditionem, scilicet istam, ut reservaretur, ut eum promptum exponerent, quando placeret ei ipsum accusare: respondit Ecclesia, (Such was their undutifull peremptory deportment towards their Sovereign,)* quod nullo modo sub hac forma eum quasi incarceratum custodirent, sed absolutum reciperet Ecclesia, sicut liberum & absolutum eum in domo sua Regi satellites violenter rapuerunt. Dimissus est igitur eo modo *Ranulphus*, edoctus experimento, quanta volubilitate *Aulicos* *Fortuna* edomat, ab aula Regia se retraxit castigatus.

Anno 1239.

Mat. Par. p.  
497, 498. 1  
Conventus  
Crucisignato-  
rum *Lugduni*.

This year, many Nobles and others having by the Popes Bulls and Instigation taken up the Cross for relief of the Christians in the holy Land against the *Sarazens*, both in *France*, *England*, and elsewhere, when they had provided themselves for that expedition, were suddenly prohibited by the Pope, on purpose to imploy all the Forces and Monies raised for this exploit against the *Greek* Church, and the Emperor *Frederick*, (whom he had now re-excommunicated and deposed) refused to obey the Popes Countermand, resolving to proceed in this their expedition, as these Narratives will inform us, and into what snares thousands were drawn to their undoing by this Papal Cheat. \* Per idem tempus congregati sunt Nobiles *Crucisignati Francie* & adjacentium provinciarum in Civitate nobili, quae dicitur *Lugdunum*, ut ibidem de assumendo itinere suo diligenter contractarent: Et dum conciliarentur, ecce ex parte domini Papae nuntius destinatus festinanter advenit, qui sicut ante omnes ad proficiscendum urgens stimulaverat, & stimulo persuasit, sic vice versa, omnes ne iter arriperent, dissuasit, & ex parte domini sui Papae precepit, ut ad propria propere remearent, & authenticum domini Papae super hoc monstravit universis. Ad quod unanimiter responderunt: Unde haec in Romana Curia & in Papa multiplicitas? Monne nobis hic terminus, hic locus per Legatos, & Papales predicatorum, multo tempore transacto praefixus est ad transitum? Secundum dicta & promissiones praedicatorum ad iter pro Deo succin- gimur, Victualia & arma, & quaeque nobis necessaria, paravimus: terras nostras cum omni suppellectili nostra, & domibus, vel impignoravimus, vel vendidimus: amicis nostris valediximus: Thesauros nostros in terram sanctam praemisimus: adventum nostrum praenuntiavimus: portui appropinquavimus: & nunc ad negotium *Crucisignandi* impediendum, mutatis verbis, insurgunt Pastores nostri? Et non modicum indignati, pene insurrexerunt in Nuntium Papae,



si non Prælatorum discretio suorum populi temperasset: who were justly incensed for this gross abuse.

Nec mora, domini Imperatoris Nuntii, ne inconsulte & festinanter transirent, sine ducatu & comitatu ipsius Imperatoris, diligenter persuaserunt super hoc Imperiales illis directas differentes. In quarum tenore eleganter & sufficienter excusavit dominus Imperator sui transitus omissionem. Unde Crucesignatorum miserabilis facta est conditio. Dissipatum est enim consilium eorum, & facti sunt arena sine calce, aut maceria sine cemento. Redierunt multi ad propria murmurantes & obloquentes, & aliquorum Prælatorum falsas assertiones detestantes. Multi vero per maris discrimina intrantes portum *Marsilia*, versus Terram sanctam cum magna desperatione veliscarunt: quorum in *Sicilia* multi, majorum adventum præstolantes, tempus eorum expectarunt. Multi vero, ex licentia & benevolentia Imperatoris, petierunt *Brundisium*.

Mat. Westm. p. 152.

Temporibus sub eisdem, dominus Papæ dedit in mandatis Legato, ut distingeret prohiberet Crucesignatis (in *Anglia*) contra propositum terminum a prædicatoribus sibi præfixum, & intentionem, & spem suam, quam ex pollicitis prædicatorum præconceperant, ne iter versus Terram sanctam arriperent, usque ad verum tempus, & passagium quod est in *Martio*: sin autem, concessa sibi peccatorum indulgentia non gauderent.

Ibi p. 155, 156. Papa prohibet, ne Crucesignati transirent.

Hereupon (in opposition to this Popes Prohibition and Designs) Sub iisdem diebus, in crastino scilicet sancti *Martini*, convenerunt Magnates *Anglia* Crucesignati apud *Northampton*, de itinere suo in Terram sanctam arripiendo contractaturi. Et ne per cabillationes *Romanæ Ecclesiæ* honestum votum eorum impediretur, nec ad effusionem sanguinis Christiani, vel in *Græciam*, vel in *Italiam*, prout instillatum in eorum auribus fuerat, discurreretur, juraverunt omnes, se in terram sanctam in expeditionem *Ecclesiæ sanctæ Dei* illo anno migraturos. Quorum Primus juravit Comes *Richardus*, omnium aliorum primicerius, super altare majus in Ecclesia omnium sanctorum, in medio Civitatis; Et post eum Comes *G. Marscallus*, si possit antea cum Rege concordari, idem repetit sacramentum. Cui Comes *R.* Non idcirco omittas charissime fororice, hoc enim onus mihi assumo. Post ipsum *Richardus Sward*, & post eum *Henricus de Trublevilla*; & deinde Nobiles multi, quos longum esset dinumerare. Qui omnes uno humero & animo se ad obsequium crucis viriliter accinxerunt.

Comes R. & alij Magnates Angliæ conjurant simul propositum iter arripere.

Consuluit autem per Epistolas suas Dominus Imperator Universitati Crucesignatorum, (upon a different account from the Pope) quod licet parati essent, & grave illis videretur, patienter tamen expectarent, neciter *Hierosolymitanum* acciperent, donec quiescente spiritu iracundiæ Papalis, gaudens eos comitaretur; quia parata fuit contra eos Orientalium ad certamen armatorum infinita multitudo. Quod cum alii contempsissent, indignans Imperator, prohibuit, ne Exercitui *Francorum* victualia de terris suis uberrimis finitimis, *Apulia* scilicet & *Cypro*, & aliis terris suis venalia ministrarentur, vel sub ulla forma transportarentur. Quo audito, *Saraceni* caput extulerunt, & Christianis assumpta audacia, damna multa in corporibus & possessionibus intulerunt, incendia & strages audacter exercentes. Et ad cumulum dolorum, *Gracia* suum Antipapam Germanum contra *Romanam Ecclesiam* erexit: Et Dominus Imperator, fratrem *Heliam* contra *Papam* opposuit, qui summus minister fuit aliquando ordinis minorum, & Prædicator nominatissimus, & sic ceperunt mala multiplicari super faciem terræ; Absoluti enim quos Dominus Papa ligavit anathemate, & generatum est scandalum in ecclesia. Illo enim summo procuratore machinante, Ecclesia Romana super usuris, et simoniis, et rapinis variis reddebatur infamis, et filii in prævignos convertebantur. Asserebat enim ipse prædictus frater *Helyas*, dominum Papam contra jura Imperii debacchari, pecuniam tantummodo litte, & variis argumentis extorquere, preces, missas, exhortationes, & omnia (quæ solent oppressos a persecutionibus liberare) non curare; sicut scriptum est, *Petrus autem servabatur in carcere, oratio autem fiebat ab Ecclesia sine intermissione pro eo*. Fraudem etiam facere de pecunia collecta ad succursum terræ sanctæ; scripta etiam ad beneplacitum suum in camera sua

\* Mat. Par. p. 501. Imperator persuadet Crucesignatis, ne transirent.

Ab. 12, 13.

Anno 1240.

clam, & sine fratrum assensu, Et etiam vacuas, sed bullatas, multas Nuntius suis tradere, ut in eis quod eis foret beneplacitum scriptitarent, quod erat horribile; & alia multa enormia imposuit domino Papæ, ponens os suum in Cælo. Propter quod dominus Papa eundem *Helyam* excommunicavit: instead of refusing, or reforming these injuries, crimes and execrable abuses.

\* Mat. P. Edit.  
Londini. p. 526  
537, 538.

Soon after *Richard* Earl of *Cornwall*, accompanied with many Nobles, Knights and Soldiers, according to their Oath, departing out of *England*, and traveling through *France* towards the holy land against the Popes Prohibition, thereupon he sent them a new Inhibition. \* Cum Comes *R.* ad *S. Egidium* pervenisset, venerunt ad eum unus Legatus, & Archiepiscopus *Arelatenfis*, autoritate Domini Papæ consulentes & inhibentes, ne Comes transfretaret. Quod cum Comes vehementer admirans redarguisset, asserens, se credidisse veritatis firmitatem inesse dictis Apostolicis, & suis quos misit Prædicatoribus, moleste tulit nimis tales inhibitiones, & dixit: Omnia mihi ad transitum præparavi, valedixi amicis, præmisi thesaurum & arma mea; naves paravi jam meis victualibus oneratas; & nunc mutato verbo, transfretare cum jam ad mare navem intraturus perveni, prohibet Papa, qui dicitur Successor et Vicarius Jesu Christi (qui nunquam verbi sui transgressor fuisse perhibetur) ne ad servitium Christi properem, ad omnia jam accinctus. Et cum viderent Legati illi, quod transitum suum nequirent impedire, cœperunt persuadere, ut relicto portu *Marsilia*, intraret mare in portu qui dicitur *Aqua nârtua*. Quod omnes de exercitu abhorruerunt, propter loci corruptionem & infirmitatem, & dissuaderunt. Comes igitur, detestans Romanæ Ecclesiæ dupliciter, cum magna mentis amaritudine *Marsiliam* tenebat, spretis Legatorum fallacibus et ambiguis sermocinationibus; & primo ad *Rokam* veniens, ibi classem totam ordinavit & oneravit. Misit autem ad Imperatorem status sui notitiam, & significavit ei Papalem insinuationem per Nuntios sibi speciales, *Robertum de Tuinge* militem, & alios. Et in septimana infra octavas beatæ *Mariæ* sese vasto mari navigandum commisit, and arrived safely in the holy land, where he was received with extraordinary joy, processions, pomp, as well by the Prelates and Clergy, as of the Nobles, Soldiers and people, notwithstanding the Popes Inhibitions which then grew very contemptible, as well as his brutish Anathemas.

\* See here p.  
408. to 418.

Pope *Gregory* the ninth bearing an inveterat, implacable malice against the Emperor *Frederick* the second, ( notwithstanding his \* former seeming reconciliation to him) intending to excommunicate, and depose him from his Empire the second time, caused sundry false Rumors, as he had formerly done, to be raised and scattered in all places to blast his Reputation, as if he were rather an Atheist or Mahometan, then a real Christian; when as these Antichristian slanders, and proceedings against the Emperor, demonstrated this Pope to be more Atheistical and Ethnical then *Frederick*, in the judgement of all unprejudiced persons.

Mat. Par. Hist.  
Angl. Edit.  
Lond. 1640.  
p. 482.

Ejusdem temporis curriculo, fama Imperatoris *Frederici* admodum est obfuscata & maculata, ab invidis inimicis & æmulis suis. Imponebatur enim ei, quod vacillans, & etiam exorbitans in fide Catholica, dixerit quædam verba, ex quibus elici & suspicari potuit, non tantum fidei Catholicæ in eo imbecillitas, quin imo, quod gravius & multo pejus est, manifestæ & maximæ Hæresis, & dirissimæ blasphemix enormitas detestanda omnibus fidelibus, & plane execranda. Fertur enim eundem *Fredericum* Imperatorem dixisse (licet non sit recitabile) tres præstigiatores callide & versute, ut dominarentur in mundo, totius populi sibi contemporanei universitatem seduxisse, videlicet *Moysem*, *Jesum* & *Mahometum*. Et de Sacratissima Eucharistia quædam nefanda & execrabilia deliramenta & blasphemias, impie protulisse. Absit, absit, aliquem virum discretum, nedum hominem Christianum, in tam furibundam blasphemiam, os & linguam reserasse. Dictum etiam fuit ab æmulis suis, ipsum *Fredericum* Imperatorem plus consensisse & credidisse in legem Mahometi, quam Jesu Christi; & quasdam Meretriculas *Saracenas* fecisse concubinas. Surrepsitque murmur in populum (quod avertat Dominus a tanto Principe) *Saracenis* a multo tempore ipsum fuisse confederatum, & amicum fuisse plusquam Christianorum, & id indicis multis probare conabantur ipsius æmuli, qui famam suam conabantur obfuscare. Si peccabant, vel non, novit ipse qui nihil ignorat.

Mat. Par. Edit.  
Lond. p. 444,  
445, 472, 476.

Moreover this Pope fomented the Rebellions of the *Millanois* against the Emperor, refusing to aid him in his just wars against them, being much offended with the King of *England* for sending both aid of men and monies to him: whereupon

upon the Emperour thus continually affronted by him, marched into *Italy*, seized upon the greatest part of *Sardinia*, surrendered to him *Anno* 1239. as appertaining to the Empire; for which and other pretences, this Pope thundred out a new excommunication against him; published in all Countries, Churches with Bell, book and Candle, especially in *England*, absolved all his Subjects from their Oaths of Allegiance, deposed him from his Empire, and profered it to the French Kings Brother; All which occasioned this Emperour for vindicating his own Innocency, detecting this Popes Impiety, rapines, slanders, and Antichristian practices, to send abroad several Notable Letters, and the Pope to scatter abroad scandalous Libels and answers to them, which because for the most part written, but all of them sent to the King, Bishops and Nobles of *England*, and Popes Legate there residing, recorded by *Matthew Paris*, and pertinent to my general Theam, I shall transcribe at large.

*Ipsa quoque anno, dum in Italia dominus Imperator hyemaret, redditæ sunt ei opulentissimæ Insulæ in mari Mediterraneo sitæ, & Civitati Pisana proxima: scilicet Sardinia pars maxima & potissima. Cujus Insulæ jus, ad Patrimonium Beati Petri specialiter pertinere perhibetur. Imperator vero, ipsam ad Imperium spectare ab antiquo asseruit; & per occupationes & alia ardua negotia Imperialia, Imperatores ea amisisse; ipsum ideo eam ad Corpus Imperii revocasse. Ego vero juravi, ait, ut jam novit mundus, dispersa Imperii revocare: quod non segniter adimpleri procurabo. Misit igitur dominus Imperator filium suum, ut sibi oblatam reciperet prædicta Insula, contra prohibitionem Domini Papæ, portionem. Quod cum summa indignatione Dominus Papa accepit, ex tunc in manifestam confurgens ultionem: jacturam enim magnam reputavit. Est enim institutorum refugium, naufragorum solatium, profugorum asylum Insula Sardinia: quatuor Principibus, quos Judices vocant, gubernata. Jactura est gravis, sed modus jacturæ multo gravior, & injuria videbatur: & odium inter eos natum, quasi vulnus inveteratum, saniem generabat.*

Mat. Paris, Hist. Angl. p. 468. 469, 470. Mat. Westm. p. 151, 152.

Eodem Anno, in Quadragesima, dominus Papa cum vidisset facta Imperatoris nimis temeraria, & dicta sua peccata suum excusantia, scilicet, quod faventibus quibusdam Magnatibus & Judicibus *Sardinicis*, terram & Castra Episcopi *Sardinici*, sibi accepisset & tenuisset, & constanter assereret, ea esse de substantia Imperii, seque primo suo et maximo sacramento jura Imperii servare pro posse, nec non et dispersa congregare: ira vehementissima commotus contra Imperatorem, gravissimas contra eum proponens quaestiones & reponens querimonias, scribens & scribendo constanter & diligenter persuadens, per plures & pluries Nuncios solennes; quorum Authoritas meruit exaudiri, ut ablata restitueret, & defineret Ecclesiam suis possessionibus viduare, quam constat diuturna temporis præscriptione prædotari. Et more prudentis Medici, qui nunc fomentis, nunc ferro abscisionis, nunc vero utitur adustione, verba intermiscens blandis comminatoria, terribilibus amabilia. Sed cum Imperator procaeciter tenuisset, & sua facta quibusdam causis apparentibus ratione fultis excusasset, Dominus Papa tunc presentibus Cardinalibus *Dominica Palmarum*, \* in spiritu ferventis itacundia; *Fredericum* dictum Imperatorem, ac si jam a culmine Imperii dejecissent eum, solenniter excommunicavit, tradens eum *Sathanæ* in interitum terribiliter possidendum. Et eisdem verbis utentes, quasi in fremitu furoris intonans, omnes audientes vehementer compulsi ad terrorem.

Excommunicatio lata in *Fredericum* Imperatorem.

\* A spirit, and insolent rash Action proceeding neither from Christ, nor St. Peter, but rather from the Devil and Antichrist.

Excommunicamus & anathematizamus ex parte Dei omnipotentis, Patris & Filii, & Spiritus Sancti, & auctoritate Apostolorum *Petri & Pauli*, *Fredericum* dictum Imperatorem, pro eo quod contra Romanam Ecclesiam seditio-nem inivit in Urbe, per quod intendebat \* Romanum Pontificem et fratres suos a sua sede repellere, et contra privilegia, dignitates, et honores, Apostolicæ sedis Libertatem, nec non et Ecclesiasticam conculcare, contra juramenta, quibus super hoc Ecclesia Romana tenetur, temere veniendo. Item excommunicamus & anathematizamus eundem, pro eo quod venerabilem fratrem nostrum Episcopum *Prænostensem*, Apostolicæ sedis Legatum, ne in Lega-

\* This Pope was both witness, judge, and party in this cause.



\* And did not  
his Interdicts &  
Excommunications produce  
the like effects?

tione sua procederet, quam in Albigenſium partes pro corroboratione Catholicae fidei ſibi commiſimus curam, per quosdam fideles ſuos mandavit impediri. Item, excommunicamus & anathematizamus eundem, pro eo quod non permittit quaſdam cathedrales, & quaſdam alias vacantes eccleſias in Regno ordinari, & hac occasione periculatur libertas eccleſiae, perit fides, quia \* non eſt qui proponat verbum Dei, nec qui regat animas, deficiente paſtore. Et ſunt nomina dictarum eccleſiarum vacantium, *Cathacenſis, Reginenſis, Accrivianenſis, Squilatenſis, Reſenſis, Provenſis, Hydruntinenſis, Policastrenſis, Saretinenſis, Averſanenſis, Valvenſis, Molopolitanſis, Polimaneſis, Melfrenſis, Rapellenſis.* Monasteria vero ſunt iſta: *Virruſinum, & ſancti Salvatoris Maſſanenſis.* Item excommunicamus & Anathematizamus eundem, pro eo quod in **Regno Clerici capiuntur et incarceratione, proſcribuntur et occiduntur.** Item, excommunicamus & Anathematizamus eundem, pro eo quod non permittit *Soranam* Eccleſiam reparari. Item, excommunicamus & Anathematizamus eundem, pro eo quod nepotem Regis *Tunici*, venientem ad Eccleſiam *Romanam* pro ſuſcipiendo Baptiſmatis ſacramento, detinet, nec venire permittit. Item, excommunicamus & Anathematizamus eundem, pro eo quod *Petrum Saracenum*, nobilem Civem *Romanum*, ex parte Regis *Angliae* ad ſedem Apoſtolicam venientem, cepit & detinet carceri mancipatum. Item, excommunicamus & Anathematizamus eundem, pro eo quod terras Eccleſiae, ſcilicet *Ferrariam, Pingogomam, Bendoniam, Ferravianenſem* Dioceſim & *Condonenſem, Lucanenſem* Dioceſim, & terram *Sardiniae* occupavit, contra juramentum, quo ſuper hoc Eccleſiae tenetur, temere veniendo. Item, excommunicamus & Anathematizamus eundem, pro eo quod terras quorundam nobilium de Regno, quas Eccleſia tenebat ad manus ſuas occupavit & devaſtavit. Item, excommunicamus & Anathematizamus eundem, pro eo quod quaſdam Eccleſias Cathedrales, videlicet, *Mons Regalis, Cephaladenſis, Cathacenſis, Squilatenſis,* & quaſdam monasteria, videlicet *Militenſis, ſanctae Eufemie* terrae Majoris, & ſancti *Johannis in Lamis*, bonis ſuis ſpoliavit. Item, excommunicamus & Anathematizamus eundem, pro eo quod multae Eccleſiae Cathedrales, & aliae Eccleſiae & Monasteria de regno, per iniquam de inquisitionem fuerunt fere bonis omnibus ſpoliata. Item, excommunicamus & Anathematizamus eundem, pro eo quod in Regno Templarii & Hoſpitalarii mobilibus & immobilibus ſpoliati, non ſunt juxta tenorem pacis integre reſtituti. Item, excommunicamus & Anathematizamus eundem, pro eo quod talliae & exactiones contra formam pacis, ab Eccleſiis & Monasteriis pro ipſo extorquentur in Regno. Item, excommunicamus & Anathematizamus eundem, pro eo quod in Regno Eccleſiarum Praelati & Abbates *Ciſterciensis* & aliorum Ordinum, compelluntur per ſingulos meſes dare certam ſummam pecuniae pro conſtructione caſtrorum novorum. Item, excommunicamus & Anathematizamus eundem, quod contra tenorem pacis, hi qui adhaeſerunt Eccleſiae bonis omnibus ſpoliati exulari coguntur, tanquam proſcripti, uxoribus & liberis captivati. Item, excommunicamus & Anathematizamus eundem, pro eo quod per ipſum impeditur negotium terrae ſanctae, & reparatio Imperii *Romani.* **Omnes autem qui juramento fidelitatis ei tenentur aſſerui, ob ejusdem obſervatione juramenti decernimus abſolutos, ne ſibi fidelitatem obſervent, diſtictius inſiſtentes, quam diu fuerit vinculo excommunicationis aſſerui.** Super oppreſſionibus & aliis gravaminibus nobilium, pauperum, viduarum, orphanorum, & aliorum de Regno, pro quibus idem *Fredericus* alias juravit ſtare mandatis eccleſiae **ipſum intendimus amovere,** & in ipſo negotio, dante domino, procedemus ſicut juſtum fuerit procedendum. Porro, pro omnibus & ſingulis ſupradictis, pro quibus dictus *Fredericus* a nobis diligenter fuit admonitus, & frequenter, nec parere curavit, eundem ***Fredericum* excommunicationis et Anathematis vinculo innodamus.** Caeterum, quia idem *Fredericus*, de dictis factis fuit, multis clamantibus, per univerſum quaſi orbem, quod Catholica fide recta non ſentiat, eſt graviter diſſamatus: nos, dante Domino, ſuper hoc loco ſuo & tempore procedemus, ſecundum quod in talibus requirit ordo Juris.

Mat. Weſtm.  
p. 151.

Quantum ira  
Imperatoris ex-  
canduit in Pa-  
pam,

Quam ſententiam cum ſuis cauſis in cunctis regionibus per Univerſos Praelatos, in ſingulis Eccleſiis ſibi ſubjectis cum ſolemnitate, pulſatis campanis & candelis accenſis praecipit Dominus Papa promulgendam.

His auditis, Dominus Imperator in iram excanduit vehementem, exprobrando & multoties recitando, imponendoque Eccleſiae & ejus rectoribus, Quod omnes ſibi eſſent ingrati, rependentes mala pro bonis: recolens quod fluctibus marinis & mille generibus

generibus periculorum se suaque, pro promotione Ecclesiæ, & Catholicæ fidei incremento, opposuisset. Et quicquid habet honoris Ecclesiæ in *Terra Sancta*, ejus labore & industria affirmavit adquisitum. \* Sed Papa invidens, quod per acquisitionem **alicujus Laici, Ecclesiæ tam facile sentiret incrementum**, qui tantum aurum & argentum magis quam fidei augmentum, testantibus operibus, cupiens, mihi paravit supplantationem, & ab omni Christianitate pecuniam extorquens, scilicet decimam partem, toto nisu suo, ut me Deo militantem & exponentem corpus telis, infirmitati, hostium insidiis, prius fluctuum sævientium nullis parentibus periculis, elaboravit ut me exheredaret. Ecce quale præsidium patris nostri! Ecce quale præsidium in pressuris vicarii Jesu Christi! Nec adhuc sufficit furor persequentis. Erexit enim contra me \* *Johannem de Bresne*, aliquando Regem *Hierosolymitanum*, quem novit in bello strenuum, & in militari disciplina peritissimum, & meum validum fuisse inimicum, in confusionem meam & subversionem mei, talia certe non verentis, ditavit etiam ipsum pecunia non minima, quam a pauperibus Prælati Ecclesiæ, per Orbem extorserat impudenter. Audiens autem talia per fideles meos, quos suspiria, quas lachrymas dolor iste generavit in corde meo, non est facile denodare: sed novit, qui nil ignorat. Sed cælans præcordialem dolorem sub sereno vultu festinanter, ne forte id cognoscentes inimici, superbirent exultantes, & fierent nobis graviores, capri tractare de pace, & captis treugis, reditum maturavi. Et cum repatriassem, **inveni terram meam a Papalibus parentibus et affinis occupatam**, quorum Dux tunc prædictus *Johannes de Bresne*, & capitaneus: quos Deo vindice comprehendi, & juxta merita eorum, qui crucifixi negotium impediverunt, puniendo recompensavi. *Judicet Deus inter me Militem suum, & Papam ipsius vicarium*. Novit enim Christus, novit & mundus, quod a veritatis tramite non exorbito. Ecce radix odii, & seminarium. Et factum est schisma in populo. Et redintegratum est per præsentiam Domini naturalis, scilicet Imperatoris, robur Imperii in temporis brevitate.

\* Here p. 408, 418.

\* Here p. 416, 417, 427, 428.

The Monks of *Mount Cassini* excommunicating the Emperor in obedience to the Pope, he thereupon by a stratagem seized upon their Castle and Monastery, being an impregnable Fort, and turned them out of it; who thereupon repaired to the Pope, complaining of this pretended injury, who gave them good words, but no other relief, for their Obedience to him, but Rebellion against their Sovereign.

Eodem Anno venerunt Monachi *Montis Cassini* (ubi Sanctus *Benedictus* Mansionem sibi elegit Monasticam) ad Papam, in vestibus laceratis & veteribus: Erant autem xiiij. scilicet Conventus, & erant incompoti Comis & Barbis, & vultu lachrymabiles. Et introeuntes ad Papam, ceciderunt ante pedes ejus, conquerentes, quod Imperator eiecisset eos à Mansionem sua, scilicet *Monte Cassino*. Erat autem Mons ille inexpugnabilis, imo inaccessibilis alicui, nisi ex voluntate Monachorum & aliorum inhabitantium in eo: nisi tantummodo quod R. G. per excogitationem, qua se mortuum simulavit, in feretro in illum delatus, Castra Monachorum subito occupavit. Quod cum Papa audisset, dolorem conceptum dissimulans, causam quæsit. Cui Monachi responderunt: **Quia obedientes vobis, Dominum Imperatorem excommunicavimus**. Quibus Papa: *Obedientia vestra salvabit vos*; (contrary to St. Pauls and St. Peters Doctrine in this case, *Rom. 13. 1, to 9. Tit. 3. 1. 1 Pet. 2. 13, 14, 15.*) Et abierunt Monachi, plus a Papa non accipientes.

\* Mat. Paris, Hist. Angl. p. 471. Adventus Monachorum Montis Cassini ad Papam Romanum.

Eodem tempore, cuidam Monacho *Cisterciensi* apparuit manus candida, scribens in corporali hæc verba. *Cedrus alta Libani succidetur. Mars prævalebit Saturno & Jovi. Saturnus vero in omnibus insidiabitur Jovi. Erit unus Deus, id est, Monarcha. Secundus Deus adiit. Filii Israel liberabuntur à captivitate infra undecim annos. Gens quidam sine capite reputata, vagans veniet. Et Clero, viget ordo nobis, si ceciderit: hæc Ecclesiæ fidei, legum, et Regnorum. Mutationes erunt, & tota terra Saracenorum subvertetur.*

See p. 111. m. 2. a. b. l. e.

Scripsit eodem anno Dominus Imperator Senatoribus & populo Romano, asseruit, quod quamplurimum admirabatur super hoc, quod permiserunt ipsum præcipuum Principem Principum, in Urbe excommunicari. Scripsit etiam Epistolas elegantes & prolixas Cardinalibus, & omnibus Magnatibus Christianis, præcipue tamen Regi *Henrico*, & fratri suo *Richardo Comiti Cornubie*, sororiis suis, se in multis excusans rationibus, & Dominum Papam multipliciter accusans, & asserens, quod cum esset per omnia juri parere promptus & paratus, & Legatos solennes hæc oblatus destinasset, Papa hæc præsciens, præcipitanter ante adventum Legatorum in ipsum ex industria

Mat. Westm. Flores Hist. n. 1239. p. 152.

induitria sententiam fulminavit. Per idem tempus, scripsit Dominus Papa, *Cannar. & Ebor.* Archiepiscopis prolixam nimis Epistolam, conquerens graviter de enormitate Imperatoris, imponens ei crimen hæresis. Scripsit autem tam Legato, quam dictis Archiepiscopis, ut ipsam Epistolam, per omnes suæ ditioni vel legationi terras spectantes, publicarent; addens, quod ipse *Fredericus*, dictus Imperator, jam dotes Ecclesiæ hostiliter invadens, eas sibi ausu temerario manciparet, tanquam Ecclesiæ manifestus inimicus.

Mat. Paris Hist. Angl. p. 474. Denunciatio excommunicationis Frederici Imperat.

\* Mat. Paris p. 474. Literæ Imperiales ad Senatum populumque Romanum.

Diebus autem illis, in Ecclesia Sancti Pauli *Londinensis* denuntiatus est excommunicatus *Fredericus* dictus Imperator, *et præcepto Papæ.* Similiter per totum Episcopatum *Londinensem*, & postea per totum Regnum. Nec erat qui contradiceret, *vel clypeum contradictionis opponeret:* licet Rex honestam causam haberet, præ cæteris mundi Principibus, contradicendi, propter fœdus propinquæ affinitatis. Such was the cowardice, unworthiness, and more then slavish servitude both of the King, Bishops, Nobles in that age to this Pope, whom they durst not strenuously to oppose even in this just cause, neither in *England* nor *Rome* it self. Upon consideration whereof: \* Eodem tempore, Dominus Imperator, admirans quod robur *Romanorum* nimis enervatum, a constantia suæ subjectionis debita & fidelitatis tam fiducia, liter promissæ recalcitravit, *permittendo in eundem Imperatorem, Dominum suum naturalem, sententiam excommunicationis inferri in Civitate:* tam Curie *Romanæ* Cardinalibus, quam *Senatori Urbis & Romanis*, ex intimo cordis, tacto dolore præcordiali, scripsit in hæc verba.

**F**REDERICUS Dei gratia *Romanorum* Imperator, semper Augustus, *Hierusalem & Sicilia* Rex, *Senatori Urbis*, & suis *Contromanis*, salutem. Cum *Roma* sit caput nostri et austris Imperii, et *Romanus* Imperator a *Romæ* vocabulo nuncupetur, ut sibi nostri nominis et honoris processus et auspicia debeamus: in admirationem vehementem rapimur, si ubi nostri promovendus est honor, et injuria repellenda, inter eos qui tenentur & debent pro culmine nostro se murum defensionis opponere insurgentibus ex adverso, ipsis audientibus & dissimulantibus contrarium patiamur. Propter quod graviter dolore compellimur, quia *Romanus Antistes* contra *Romanum Principem*, id quod alibi non auderet, sicut dicitur, in *Urbe* præsumpsit: et *Romanum Imperatorem*, auctorem *Urbis*, et benefactorem populi *Romanorum*, ipsis non resistentibus, imple blasphemavit. Ut benefactorum nostrorum tam Proceres quam populum *Romanum*, quibus specialiter & communiter studuimus liberali & spontanea munificentia providere, ac eorum intendimus continuatis augmentis, recte vocemus immemores extitisse, acinerti somno detentos, ut de tribulo mallea vir non esset de tot Proceribus & turba *Quiritum*, vel unus de tot *Romani* populi millibus, qui pro nobis exurgeret, verbum unicum loqueretur, qui nostræ injuriæ condoleret: cum nos *Urbem antiquis Triumphorum titulis insignitam*, novis nostræ victoriæ successibus honoremus, & ad reformandum *Romanum* nomen, sicut in diebus antiquis, & exaltandum *Romani* statum Imperii, continuis laboribus intendamus. Quapropter necessario ducimur; requirere vos, instantè monere, pariter & exhortari, quatenus si omissum est aliqua negligentia vel torpore, nunc instantè ostendere debeatis, inducentes alios monitis & exemplo: ut omnes & singuli prompta voluntate consurgant ad nostram & communem injuriam ulciscendam. Quia cum idem Blasph. mator noster, ausus alibi non fuisset in nostri nominis Blasphemiam prorupisse, de tanta præsumptione gloriari non posset, quod volentibus & nolentibus *Romanis* contra nos talia perpetrasset, cum potius id posset vestræ ingratitude reputari, si quod ante factum fuit, impedire laudabiliter potuistis, ex post facto nostram & vestram injuriam, postponatis inultam. Nam cum alterutrum teneamur, et nos *Romanum honorem* et *Romanos* defendere, nomen nostrum, si ad hoc vos et eos negligentes invenerimus, cum nullus timor nos coegerit ad beneficia *Romanorum*, sed gratia induxerit specialis, per ingratitude istam licet prorsus inviti cogamur, ab universis exhibitam gratiam revocare. Datum *Tervisi*, mensis *Aprilis* die xx.

Idem autem Dominus Imperator *Fredericus*, Cardinalibus paulo ante præscripserat, & eosdem *Romanos* in parte movit: sed nunc postremo commovit vehementius. Scripsit in hæc verba Cardinalibus.

*Fredericus*



**F**REDERICVS Dei gratia Romanorum Imperator semper Augustus, Hierusalem & Sicilia Rex, universis sacrosanctæ Romanæ Ecclesiæ Cardinalibus, dilectis amicis suis, salutem, & sinceræ dilectionis affectum. Cum sit Christus caput Ecclesiæ, (not the Pope) & in Petri vocabulo suam fundaverit Ecclesiam supra Petram, vos Apostolorum statuit successores, ut Petro pro omnibus ministrante, vos qui estis Candelabra Ecclesiæ, super Montem, non sub modio constituta, revera omnibus qui sunt in domo effectus bonorum operum luceatis, nec a publica mundi lingua ex conscientia generali vos subtrahere intendatis, cum ad singula quæ præsidens sedes Petri proponit statuens, vel denuncianda decrevit, æqua participatio vos admittit: nisi prævius religionis Ecclesiæ status, & zelus effervescentes evitandi scandali generalis, vobis cautelam suggererit ad futura. Quis enim non miretur & stupeat, quod tot venerabilium Patrum congregatione munitæ Ecclesiæ generali, sedens in folio (& utinam iustus Iudex) velit inconsulte procedere, ac suis motibus exardescens, in Romanum tendit Principem, advocatum Ecclesiæ, ac ad prædicationem Evangelii stabilitum, ob favorem Lombardorum rebellium, exercere gladium spirituale, si dicere liceat, minus iuste, cum alias quicquid ex objectis Ecclesiæ gravaminibus, quæ dicuntur, objiciat, quantumve species per individua detinentur, vel emendationem recipiant, vel ex deliberata nostri provisione consilii sit in proximo, prout iussio jam præcessit debita, & integra emendatio secutura. Nam ecce per Patentes Literas Prælatorum, quos mandatum Apostolicum præstitit monitores, ejusdem testimonium declaratur: & præcedens nostra constitutio super revocatione Prælatorum damna passorum, & de præstanda integra satisfactione Prælati, jam per Literas Venerabilis Archiepiscopi Messanensis, vocato ad hoc assessori nostro transmissas, evidens exhibet testimonium veritati. Propter quod non indigne dolemus, si Pater Apostolicus offendere tam graviter nos intendat. Unde dum in constantem virum tam vehemens cadit injuria, etsi patienter ferre velimus, immanitas negotii non permittit, quin ad ultiones quibus Cæsares uti solent, facti violentia nos impellat. Veruntamen dum consideramus impatientiam procedentis, & difficultatem attendimus defensoris, si ex æquo liceret privatas exercere vindictas, quas in hominem per quem scandalum venit, & in sui participes sanguinis compensare possemus, & in ipsum & suos attemptata Sedis injuria redundaret, tolerabilius duceremus. Sed cum nec ipse, nec tota propter hoc sui passura progenies, tanti forent, ut culmen Imperii zelaret ultionem ipsorum, cumque Sedis auctoritas audaciter sibi fræna relaxet, et tot venerabilium fratrum moles cum in concepta sobere pertinacia videatur, angit nos altiori mente turbatio, quod dum nos intendamus a persequente defendere, oporteat nos defendendo gravius offendere resistentes: salva in omnibus Ecclesiæ Sanctitate, quam cultu sacro et debita reverentia veneramus. Quapropter venerabilem cœtum vestrum affectuosius deprecamur, quatenus motus Summi Pontificis, quos ex causis evidentibus non tam iustos quam voluntarios mundus agnoscit, ex deliberata modestia compescatis: generali statui et præsentis quieti mentium, a scandalis prohibentes. Nam cum ad salutem omnium vestrum favorabiliter alligemur, ab injuriarum offensa non poterimus æquanimiter abstinere: quin etsi obitare principis non possimus, licite debeat injurias, quas revocare non possumus, injuriis propulsare. Datum Podensi, decima die Martii, undecima Indictione.

Mat. Paris Hist. Angl. p. 474. 475. 476. 477. Aliæ Literæ Imperiales ad Cardinales.

These new feuds between the Emperor and Pope, caused many persons to forge or renew old Prophecies, which they applied to those times, and Pasquils to be published by both parties, against each other, as well as Letters, and these in particular besides others.

Et tunc temporis quædam scripta, quæ videbantur futurorum esse prognostica, propter imminencia pericula, & discordiam ortam inter tam graves personas, quibus non sunt majores, imo nec pares, ad memoriam sunt redacta, & recenter recitata. Quorum unum est hoc sequens. Excitabitur Roma contra Romanum, & Romanus substitutus Romam Romano imminet. Alleviabitur virga pastorum, & solatiuntur eorum.

Quædam scripta prognostica.

COYUM

eorum erit in otio. Turbabitur seduli, & orabunt: & in lachrymis multorum erit requies. Humilis alludet furibundo, & furor extinguens palpabitur. Novus Grex serpet ad cumulum, & qui intusculantur in veteri, tenui cibo cibabuntur. Frustrata est spes sperantium, & requiescit solaminum, in quo parat fiduciam. Qui in tenebris ambulabant, ad lucem redibunt. Et quæ erant divisa & dispersa, consolidabuntur. Non modica nubes incipiet plueri: quia natus est immuator saculi. Leoni substituitur agnus: Et agni in Leones diſſeſcent. Surget furor contra simplicem, & simplicitas attenuata spirabit. Decor convertetur in dedecus, & gaudium multorum erit luctus. Hæc dicta anno gratiæ M. C. XIX. jam instare intellectas comminationes in scripto dicebantur. Aliud scriptum, quod videtur procurasse Imperator, fertur tamen pro vero, quod inventi sunt hi verficuli in cubiculo Papæ scripti, modus autem & auctor penitus ignoratur:

*Fata docent, stellaque monent, aviumque volatus,  
Totius mundi malleus unus erit.  
Roma dum titubans, variis erroribus acta,  
Totius mundi desinet esse caput.*

Quos versus cum Dominus Imperator, & alii multi interpretabantur in interitum & desolationem Papæ & Romanæ Curia redundasse, Papa in eundem Imperatorem hos verficulos retorquebat:

*Fama refert, scriptura docet, peccata loquuntur,  
Quod tua vita brevis, pœna perennis erit.*

Excusatur Im-  
perator per Ad-  
monitores.

Videns autem Dominus Imperator famam suam in hac tempestate periclitari, ut innocentiam suam manifestaret, procuravit ut nuntii ipsi, qui magnæ autoritatis viri fuerant & solemnes, scriberent Domino Papæ, ostendendo suam & Imperatoris innocentiam ac justitiam. Wherein all the crimes objected against him in the Popes Bull of Excommunication, are particularly answered or excused one after another.

Litteræ Nuncio-  
rum.

**S**ANCTISSIMO Patri in Christo Gregorio Dei gratia Summo Pontifici, sui devoti *Hypoleusis, Wormaciensis, Vercellensis, & Parmensis* Episcopi, humilem sui commendationem & reverentiam tam debitam quam devotam. Cum omni reverentia & devotione recipimus Literas Apostolicæ Sanctitatis, per quas missi fuimus admonere Dominum nostrum Romanum Principem, super quibusdam capitibus, quæ missa sunt eisdem Literis interclusa. Nos autem ex obedientiæ debito, quo tenemur ad tantum debitum, hæsitantes tamen, si monita nostra patienter acciperet, reverenter & devote pervenimus, & expositis singulis, quæ Capitula continebant, ac vestrarum per eum habita copia Literarum, faciente Domino, qui gerit ac dirigit quo voluerit corda Regum, in admirabili devotione & insperata humilitate se monitis nostris prout exhibuit, inclinata Imperialis audientia dignitatis. Ita quod nobis existentibus coram eo, præsentibus quoque Venerabilibus *Panormitanensis, Messanensis* Archiepiscopis, *Cremonensis, Laudensis, Navarriensis, & Mutinensis* Episcopis, & Abbate Sancti Vincentii, convocatis etiam quampluribus ex fratribus ordinis *Predicatorum & Minorum*, respondit ad singula quæ proposuimus seriatim, prout in sequentibus distincte ac plenarie continetur, sicut dominationi vestræ responsionem ipsius juxta seriem Capitulorum expositam, secundum Apostolicam jussionem, sub fido testimonio tenore præsentium declaramus. *Proposito Ecclesia: Montis Regalis, Cephaludensis, Cathanienſis, & Squillatenſis Ecclesia, Milletensis, Sancta Eutemiz Terræ Majoris, & Sancti Johannis in Lamis, Monasteria sunt spoliata fere omnibus bonis suis. Item, omnes fere Cathedralis & alia Ecclesia ac Monasteria, sunt per iniquam inquisitionem, fere omnibus hominibus suis spoliata.* Responsio Imperialis: Super gravaminibus Ecclesiarum, quæ indeterminate ponuntur, quædam ignoranter commissa, corrigi jussa sunt, sine moræ dispendio: quædam vero jam correctæ, sicut est in evidenti, de fideli & industrio nuncio nostro, ad hoc specialiter destinato: videlicet Magistro *Willielmo de Tolto*, Notario nostro: qui etiam jussus est transire per Romanam Curiam, & consulto Venerabili *Messanensi* Archiepiscopo, juxta consilium suum procedere, ad revocationem eorum, quæ inveniret notabiliter facta. Sic quod in ingressu Regni, circa fines illos invenit quædam, quæ tenebantur per quosdam de familia Imperiali, quibus non pepercit, sed eos statim destituit, restituens destitutos: cum tamen habuerit in mandatis,

mandatis, quod ab Imperiali fisco etiam revocaret, si qua inveniret illicite deprehensa. Sic quod fama eorum quæ gesserat perveniente ad Curiam Romanam, Dominus Papa dicitur approbasse mittentis providentiam, & diligentiam missi. Qui cum Regnum in diversas Provincias sit divisum, nondum potuit omnes peragrasse, ut quæ corrigenda invenerit, corrigantur. Item, de Ecclesia *Montis Regalis*. R. Quod nullum gravamen habuit per Dominum Imperatorem, nisi velit notari de *Saracenis*, qui occupaverunt bona Ecclesiæ per bellum, qui nec Dominum Imperatorem, nec Ecclesiam recognoscebant, nec in aliquo pro posse suo pepercerunt: imo destruxerant & deprædati fuerant eam, usque ad muros Ecclesiæ, & alicui de *Sicilia* non parcebant: ita ut in partibus illis nullus vel rarus Christianicola remansisset. Hos re vera fatetur Dominus Imperator exterminasse de *Sicilia*, cum multis laboribus & expensis: si reputant in hoc gravamen Ecclesiæ, alias nescit quod unquam gravasset illam, nec vult gravare. Item, idem dicit de Ecclesia *Cephalensi*, nisi forte tangatur de Castro *Cephalensi*, quod velut munitissimam arcem supra mare, & stantem in *Marchia Saracenorum*, tenuerunt semper Reges *Siciliæ*, & bonæ memoriæ *Innocentius* Papa mandavit Legato suo, tunc temporis pro servitio nostro in *Sicilia* esistenti, ut illud reciperet ab Episcopo, ad cujus manus perurbationem venerat, & non de jure, & quod Legatus tempore pueritiæ nostræ faceret teneri & custodiri pro nobis, nec Episcopo, nec præsentī restituitur, nec de jure restitui debet, quia non habet jus in re: & alias, quod falsarius, homicida, proditor, & schismaticus, publico testimonio comprobatur, quare si etiam haberet jus in re, quod absit, restitui non tenetur. Item, idem de *Cathacenſi* Ecclesiā: nisi forte tangatur de hominibus *Demani* Domini Imperatoris, qui temporibus belli, propter locum securum & fertilem se *Cathaniam* contulerunt. Hos fatetur Imperator se ad *Demania* sua revocasse, secundum formam generalis constitutionis Regni, per quam etiam Comites & Barones, & omnes de Regno homines, de *Demaniis* revocant, ubicumque eos invenerint: sive in terris Ecclesiarum, sive in Civitatibus ipsius Imperatoris. Nihilominus tamen super his forma statuta est, & meta temporis posita, ad requisitionem Summi Pontificis acceptata, prout constat ex Literis testimonialibus Patriarchæ *Antiochenſis*, & *Panormitanensis*, & *Messanenſis* Archiepiscoporum. Item, quod cum Ecclesia *Mileſensis* & Sanctæ *Eufemie*, cum Abbate & Monachis *Terræ Majoris*, permutatio congrua facta sit de voluntate Prælatorum ipsorum & Conventuum, secundum formam juris, & ipsi hodie res tenent & possident permutatas. *Tassale* vero Sancti *Severii*, quod non erat in totum Abbatis *Terræ Majoris Aconensis*, ibi quædam jura habebat quæ tenebat in feudum ab ipso Imperatore, per judicium fuit juste destructum, quia homines illius loci tempore perturbationis occiderunt *Paulum de Longotham* bajulum Imperatoris, & armenta Imperialia diripuerunt: & nihilominus, ut dictum est, permutatio data est Abbati & Conventui pro parte sua, & hodie tenent. Locus *Lama* cinctus est per sententiam ab Abbate Sancti *Johannis* rotundi: qui de eo, velut de re feudali, potuit & debuit secundum jus Civile & Canonicum, in Imperiali Curia conveniri. *Propositio Ecclesiæ*: Templarii & Hospitalarii bonis mobilibus & immobilibus spoliati, juxta tenorem pacis non sunt integre restituti. Responsio Imperialis. A Templariis & Hospitalariis verum est, quod per judicium & per antiquam constitutionem Regni *Siciliæ*, revocata sunt feudalia, & burgasatica, quæ habuerant per concessionem invalorum Regni: quibus equos, arma, victualia, & vinum, & omnia necessaria ministrabant abunde, quando infestabant Imperatorem, & Imperatori, tunc Regi pupillo, & destituto, omne omnino subsidium denegabant. Alia tamen feudalia, & burgasatica dimissa sunt eis, qualitercumque ea adquisierunt & tenuerunt ante mortem Regis *Willielmi* secundi: seu de quibus haberent concessionem alicujus antecessorum suorum. Nonnulla vero burgasatica quæ emerunt, revocata sunt ab eis, secundum formam antiquæ constitutionis Regni *Siciliæ*, quod nihil potest eis sine consensu Principis de burgasaticis inter vivos concedi, vel in ultima voluntate legari, quin post annum, mensem, septimanam, & diem, aliis Burgensibus sæcularibus vendere & concedere teneantur. Et hoc propterea fuit ab antiquo statutum, quia si libere eis & perpetuo burgasatica liceret emere sive accipere, modico tempore totum Regnum *Siciliæ* (quod inter Regionem mundi sibi habilis reputarent) emerent, & acquirerent: & hæc eadem constitutio obtinet ultra mare. *Propositio Ecclesiæ*: Item, quod non permittit Cathedralis & alias vacantes Ecclesias ordinari, & hac occasione periclitatur libertas Ecclesiæ, prout fides: quia non est qui proponit verbum Dei, nec qui regat animas, deficiente Pastore. Responsio Imperialis. Cathedralis & alias vacantes Ecclesias,



\* Nota.

Dominus Imperator libenter vult, & desiderat ordinari, salvis privilegiis & dignitatibus, quæ prædecessores sui Reges usque ad sua tempora habuerunt, & quibus ipse modestius, quam prædecessores sui hactenus usi sunt: nec contra ordinationem Ecclesiarum unquam fuit. *Propositio Ecclesia: De tallis & exactionibus contra formam pacis ab Ecclesiis & Monasteriis extorquentur.* Responsio Imperialis. Tallis & collectæ Clericis & personis Ecclesiasticis, non pro Ecclesiasticis rebus, sed pro feudalibus & patrimonialibus imponuntur; \* secundum quod est jus commune, & obtinet ubique per orbem. *Propositio Ecclesia: De hoc quod Prælati non audent procedere contra usurarios occasione constitutionis Imperialis.* Responsio Imperialis. Apparet generalis & nova constitutio contra usurarios edita per Imperatorem, per quam in omnibus bonis eorum publice condemnantur, & lecta est coram Prælati, per quam etiam non interciditur Prælati audacia procedendi. *Propositio Ecclesia: Quod Clerici capiuntur, incarcerantur, proscribuntur, & occiduntur.* Responsio Imperialis. De captis & incarceratis nihil novit, nisi quod per officiales Imperatoris aliqui capti sunt, assignandi juxta qualitatem excessuum judicio Prælatorum. De proscripitis vero novit, quod obiecto quibusdam crimine læsæ Majestatis, aliqui de Regno sunt proscripti. Novit etiam de occisis, quod propter impunitatem Clericorum & Monachorum, *Veneranda* Ecclesia gemit obitum Prælati sui, a suo Monacho interfecti: & in Ecclesia Sancti Vincentii, Monachus Monachum interfecit: nec est inde aliqua vindicta sive pœna Canonica subsequuta. *Propositio Ecclesia: De Ecclesiis Domino consecratis, quæ prophantur & destruntur.* Responsio Imperialis. Nihil omnino scitur, nisi forte dicatur de Ecclesia *Lucina*, quæ propter diutinam vetustatem per se dicitur corruisse, & quam Imperator, nedum quod re-ædificari permittat, imo paratus est ad honorem Dei & Ecclesiæ, de suo pro re-ædificatione ejusdem Episcopum congrue adjuvare. *Propositio Ecclesia: Quod non permittit reparari Soranam Ecclesiam.* Responsio Imperialis. *Soranam* Ecclesiam solam ædificari permittit, sed Civitatem non: ad minus diebus suis, quæ judicio est destructa. *Propositio Ecclesia: Quod contra tenorem pacis, hi qui adhæserunt temporeurbationis, bonis omnibus spoliati, exulati coguntur.* Responsio Imperialis. Adhærentes Domino Papæ temporeurbationis contra Dominum Imperatorem, secure in Regno morantur: nisi forte qui officia & jurisdictiones exercuerunt, metu ponendi rationem, vel aliqui, ne causis civilibus vel criminalibus conveniantur, morantur extra Regnum: de quibus vult Dominus Imperator, quod secure redeant, si sibi & aliis conquerentibus (non tamen de eo, vel ejus occasione, quod Ecclesiæ adhæserunt) velint facere rationem. Sed cum de forma pacis tractatur, recordatur quod Dominus Papa contra eam & contra opinionem fere omnium fratrum, detinet Civitatem *Castella*. Pro qua detinenda, in præjudicium Imperii, recepit pecuniam, existente Domino Imperatore pro servitio ejus contra *Romanos*, & expendente proinde ultra Centum Millia Marcarum argenti: adeo quod magnum commodum inde est Ecclesia consecuta, tam de terra *Romanis* ablata, & sibi restituta, quam de libertate Ecclesiastica, reformata in Urbe, occasione servitii supradicti. *Propositio Ecclesia: De nepote Regis Tunicii, quem non permittit venire ad Apostolicam sedem, ad suscipiendum baptismi Sacramentum, sed captivum detinet.* Responsio Imperialis. Quod nepos Regis *Tunicii*, non ut baptizaretur, sed ut aufugeret mortem, quam præminabatur Patruus suus, de *Barbaria* fugit in *Siciliam*. Non tenetur captivus, sed liber per *Apuliam* vadit: & diligenter quæsitus, si baptizari velit, omnino negat. Si tamen vult baptizari, Dominus Imperator acceptat & gaudet, prout super hoc respondit alias *Panormitanensi* & *Messanensi* Archiepiscopis. *Propositio Ecclesia: De Petro Saraceno, fidei Ecclesia, quem tenet captivum, in injuriam Ecclesiæ: & fraire Jordane, qui tenetur captivus.* Responsio Imperialis. *Petrus Saracenus*, tanquam inimicus Domini Imperatoris, & detractor ejus, tam in Urbe quam alibi, captus per eum. Item, non in negotium Regis *Anglorum* venit, sed tantum Literas ipsius attulit: ut si forte caperetur, capto parceremus, attentius supplicantes. Quibus non obtemperavimus, quia Rex nescivit, quas mihi paravit indidias. De fratre *Jordane*, quod ipsum nec cepit, nec capi mandavit: quamvis eum in sermonibus diffamaverat. Sed quia videtur a quibusdam fidelibus suis, qui norunt mores & versutias ejusdem fratris, quod status & mora ejus, si fieret in *Marchia Terevisi*, & *Lombardia*, suspecta forent & nociva Domino Imperatori: præstita satisfactione, quod in *Marchia* vel *Lombardia* remanere vel morari non debeat, ipsum liberari mandabat, & assignari eum jussisset Domino *Messanensi* Archiepiscopo: si dictum fratrem in prædictum modum, super se recipere voluisset. *Propositio Ecclesia:*

sa: De eo quod ipse seditionem movit in Urbe contra Ecclesiam, per quam intendebat Romanum Pontificem & fratres suos à sua sede repellere, & contra privilegia, dignitates, & honores Apostolica sedis, libertatem Ecclesiasticam concutere. Responsio Imperialis: Seditio mota in Urbe contra Ecclesiam per Dominum Imperatorem; negatur. Sed cum ipse habeat fideles suos in Urbe, sicut prædecessores sui, tam Romani Principes, quam Reges Sicilia, soliti sunt habere, quia Senatores aliquando electi per potentiam adversariorum, eos offendere contendebant, astabat defensioni eorum: sicut astaret quoties in similibus expediret. Cessante vero causa, videlicet quod alius Senator communiter electus fuit, cessavit turbatio supradicta: prout constat de rei evidentia, ex testimonio *Panormitanensis* & *Messanenensis* Archiepiscoporum. *Propositio Ecclesie*: De eo quod mandavit quibusdam fidelibus suis, ut *Episcopus Prænestinus*, Apostolica sedis Legatus, detineretur. Responsio Imperialis. Super mandato detentionis Episcopi *Prænestini*, respondit, quod nunquam mandavit, nec etiam id somniavit Dominus Imperator: quanquam de eo id iuste facere potuisset, tanquam de inimico suo. Qui, licet missus per Dominum Papam, tanquam vir Religiosus, tamen de mandato Domini Papæ, ut ipse dixit, *Lombardiam* pro magna parte contra Dominum Imperatorem callide & perniciose subvertit, & *Lombardos* contra ipsum in quantum potuit, animavit. *Propositio Ecclesie*: Quod per eum impediatur negotium Terræ Sanctæ, occasione discordia quam habet cum quibusdam Lombardis: cum parata sit Ecclesia dare opem & operam efficacem, ut sibi & honori Imperii, super hiis, quæ commissæ sunt contra eum à Lombardis, congrue satisfiat: & Lombardi etiam ad hoc ipsum sint preparati: moneatur super his omnibus, & responsum ejus significatur nobis. Responsio Imperialis: Super negotio *Lombardia* dixit Dominus Imperator, quod illud multoties commisit Ecclesie, nec inde est aliquod commodum assequutus: nisi quod prima vice, condemnati sunt *Lombardi* in quadringentis militibus: quos Dominus Papa tali modo fecit ei solvi, quod ipsos contra ipsum Imperatorem misit in Regnum. Secunda vice, condemnati sunt in quingentis militibus, quos non Imperatori, contra quem commissæ erant injuria, sed sub protectione & ad requisitionem Domini Papæ & Ecclesie, quæ offensa non erat, ultra mare transmitti pronuntiavit, quod etiam nunquam factum fuit. Tertia vice, ad requisitionem Cardinalium, scilicet quondam Episcopi *Sabiniensis*, & Magistri *Petri de Capua*, plene sicut Dominus Papa dictavit, commissum fuit dictum negotium Ecclesie, nec unquam postea de hoc fuit verbum: nisi quando Dominus Papa novit, quod Imperator, postquam ei toties fuerat illusus, descendere cum exercitu à *Germania* in *Italiam* se parabat, & tunc instanter petit denuo negotium sibi committi: & Dominus Imperator, licet in eadem commissione naufragium sæpe expertus fuisset, voluit tamen sibi committere ad certum diem & sub conditione, quod ad honorem suum & commodum Imperii firmaretur. Quam conditionem Dominus Papa, prout per Literas suas constat, admittere noluit: quanquam ad præsens per Literas suas dicat, quod Ecclesia negotium ipsum, salvo jure & honore Imperii, fuisset diffinire parata. Et ex hoc patet, quod Literæ ipsæ sibi invicem manifestissime contradicant. Et ne prætendatur, quod in præjudicium *Terræ Sanctæ*, velit Dominus Imperator jura Imperii in *Italiam* restaurare, qualiter Dominus Imperator negotium *Terræ Sanctæ* assumpserit, nec duxerit negligendum, apparet per Literas suas responsales Regibus Orbis & Crucesignatis in *Francia* scriptas, qui ipsum in Dominum & rectorem exercitus elegerunt: per quas etiam respondit insuper eisdem, quod negotium ipsum de consilio Ecclesie, tractare volebat. Denique tamen super omnibus gravaminibus Ecclesiarum corrigendis, Notarius Domini Imperatoris in specialem nuntium, sicut superius est propositum, est transmissus. Addidit præterea Imperialis responsio, quod id quod enormius est, & in admirationem & stuporem omnium audientium verti debet, post recessum supramemoratorum *Panormitanensis* & *Messanenensis* Archiepiscoporum, quibus Dominus Papa Ecclesie gratiam pro Domino Imperatore promisit, & quod voluit unum & idem esse cum eo, Domino Imperatore, prout decuit, non modice hoc attentante, postquam sufficienter fuerat eis ad quædam capitula missa per eos, responsum, prout in eorum attestatione consistit, post tergum & in confusionem eorundem Archiepiscoporum, eis omnino nescientibus, missæ sunt Literæ istæ & Capitula interclusa Prælatis, quæ licet speciem admonitionis contineant, fugillationem tamen Imperialis famæ continent manifeste. Ultimo, generale verbum respondit & proposuit Dominus Imperator, quod cum ipse diu fuerit absens a Regno, & Regni statum ignoraret, quicquid unquam in gravamine Ecclesiarum factum est, quod remaneat emendan-

dum, integre & sine difficultate aliqua id emendari mandabit. Et nihilominus, propter unversale bonum, quod ex unione inter ipsum & Ecclesiam provenit, paratus est omnem prorsus securitatem, quæ Ecclesiam & ipsum Imperium deceat, præstare Ecclesiæ: quod ad honorem & exaltationem fidei Christianæ, & ad honorem & libertatem Ecclesiasticam conservandum, sit unum & idem cum Ecclesia, viribus & potentia sua ad hoc ex toto converfis. Datum, &c.

Mat. Paris, Hist.  
An. p. 479. 480.  
Imperator con-  
queritur de in-  
juriis sibi a  
Pontifice illatis.

Hæc postquam domino Papæ intimata sunt, in vehementem iracundiam exarsit. Et seipsum iustificans, omnia hæc prædicta pro trivialibus habuit & inutilibus sermocinationibus, & sprexit quasi commenta contraria veritati. Scribens igitur Principibus & Magnatibus totius Christianitatis, **tam laicis personis quam Ecclesiasticis, absolbit quotquot eidem Frederico fidelitate tenebantur, ut non ei teneantur quasi Domino obedire.** Fecit etiam per omnes terras sibi obtemperantes sententiam latam in eundem terribiliter, **præcipue autem in Anglia**, solenniter publicari, eum graviter diffamando, ipsum inimicum manifestum Dei & Ecclesiæ affirmavit. Quod cum Dominus Imperator festina relatione cognovisset, tactus dolore cordis intrinsecus, prorumpentibus crebris suspiriis, amicis querimoniam gravem reponens scripsit, in hæc verba.

Litteræ Imperiales.

**FREDERICUS**, &c. Inviti loquimur, sed tacere non possumus. Jam enim securis ad radicem arboris posita, & gladius fere usque ad animam transiens, labia dissolverunt. Jusque datum sceleri scribimus, & populum contumacem dexteram in viscera propria vertisse condolemus. **Iuri præfertur iniuria, et voluntas iustitiæ Dominiatur.** Dominum quidem *Italia*, populi sceptrum contemnere conantur Imperii. Ac etiam propriæ commoditatis immemores, libertatis ejusdem vagæ luxuriam quieti pacis imponunt, & æquitati iustitiæque prætulerunt. Nec tamen a nobis rebellionem hujus sumpsisse nunc primum exordium æstimetis, sed avitas & paternas prosequimur injurias, & productum jam ad alias regiones, libertatis invidiosæ propaginem nitimur supplantare. Sed nec ista dissimulasse aliquolibet modo hætenus, aut conniventibus oculis pertransisse credatis. Quam primum enim in nobis pubescentibus, ac mentis & corporis calescente virtute, ad *Romani* culmen Imperii, præter spem hominum, **nutu solummodo providentiæ divini, conscendimus**, ac Regnum *Sicilia*, præclara maternæ successionis hereditas, ad jura nostra pervenit, aciem mentis nostræ continuo direximus ad prædicta. Ac demum ad consummationem propositi nostri, miserabili casu de amissione *Damiatæ* tunc temporis ministrante cum venerabili patre nostro *H. summo Pontifice* apud *Verulas* colloquio celebrato, *Verona* de communi consilio pro negotio terræ sanctæ, & reformatione Imperii, solemnem curiam duximus indicendam: ubi tam nos **quam Prædictus Papa, condiximus interesse.** Quo proposito & volubilitate consilii, & metu rerum continuo præsentium, immutato, nos a tanto bono recedere non volentes, *Ferentini* denuo cum Papa præstito collatione habita, curiam apud *Cremonam* indiximus: ad quam, filium nostrum cum multis Principibus Imperii nostri vocavimus, cum decenti militum comitatu: nihilominus de *Italia* partibus ducentes nobiscum milites, prout Imperialis excellentiæ decus, & tantum negotium condecebat. Ex quo *Lombardi* nobis, & honori nostro rebelles, in spiritu contradictionis assumpti, & reprobum sensum dati, palliata occasione timoris, propterea quod armatorum consortio fruebamur: & nobis intendere tanquam ipsorum legitimo Domino contempserunt, & ingressu in *Italiam* viarum difficultate prohibito, filium nostrum & principes a nostris aspectibus subtraxerunt. Ad exaggerationem dein nequitiae adhuc occultæ ac perfidiæ, malitiam manifestam insolentiamque adjecerunt, quod contra nos & imperium conspirantes, nobis præsentibus & contemptis, conjurationes nefarias contraxerunt. Et sic desiderata filii nostri visione fraudati, in *Apuliam* redeunt, quia præparatio passagii transmarini, ad quod tenebamur ex voto, tunc temporis nos arcebat, causam ipsam de satisfactione nobis & Imperio faciendâ, arbitrio summi Pontificis commisimus terminandam; per quem, in quingentis Militibus pro negotio terræ sanctæ sub eorum sumptibus per biennium exhibendis fuerunt nobis arbitrari sententia condemnati. Quos into pacis Ecclesiam inter & Imperium discordiam seminante, ipsos contra nos in *Apuliam* transmiserunt: & sic per contrariæ satisfactionis modum, præcedentes injurias geminarunt. Redeuntibus autem nobis de partibus transmarinis, ac inter nos & Ecclesiam dissensione sedata, de reformatione status Imperii con-

cepto



cepto proposito inhaerentes, apud *Ravennam* iterum de consilio beatissimi patris nostri *G. summi Pontificis*; indiximus curiam generalem: sub inermi tantummodo & domestico comitatu, ut timor armorum & occasio frivola tolleretur. In qua, nedum *Lombardi* praedicti devotionis & obedientiae nobis signa praetenderent, imo in oculis nostris, fere civitatem *Veronae* & *Ezelmum*, de *Romano* tunc temporis ad nostrae fidelitatis obsequium noviter revocatos, extractis eorum Carrochiis, violenter invadere nitebantur, ad reverentiam nostrae praesentiae nullo habito omnino respectu. Accessum etiam filii nostri ad nos, vel nostrum ad eum per terras & vias Imperii, (quae & si nostrae sunt propriae, tamen omnibus sunt communes) denuo prohibentes: ita quod Patris oculus tunc temporis etiam filium non vidisset, nisi quod navali praesidio, amore paterno, qui contineri non poterat, stimulat, nos *Aquilegiam* sub maris dubia sorte, contulimus: ut praedictum filium nostrum & Principes, qui ad nos devote se contulerant, videremus. Nec adhuc defuit clementiae nostrae constantia, quin aggressionis hostilis furore deposito, iterum & causam ipsam committeremus arbitrio ecclesiae terminandam. Ex eo tamen unde credidimus humanitatis eisdem exempla protendere, cornua ipsis indevotionis ereximus: referentes ab eis pro debita fide perfidiam, & pro devotione contemptum, nec ulla de praedictis vexatio tribuit intellectum.

*Otto* the Popes Legate was very diligent to see the Emperor *Frederick* excommunicated, and the Popes scandalous excommunications and Bulls against him published throughout *England*, as this narrative informs us.

Et cum versus *Scotiam* iter dominus Legatus arripuerat, Capitulum sancti Albani ingressus est, & prius facto sermone de Assumptione beatæ Virginis, (hoc enim infra Octavas evenit) **dominum Imperatorem excommunicavit.** Monachi vero sibi de tali permissione, literas excusatorias obtinuerunt. Et eisdem diebus, pluries in Ecclesia sancti *Pauli Londini*, **idem Imperator sollemniter est excommunicatus:** tali Papali authentico, quod Legato transmissum est, compellente.

Mat. Paris, Hist. Angl. p. 481. 482. 483. Denunciatur Imperator in Anglia excommunicatus.

**G**REGORIUS Episcopus, servus servorum Dei, dilecto filio suo *Ottone* sancti *Nicholai* in Carcere *Tulliano*, Diacono Cardinali, Apostolicæ sedis Legato, salutem & Apostolicam Benedictionem. Sedes Apostolica, sicut totus fere orbis facti evidentia didicit, *Fredericum* dictum Imperatorem, ex quo ipsum ex utero matris excepit genibus, affectu materno prosequens, lactavit uberibus, & humeris bajulavit: quem olim omni pene destitutum auxilio, & dubiis tantum derelictum eventibus, suo recepit patrocinio confovendum, opponens potenter invasoribus Regni sui qui in terram ejus oculos aviditatis injecerant: Cujus jam fines ingressi, eam absque ullo defensionis obstaculo usurpabant, & defendens eundem ab insidiantibus vitæ suæ, qui æmuli salutis ipsius, conabantur animam ejus extinguere, & de terra ipsius memoriam abolere. Cumque idem protectionis Ecclesiasticæ clypeo præmunitus, personæ & Regni sui bonæ memoriæ *G. de Gavlganem* Tituli sancti *Anastasi*; Presbytero, Cardinali, a sede Apostolica per multos Annos deputato Custode, majoris metas attigisset ætatis, tandem ad altioris dignitatis apicem per eam extitit sublimatus. Sed diligentiae studium circa personam ejus impensum, labores plurimos quos Ecclesia subiit propter eum, quæ ad ipsum, perdidisse videtur, cum tot beneficiorum sit immemor, tantæ gratiæ sit ingratus. Et utinam illius ingratitude non excederet terminos, per quam perceptorum bonorum existeret negatione contentus. Porro, licet offensa quælibet aculeos doloris importet, illa tamen jaculo graviore percellit, in qua ingratitude pro gratia rependitur, & pro beneficiis maleficia compensantur. Verum, quantumcunque ipsum Apostolica sedes dilexerit, & **supremæ culmine potestatis exerecit seculares,** suis tamen exigentibus culpis, de quibus, quamquam pluries a nobis monitus satistacere non curavit, coacti sumus, licet inviti, animadvertere in eundem. Nam & si *Adam* divina Providentia, excellentia dignitatis & auctoritatis extulerit, cui omnia animantia terræ subjecit, quia tamen sui jussa præterit *Plasmatoris*, ejus excessibus non pepercit. Quæ autem a dicto *Frederico*, pro tot bonis sibi collatis Ecclesia retributionis præmia reportavit, discretionem tuam volumus non latere, pauca de multis præsentis pagina declarando. In Urbe siquidem gravem movit seditionem: exinde nos & fratres nostros, totis viribus nifus excludere, ut Apostolicæ sedis honorem deprimeret, ac libertatem ipsius penitus conculcasset: contra juramenta præstita

Litteræ Papales acerbe contra Imperatorem Legato missæ.

\* Were not this  
Popes Taxes,  
Exactions, Ra-  
pines far grea-  
ter then the  
Emperors?

præstita temere veniendo. Et venerabilem fratrem nostrum *Pransifinensem* Episcopum, dum ipsum ad partes *Albigensium* disponeremus pro corroboratione fidei catholicæ destinare, per quosdam suos fideles in viam impediri mandavit. Cathedralis etiam Ecclesiæ, & alias vacantes Regni sui nequaquam ordinari permittit: in animarum periculum, & grave detrimentum ipsarum. Eas & quasdam alias nihilominus spoliando fere omnibus bonis suis: & tallias ac exactiones indebitas Prælati, religiosi, & aliis Clericis secularibus imponendo. Nobilibus, pauperibus, orphanis, & viduis, usque ad inanitionem extremam deductis, eos ad modicum dura & crudelis exactorum suorum acerbitas non patitur respirare: & fictotum fere Regnum, quod est spirituale patrimonium beati *Petri*, pro quo juramento fidelitatis Apostolicæ sedi tenetur, & ipsius ligius vassallus existet, quantum in eo est, in favillam quasi & cinerem jam redegit. Quod si postquam monitus fuerit a nobis, nonduxerit corrigendum, nos super hoc, auctore Deo, sicut expedire videbimus, procedemus. Insuper negotium impedit Terræ sanctæ, necnon etiam Imperii *Romani*. Præterea cum tempore concordie inter ipsum & ecclesiæ reformatæ, in manibus sedis Apostolicæ Legatorum juraverit ecclesiæ præceptis obedire: & ipse mandatum ab eis receptum, quod terram ecclesiæ, vel terras eorum quas tunc ad suas manus tenebat, aut ipsorum personas nullatenus caperet, occuparet, sive etiam devastaret, adimplere contempsit, terram ecclesiæ occupando: videlicet in *Lombardia*, *Ferrariam*, *Bondoniam*, *Pignogoman*, terram quidem *Sardinia*, & *Messanensem*, *Lucanensem* Dioceses capiendo, & deijciendo illos quos ad manus suas ecclesiæ reservavit, & devastando terras ipsorum: licet ex tunc in eum præsentem, ipsi Legati excommunicationis sententiam tulerint, si super his non laceret quod mandarent. Idem etiam nepotem Regis *Tunicii* detinet, ad *Romanam* curiam & ecclesiæ, pro percipiendo sacri baptismatis lavacro, accedentem. Ac dilectum filium *Petrum Saracenum* nobilem civem *Romanum*, ex parte charissimi in Christo filii nostri illustris Regis *Anglia*, ad sedem Apostolicam missum, & filium ejus, carceri detinet mancipatos. Quia vero super his & quampluribus aliis excessibus pluries à nobis monitus, correctionis medelam non sentiens, cum suarum sint ulcera indurata culparum, quotidie deteriora committere non veretur: Nos hæc absque Christi offensa, præterire sub dissimulatione ulterius non valentes: de fratrum nostrorum consilio, ex parte Dei omnipotentis (cujus vicem in terris gerimus) licet inviti: & auctoritate beatorum Apostolorum *Petri* & *Pauli*, ac nostra, in eum excommunicationis et anathematis sententiam durimus promulgandam; tradentes ipsum *Fredericum* *Satanæ* in interitum Carnis, ut spiritus ejus in die Domini salubus fiat: Omnes qui ei fidelitatis juramento tenentur, decernendo ab observatione hujusmodi juramenti absolutos, donec fuerit vinculo excommunicationis affectus. Quocirca devotionem tuam monemus & exhortamur attente, per Apostolica scripta tibi præcipiendo, mandantes, quatenus prædictam excommunicationis et anathematis sententiam, singulis diebus Dominicis et Festivis, pulsatis campanis et candelis accensis, solenniter publicari, ac absolutionem et inhibitionem nuntiari procures, et facias per totam terram tuæ Legationis, modo simili publicari et etiam nuntiari. Mandatum nostrum taliter impleturus, quod devotio tua possit exinde merito commendari. Cæterum cum præfatus *Fredericus* de aliis magnis & gravibus sit plurimum infamatus criminibus, nos, dante Domino, super his suo loco & tempore procedemus, prout in talibus negotiis natura requirit. Verum, quia terroris sonitus semper est in auribus impiorum, & etiam quando pax est, insidias suspicantur: eo quod turbata conscientia semper sæva præsumit: idem *Fredericus* prius quam sententia excommunicationis lata esset in ipsum, quasdam fratribus nostris decrevit literas transmittendas, pro parte inferius annotatas: quæ post latam sententiam ipsis præsentata, ad nostram & eorundem notitiam pervenerunt. Unde quia voluit Dominus occulta cordis ejus detegere, qui manifestat abscondita tenebrarum, & cordium secreta revelat, ex ipsarum literarum tenore colligitur, quam gerat devotionem ad *Romanam* Ecclesiæ, matrem suam: quam ad summum Pontificem ac fratres ejus, ad sedem Apostolicam reverentiam habeat, cujus ratione Regni vassallus existit. Contra nos enim & ipsos, conspirasse videtur: ex quo,

quo, quantum & quale crimen incurrerit, satis patet. Inter cætera vero quæ sua continebat Epistola, hæc habebantur inserta: Propter quod non indigne dolemus, si pater Apostolicus offendere tam graviter nos intendat, ut dum in constantem virum tam vehemens cadit injuria, etsi patienter ferre velimus, immanitas negotii non permittat, quin ad ultiones, quibus *Cæsares* uti solent, facti violentia nos impellat. Veruntamen dum consideramus impatientiam procedentis, & difficultatem attendimus offensorem, si ex æquo liceret privatas exercere vindictas, quas in hominem per quem scandalum venit, & in sui participes sanguinis, compensare possemus: ut in ipsum & suos attemptata nostræ sedis injuria redundaret tolerabilius duceremus. Sed cum nec ipse, nec tota propter hoc sua passura progenies, tanti forent ut culmen imperii zelaret ultionem ipsorum, cumque sedis auctoritas audaciæ sibi fræna relaxet, & tot venerabilem fratrum moles eum in concepta fovere perennacia videatur: angit nos altiori mente turbatio: quod dum nos intendamus a persequente defendere, oporteat nos defendendo gravius offendere resistentes. Datum *Latranæ*, tertio Idus Aprilis, Pontificatus nostri anno xiiij.

Cumque dominus Imperator super hac diffamatione certificaretur, factus de Rege Tyrannus, non immerito magis ac magis in *Mediolanenses* & alios proditores suos, incanduit; quos Papa contra eum juvat efficaciter & animavit. *Mediolanenses* vero auxilio Papali facti animosiores, & comperientes rem agi pro capite, exierunt impetus furibundos facientes: concomitante quondam Legato de latere Domini Papæ ad eorum auxilium destinato, *Ferrariam* & alias civitatis & castra Imperialia, dum se dominus Imperator ad loca remotiora transtulit, violenter occuparunt; loca vicina usque ad exterminium & internecionem, devastantes. Ne invenerunt obsessi misericordiam; petentes lacrymabiliter Legatum, ut civitatibus & substantia eorum omnimoda sibi redditis ad manum, tantum personis pro Deo parceretur: nec sunt exauditi nisi penitus & absolute se suæque sibi manciparent. Unde sancti viri & religiosi regiones Christianas inhabitantes, non minimum admirati tam inhumanam ac cruentam ferocitatem in Ecclesiastico Prælato, cum imprecationibus multimodis execrabantur, qui tantum usus gladio materiali non est recordatus facere misericordiam. Et invasit timor & horror corda, ne Dominus Deus exercituum effunderet indignationem suam super induratos, & ecclesia ruinam magnam pateretur: præsertim cum non curaret pars Papalis preces vel jejunia, Missas & processiones, nec præciperet universaliter humiles preces Deo fundere, & sic iram Dei flectere; in quibus solet ecclesia in tribulationibus respirare, & triumphos de oppressoribus crebrius reportare. Sed spem totam ponens in pecuniæ thesauris & rapinis, ad gladium & ultiones proprias irruit frontuosa: unde dolor & desolatio Christianorum, Magnatum oriuntur comminationes, furor & rancor, odium & iracundia inter ecclesiam & Imperium: flebile nacta principium, exitum flebiliorem minabantur. His igitur læsus doloris aculeis dominus Imperator, se intendens excusare, & dominum Papam accusare; multis Regibus & Principibus, præcipue Regi Angliæ, et R. Comiti Cornubiæ fratri suo, quasi charissimis sororis suis, in quibus specialius confidebat, scripsit in hæc verba.

Magna iracundia Imperatoris contra Papam, ejusque gravis querimonia.

Nota.

**F**REDERICUS Dei gratia Romanorum Imperator, semper Augustus, Hierusalem & Sicilia Rex, Richardo Comiti Cornubiæ, dilecto sororio suo, salutem & omne bonum. Levate in circuitu oculos vestros, arrigite filii hominum aures vestras, orbis scandalum, dissidia gentium, generale justitiæ doleatis exilium: exeunte nequitia *Babylonis* a Senioribus populi, qui populum regere videbantur, dum iudicium in amaritudinem, & fructum justitiæ in absinthium convertunt. Sedete Principes, & intelligite populi causam vestram. A vultu Domini iudicium vestrum prodeat, & oculi videant æquitatem. Scimus etenim, & in supremi Judicis virtute confidimus, quod cum apud vos pondus & pondus, mensura & mensura non fuerint, profecto modestiam & innocentiam nostram in iudicii vestri libra præponderare videbitis; calumniosis detrahentium labiis, & venenosis inventionibus fictionum: sed nec nunc primum causæ nostræ justitiam, & residentis in sede Domini pravitatem, ad publicam mundi notitiam novimus pervenire. Quin præter agillimæ Famæ præloquium, quæ frequenter in maximis virginum aurium deflorat, auditum: Nos ipsi, quod primitus rumor eduxerat, subsequenter postmodum nostræ serenitatis assatibus firmaremus, qualiter iste novus athleta, sinister factus auspiciis Pontifex generalis, amicus noster præcipuus, dum in minoribus esset ordinibus consti-

Mar. Paris Hist. Angl. p. 483, 484, 485, 486, 487, 488, 489. Literæ Imperiales ad Comitem Cornubiæ Richardum.



constitutus, beneficiorum omnium, quibus Imperium Christianum sacrosanctam Ecclesiam ditavit, oblitus, statim post assumptionem suam, fidem cum tempore renovans, & mores cum dignitate commutans; ac habens quodammodo de publicaurbatione pruritum, in nos supremum & unicum filium Ecclesiae, suae malignitatis aculeos acussit: dum occasione assumpta, quod propter imminens scandalum evitandum, **sacramento p̄stito, et lata contra nos excommunicationis sententia**, nos ad certi temporis obligaverimus transitum, adversa valetudine corporis praepeditos: adjectis plerisque capitulis aliis, de quibus antea nunquam fueramus muniti, vel admoniti; exculationibus nostris, **contra Deum et Iustitiam, omnino re-jectis, excommunicationis sententia nos denunciavit affectos.** Cui, velut in nos primitus de nostra voluntate prolatæ, cum humilitate paruius, & absolutionis beneficium, pristina nobis incolumitate corporis reddita, postulantes, dum nos ad transitum instanter pararemus. Quo petito suppliciter, & injuriose negato, in *Terra Sancta* subsidium sub pia voti prosecutione transivimus, existimantes vicarium Jesu Christi, ad ejus negotium potius, quam ad conceptæ malevolentiae contra nos Odium aspirare. Sed is, quem speravimus ea solummodo quæ sursum sunt sapere, & visu celestia contemplantem, mente credimus in celestibus habitare, subito inventus est homo, quinimo per inhumanitatis opera non solum a veritate sepositus, sed ab humanitate discretus: dum præter impedimenta, quæ nobis in *Syria* præparavit, per nuntios & legatos, qui *Soldanum* Literis suis, quas nos captis ipsarum latoribus in testimonium reservamus, ne nobis terram divino cultui & *Hierosolymitani* Regni juribus debitam, redderet, monuerunt: Regnum nostrum *Sicilia* violenter intravit; sumpta occasione, quod *R.* filius olim Ducis *Spolei*, præter voluntatem & conscientiam nostram (prout postmodum per ipsius penam evidenter expressimus) terram ecclesiae parabat intrare: & non prout sancti per fidem Regna vicerunt, sed per perfidiam & perjuriam prædicans universis, aut si qui ad perjuriam prædicatione solummodo, provocari non poterant, provocabantur exemplo, dum ipsi præfecti Papalis exercitus, quo terram facilius obtinerent, nos captos in *Syria* manifeste jurabant. Redeuntibus nobis de partibus transmarinis, & injuriam nostram propulsantibus solum, nec juxta magnificum morem Imperii prodeuntibus ad vindictam, per concordiam medios verbum pacis libenter admisimus. Veram matrem nostram Ecclesiam, ex agnitione Catholicæ fidei reperisse cognoscimus, sed patrem semper invenimus simulatum; dum ipsa reconciliationis die viam nostræ confusionis excogitans, de redeundo in *Italiam* iterum sub inermi & domestico Comitatu, nobis instantissime persuasit: occasionem significans, ne velut ex priori & armato processu, timoris causa in nostris fidelibus præstaremus; asserendo quod nobis omnia planissima faceret; Cujus contrarium per literas & nuncios suos manifestissime procuravit, prout constat testimonio plurium nostrorum fidelium, qui tunc temporis erant omnium conscii; velut ex eis quidam participes & alii principes factionis. Propter quod, filio & principibus nostris ad nos de *Germania* venientibus, per rebelles nostros itineribus publicis undique præpeditis: sed & eodem filio nostro *Aquiligiam*, navali præsidio cum summa difficultate recepto, ac in *Tenioniam* abinde destinato, in Regnum de necessitate redivimus: utpote quos ad arcendam rebellium nostrorum nequitiam, patris consilium vel Astutia potius miserat imparatos. Ubi quodammodo respirantibus nobis, & capescentibus requiem post labores, quieti nostræ sanctissimus Pater noster invidit, consiliatoris sibi formam assumpsit; instantissime persuadens, ut contra *Romanos* Excellentiae nostræ devotos, & alios rebelles nostros de *Tuscia*, qui jura Ecclesiae & Imperii detinebant, procederemus audacter, de suo favore securi quod nobiscum nostra & Imperii pondera participare volebat. Et sic ad multam ejus instantiam, *Romanos*, qui tunc temporis *Viterbiam* impugnabant, in favorem Ecclesiae nos oportuit diffidare: ipso mittente Literas latenter ad urbem, quod hæc per nos præter suam conscientiam & mandatum, faceremus in odium *Romanorum*. Et interim in *Sicilia* quadam seditione suborta, oportuit nos necessario conferre *Messanam*; ut factioni ibi inchoatæ principiis obstaremus: occasione solummodo ista prætexta, quod tam nobilem nostram *Sicilia* Insulam voluimus amittere: nobis non requisitis, & omnino celatis, contra omne jus gentium, quod belli socios & participes statuit non relinqui; sedus iniit cum *Romanis*, per nos ad mandatum ejus, ut diximus, diffidatis; non attento, quod nos non sine dubia vice & honoris nostri fortuna, inter rebelles & seditiosos nostros remanentes inermes, copiosam & strenuam militiam armatorum

Nota.

matorum in ejus subsidium miseramus, quanquam personaliter interesse nequiveramus. Ad hæc, cum conscientia nostra integritas, & pura devotio quam ad matrem nostram Ecclesiam habebamus, novercalia deliramenta patris agnoscere filium non sinebant: quin quod erat astutia casui reputantes, satisfactionis nostrae causam invitricantis arbitrio sapiens poneremus: qui tanto nobis vice qualibet illudebat acerbis, quanto constantius spem uberius arbitrii promittebat. Medio deinde tempore, dum de negotio *Italia* per Papam ad honorem Imperii componendo, ex præteritorum conjectura discriminum, nulla spes nobis remansisset in postetum vel exilis, ac persecutionem eandem congruo tempore servaremus, expectantibus repente credimus arrisisse fortunam, reiterata discordia inter Ecclesiam & *Romanos*, in qua sic magnifice, sic devote thesauros nostros effudimus & personam, quod omnem omnino conscientia prava nubiginem de malevolentium cordibus credebamus erasisse. His etiam omnibus non contenti, ut de nobis prorsus indubitata securitas ecclesiae præberetur, circa ipsam zelo devotionis summae succensi, & incentivo perfectæ charitatis in Deo, ad præsentiam istius summi Pontificis, personaliter ivimus etiam non vocati; ducentes nobiscum *Conradum* charissimum filium nostrum, nunc *Romanum* in Regem electum, & Regni *Hierosolymitani* heredem, quem nobis tunc temporis fratris sui manifesta transgressio filium unicum in paternæ dulcedinis affectione reliquerat. Ac eundem, post oblatam Ecclesiae personam nostram, in totum obsidem Summo Pontifici nos offerre non puduit; unionem omnimodam inter nos & Ecclesiam, sub attestazione divini judicii humiliter postulantes: quamdudum nobis antea iste Prælatas Ecclesiae generalis, cum esset Episcopus *Oppidensis*, instanter suaserat expetendam. Propter quæ omnia, dum serenam nobis totius Curiae faciem assertio demonstrata prætenderet, & verba gratissima tam Summi Pontificis, quam curialium omnium, sinceram ostenderent voluntatem; cum eis omnia perfecisse credentes, sub intentionis nostrae sanctae proposito, nec minus sub obsequiorum nostrorum fiducia, dissensionis causam inter nos & *Lombardos* in sinu corrupti Judicis toties suffocata, necnon & sedationem inter nos discordia Civis & Nobiles *Aconenses* devotione promptissima duximus exponendum. Sicque de negotiorum nostrorum omnium prospera consummatione securi, in obsequium Ecclesiae personaliter alacri voluntate processimus cum exercitu copioso; quem sub magnis ararii nostri stipendiis congregari tam de *Germania* quam de *Italia* partibus feceramus. Nec prius a concepti propositi prosecutione destitimus, quam libertatem Ecclesiae conculcatam in Urbe, & terram exterius occupatam, in statum primum & debitum, nostra potentia reformavit. Indubitabiliter æstimantes, ut quod obtinere prius favor justitiae nostrae non poterat, devotionis obsequia promerere. Sed audite retributionem mirabilem, quam pro tanta devotione, pro tot beneficiis, pro tam indubitata fiducia firmamento, Christi vicarius, pastor Ecclesiae nostrae Catholicae, fidei prædicator, nobis in singulis reddere procuravit. In primis super negotio ultramarino, quicquid per *Ravennensem* Archiepiscopum, dilectum Principem nostrum, tunc Apostolicæ sedis Legatum, secundum formam expressam ab Ecclesia sibi datam, videlicet de reducendo nobis & prædicto *Conrado* nato nostro in possessionem plenam & pristinam omnium jurium nobis sub tractatum in Regno, fuerat rationabiliter ordinatum: statim adveniente *Casariense* Archiepiscopo, nec Legato prædicto, nec nunciis nostris ad Curiam venientibus expectatis, nec ulla majori mora protracta, delatos *Bisantis* potuit numerare, inordinate fuit ex toto destructum negotium *Italia*, nedum quod ad honorem nostrum & Imperii, sicut promiserat, ordinare, imo petentibus & instantibus nobis ad revocationem hostium nostrorum, quod in *Lombardia* & *Tuscia* fideles nostros, tunc temporis divisim exercitum suorum copiis devastabat. Nec nos cum militibus, quos tunc in partibus ipsis, ut diximus, pro ecclesiae provinciis habebamus, ire permisit: nec aliquem nuntium seu literas voluit destinare, ex quibus per bella campestria sunt quamplurimum strages hominum, & ecclesiarum incendia subsecuta. Adhuc etiam tanta & superiori nequitia non contentus, civitatem *Castella* per ipsum introactæurbationis temporibus occupatam, quam reddi nobis forma pacis & fratrum suorum omnium consilia suadebant, receptis libris illius monetae solummodo, quæ ad quinquaginta marcarum millia multa expendentibus, reddere recusavit. Ecce qualiter pater noster iste sanctissimus nos amabat! Deinde super profectibus nostris omnibus, & super pacificanda nobis *Italia* (maxime de qualibet partis, vel vitrici nostri potius benevolentia desperare coacti) apprehendimus arma & scutum, vires de *Temorum* partibus (ad quas nos diebus illis, præ-

varicatio filii nostri de necessitate vocaverat) propter ingressum *Italia* congregantes, militibus strenuis justitiam nostram armavimus, quam assequi precibus minime poteramus. Quod cum ad noticiam summi Pontificis pervenisset, sub prætextu treugarum pro Terræ sanctæ subsidio fidelibus populis & terræ Principibus indictarum armatum nobis ingressum *Italia*, per Apostolicas literas interdixit. Oblitusque die eodem ipso, quo prædictas treugas indixit; nos tanquam defensorem & advocatum ecclesiæ requisivit: quod contra *Romanos*, quos sibi jura ecclesiæ subtraxisse dicebat, potenter procedere deberemus: iniquum in nobis reputans, quod domum nostram & possessionem avitam, quam nobis infidelium nostrorum rebellio furiosa præcluserat, viriliter ingredi nitebamur, quod justum crederat in *Romanis*, qui patri vel avo seu parentibus suis in nullo prorsus extiterant obligati. Adjecit præterea in literis antedictis, quod de negotio *Lombardie* in ipsum præcise sine adjunctione temporis & conditione aliqua nullo jure & honore Imperii reservato compromittere deberemus: per quod, vel nos in perpetuum a juris nostri prosecutione cujuslibet suspenderet, vel jus & honorem Imperii libere suffocaret. Quod cum nobis nec nostrorum consilia principum, nec præteritorum dispendiorum memoria suaderent, ad artes alias postmodum se convertit: mittens nobis obvium in vestimentis ovium Lupum rapicem, Episcopum *Præstensem*: per quem, apud nos literis Apostolicis de vita Sanctissima commendatum, *Placentiam* nobis subditam & nostris amicam, ad factionis *Mediolanensis* revocavit perjuriam; per eum firmiter æstimans, sic universaliter, & in tantum fideles nostros evertere, ut processus nostros in *Italiam* penitus enervaret. Qua spe, faciente divina clementia, quæ suum tûetur Imperium, omnino frustratus, clamantibus apud eum rebellium nostrorum incendiis, depopulationibus reorum ex stragibus occisorum, quod ipsum de data eis rebellionis securum fiducia, nec non de fide mentita, quod contra nos, & Imperium ipsis assistere promississet, publicis vocibus arguebant. Quia juxta petitionem ipsorum, occasione prædicta nos excommunicare juste non poterat, impedimenta clandestina nostris processibus undique præparavit: literas & legatos per imperium & ubique per orbem, ut quoscunque posset, a fide & assertionem nostram deduceret destinando. Quæ omnia cum nostrorum fidelium fides & amicorum affectio conscientiam nostram latere non vellent, nolentes adhuc vinci a malo, sed in bono malum vincere cupientes, solennes nuncios nostros, venerabiles *Petransensem* Archiepiscopum *Florentinum* & *Reginensem* Episcopos, magistrum *Thaddæum* de *Suessæ*, magnæ curiæ nostræ judicem, & magistrum *R. Portastel*. Capellanum, dilectos ac fideles nostros, ad sedem Apostolicam duximus destinandos. Quibus oblata sibi per eos ex parte nostra devotione omnimoda, & ratione tractata contra Hæreticam pravitatem, pro ecclesiastica libertate, de reformandis Ecclesiæ & Imperii juribus (dudum inter nos & Ecclesiam expetitis, & expectatis) summus Pontifex de præsentium fratrum suorum consilio, Legatione nostra in omnibus suis capitulis acceptata, per eosdem & Archiepiscopum *Messanensem*, quem ad nos pro pace sua nuncium destinavit, excellentiæ nostræ promisit, quæ cessari mandaret ubique locorum ab impedimentis omnibus, quæ si nostris processibus objecisse, coram fratribus suis & Nunciis nostris fuit professus manifeste, prout hæc omnia per testimoniales Antistitum omnium præfatorum literas manifestissime comprobantur. Cum qua responsione, nunciis nostris & suo ad nostram præsentiam redeuntibus; priusquam per tres Dietas a curia recessissent, eis omnino celatis, & in confusionem ipsorum, *G. de Monte-longo*, quem primitus ad nos nuncium miserat, & contra nos postmodum ad everisionem *Mantuanam* & aliorum fidelium nostrorum statuerat, in *Lombardia* Legationis officium plene commisit: arbitratus ut quanto sibi major daretur auctoritas, tanto majora nobis, & nostris impedimenta pararet. Quibusdam tamen Principibus nostris, Prælati *Italia* & *Germania* nobiscum in Curia manentibus, literas destinavit: fugillationem famæ nostræ non modicam continentes, certis capitulis interclusis: & specialiter de gravaminibus, quæ quibusdam Ecclesiis Regni nostri dicebantur illata: super quos, mandavit vos per eosdem principes admoneri, Quorum capitulorum omnium & responsionum nostrarum ad singula, seriem vobis sub testimonio publico misimus intuendam. Quibus omnibus, coram Principibus & Prælati ac religiosi quam pluribus, cujuslibet ordinis sigillatim ostensis (quanquam de tanta Patris instabilitate confusos se filii reputarent & de verecundia (capitis præsentium rubor ora perfunderet) nihilominus tamen de ipsorum consilio prædictos *Panormitanensem* Archiepiscopum, Magistrum *T.* & magistrum *R. Portastel*, excellentiæ nostræ, cum Nunciis



Nunciis Civitatum nostrarum fidelium, ad sedem Apostolicam duximus remittendos : per quos ad satisfactionem omnem, mora qualibet & difficultate sepositis, obtulimus nos paratos Sed nec in his omnibus est averfus furor ejus, quin dictus Evangelizantis pacem Christi vicarius, sed actor schismatis & dissensionis amicus, contra traditiones Sanctorum Patrum, audiens Nuncios nostros portantes omnimodum nostræ devotionis xenium, & metuens ne supervenientibus ipsis, obice vallo justitiæ, sine publico scandalo forte procedere non valeret ; præ festinantia nimia conceptum edidit abortivum, in nos supremum Christianorum Principem, die Dominica Palmarum, contra solennem morem sacrosanctæ matris Ecclesiæ, & in cœna Domini, postmodum præcipitavit sententiam, per quam ( sicut per famam audivimus, licet hoc credere minime debueramus, contradicente superiore parte fratrum suorum ) de quorundam Cardinalium *Lombardorum* consilio, **nos excommunicationis vinculis dicitur astrinxisse** ; præpeditis Nunciis nostris per iutores & satellites suos, de patrimonio pauperum solidatos, qui jam applicuerant : & ne allegandum justitiam & innocentiam nostram, ac demum satisfactionem offerendam, etiam ad cautelam, ad præsentiam suam & aspectus publicos pervenirent. De quo licet nos singulari & propria ratione, propter nostram justitiam, & infamiam procedentis, malle merito debueramus, quod perperam & inordinate processerit, cum nequitiam suam editurus fuisset omnimodo ; non forsitan antea crepuisset : dolemus tamen, & ex corde dolemus, propter verecundiam universalis Ecclesiæ matris nostræ, quam Dominus noster Jesus Christus, sub specie virginis gloriose, in passionis testamento discipulo commendavit. Alias nobis per talem, quem merito nostrum Judicem non habemus, nullam posse fieri reputamus injuriam : **utpote cum se prius inimicum capitalem quam judicem nostrum, et opere fuerit professus et verbo, rebelles nostros et nostri Imperii publice confobendo.** Indignum præterea se tanti coertione Principis, & generaliter qualibet Pontificalis autoritate judicii reddidit ; dum *Mediolanensem* Civitatem, quæ pro maxima parte testimonio religiosorum quamplurium fide dignorum, inhabitatur hæreticis, contra nos & Imperium manifeste favore tuetur. Et contra *R. de Mandello* Civem *Mediolanensem*, dudum Potentatem *Florentinum*, & *Clarentinum*. Episcopi *Florentini*, viri vitæ probabilis ac famæ approbatæ, in plerisque capitulis supra hæretica pravitare, ob odium nostrum, & *Mediolanensem* gratiam, non admisit. **Illum haberi præterea Christi vicarium, et successorum Petri, ac dispensatorem animarum fidelium indigne fatemur ;** non ob dignitatis injuriam, sed ob personæ defectum ; quod dispensationes cum fratrum deliberatione maxima concedendas, in camera sua more Mercatoris cujusslibet, in libra Mercationis celatis fratrum consiliis ( cum quibus secundum Ecclesiasticam disciplinam deliberare teneretur ) **existens sibi ballator et scriptor et foritan numerator.** De quibus dispensationes insignes præterire silentio non volumus, per quas *Siphiam* gnatam quondam Connestablii Regni *Cypri*, contra separationis sententiam latam super hoc per *Nicosiensem* Episcopum, & de non habendo simul præstitum sacramentum *Baliano de Jocelino*, & sororem *Johannis de Casaria*, *Jacobo de Amendolia*, qui prius sororem ipsius desponsaverat, proditoribus nostris, sibi invicem gradu tertio attinentes, concessit uxores ; accepta non multæ pecuniæ quantitate : veruntamen quod quantitati vel numero defuit, odii nostri qualitas compensavit. Defectum etiam & prævaricationem ejus in illo dolemus, quod ut contra nos Nobiles & Potentes *Romania* sibi satellites fautores adquirat, effusione pecuniæ non contentus, ipsis castra & possessiones Sanctis Patribus pia fidelium devotione donata, *Romanam* Ecclesiam nostro patrocinio commendatam dilapidando, largitur. Itaque non miretur universalis Ecclesia, nec populus Christianus, si nos talis sententiam Judicis non veremur, non in contemptum Papalis Officii, vel Apostolicæ dignitatis ( cui omnes Orthodoxæ fidei professores, & nos specialius cæteris, subesse fatemur ) sed personæ prævaricationem arguimus ; qua se solio tanti regiminis, monstravit indignum ; & omnes Primates nominis Christiani sanctum intentionis nostræ propositum, & piæ devotionis zelum in nobis agnoscant, & quod non ex odii fomite, sed ex causa justissima, *Romanus* Princeps contra *Romanum* Antistitem commonetur : dum metuit ne grex Dominicus, sub tali pastore per devia deducatur. Ecce quod sacrosanctæ *Romanæ* Ecclesiæ Cardinales, per sanguinem Jesu Christi, & sub attestazione divini judicii, per Literas nostras & Nuncios attestamur : ut generale Concilium Prælatorum, & aliorum Christi fidelium debeant evocare. Nunciis quoque nostris, & reliquorum Principum accersitis : in quorum præsentia, nos ipsi præsentem cuncta quæ diximus,

sumus ostendere & probare parati, & his etiam duriora. Nec minus illa probabili ratione turbamur, quod iste rector Ecclesiæ, qui deberet esse virtutum quarumlibet & constantiæ maximæ, sine macula cupiditatis, vas electum, ne error majorum in subditos propagaretur cum augmento contra promissionem suam Literis suis de fratrum consilio nobis factam, per quas in restaurandis Imperii viribus, non deesse nobis, sed adesse promisit auxilio, consilio, & favore, præter personæ nostræ infamiam, nedum blasphemiam, **jus Imperii mittitur conculcare**: præsertim cum quantumcumque conscientia nostræ librum sollicitè revolvamus, nullam in nobis occasionem invenimus ad causam, propter quam iste inimicus homo contra nos debuisset tam acriter commoveri. Nisi quod cum ipso contrahere, de nepte sua desponsanda *Henrico* naturali filio nostro, nunc Regi *Tunisi & Gallur*, nostra magnificentia credidit indecens, & reputavit indignum. Tu igitur dilecte, cum tibi dilectis, Princeps Orbis terræ profusuræ, non nobis solum, sed Ecclesiæ quæ est omnium fidelium congregatio, condole: cujus caput languidum, Princeps ejus in medio est, quoniam leo rugiens, Propheta ejus, velanus, vir infidelis, sacerdos ejus polluens sanctum, injuste faciens contra legem. Nobis tamen præ cæteris mundi Principibus, defectus est talis Summi Pontificis merito deplorandus, qui veluti sibi viciniore loco, & propinquiores officio, honores congerimus, & onera persentimus. Sed nec illud omittimus, in affinitatem nostram affectuose rogamus, ut contumeliam nostram ad injuriam vestram revoces. Ad domos vestras cum aqua concurrere, dum ignis accenditur in vicinis. Causam motus Pontificalis attendite, quod in favorem rebellium nostrorum procuratur. Quæ causa, licet ad præsens expressa non fuerit, proculdubio tamen subest: similia vobis in vestris imminere pericula timeatis. Facilis enim, & Regnum & aliorum Principum omnium, humiliatio creditur, si *Cæsaris Romanorum* potentia conteratur, cujus clypeus prima jacula sustinet adversantium. Hæc est namque causa pro vero, videlicet de *Lombardis*, quæ cor Papæ pungebat, & urebat intrinsecus, licet ipsam foris educere, propter nostrum & audientium scandalum, non auderet: pro qua nobis per specialem suum nuntium fide dignum (cujus ad hoc testimonium invocamus) ore tenus expresse promisit, quod si negotium *Lombardorum* in ejus arbitrio poneremus, nedum quod in aliquo magnificentiam nostram offenderet, **verum etiam totius Orbis decimas, Terræ Sanctæ necessitatibus consecratis, nostris utilitatibus applicabat**. Nec est mirum. Instantibus enim & acutis *Lombardorum* aculeis pungebatur, quibus, prout per aliquorum Prælatorum confessionem accepimus, **contra nos et Imperium, corporale præstitit sacramentum**, cum ipsos peregrinantibus nobis in partibus *Syria* pro servitio Jesu Christi, transmisit in Regnum. Sed cum temporis fuerit ista promissio, fidem licite frangere poterat, & editum variare decretum. In quorum favorem, rem auditu horribilem, & discretione qualibet seu ratione carentem, facere minime formidavit. Cum enim per *G. Brixiniensem, H. Cumanum*, & alios Episcopos, nos faceret admoneri, quod vel satisfactionem *Lombardorum* per ipsum deberemus accipere, vel treugas pro *Terræ Sanctæ* negotio per quadriennium, ut diximus, indictas *Lombardis*, cum ab indictarum treugarum jam quinquennium excessisset. Nosque rem tanti consilii, ad deliberationem nostrorum fidelium modico temporis spatio servaremus, monitionibus ipsis de approbatione Legati prædicti *G. de Monte longo* (scilicet qui apud *Mediolanenses* interim morabatur) inducias approbantibus supradictas, prout hæc omnia liquido Prælatorum ipsorum testimonio comprobantur. Medio tempore, nec voluntatis nostræ judicio, nec fidelium nostrorum consilii expectatis, conceptum virus evomit contra nos; prout aliquorum relatio declaravit procedendo. Postremo, te pro nobis, imo vos totius optimates Orbis & Principes exigimus adjurantes, non quod ad propulsationem talis injuriæ nostræ non sufficiant munimenta, sed ut totus mundus agnoscat, quod honor omnium tangitur, quicumque de corpore Principum sæcularium offendatur. Datum *Tervisi*, xx. die *Aprilis*, nona Indictione.

Lamentabile  
scandalum ex-  
ortum.

Hanc Epistolam, mutatis tamen titulis, & paucis in fine verbis, Dominus Imperator Regi *Anglorum*, multisque per Orbem Principibus, ut suam allegaret innocentiam, & Papalem manifestaret proterviam, destinavit: cœpitque scandalum oriri per totius mundi latitudinem. Ipse vero Papa, cum hæc fida cognovisset relatione, ipsum **Imperatorem magis ac magis diffamando, multis opprobriis lacessivit**, necnon & hæretica damnavit enormitate: prolixioremq; Epistolam, ut ipsum damnablem toti mundo redderet & infamem, Principibus & Prælati terrarum transmisit invektivam, in hæc verba,

Gregorini

**G**REGORIUS Episcopus servus servorum Dei, Venerabilibus fratribus Archiepiscopo *Cantuariensi*, & Suffraganeis ejus, salutem & Apostolicam Benedictionem. Ascendit de mari bestia, blasphemiarum plena nominibus; quæ pedibus urfi, & leonis ore deserviens, ac membris formata cæteris sicut pardus, os suum in blasphemias divini nominis aperit, tabernaculum ejus & sanctos, qui in cælis habitant, similibus impetere jaculis non omittit. Hæc unguibus & dentibus ferreis cuncta confringere, & suis pedibus universa desiderans conculcare, fidei occultos olim paravit arietes, & nunc apertas machinas instruit *Imperialium*, Gymnasia animas avertentia construit, & in Christum humani generis redemptorem (cujus testamenti tabulas stylo pravitate hæreticæ nititur abolere, fama testante) confurgit. Igitur admirari desinite omnes, ad quos ab hac bestia contra nos edita pervenerunt obloquia blasphemiarum: sed nos omni Deo servitute subjecti, detractionum sagittis impetimur; cum nec ab his opprobriis immunis Dominus relinquitur. Admirari desinite, si injuriarum in nos mucronem exierit, quod ad perdendum de terra nomen Domini jam assurgit: sed potius ut ejus resistere aperta veritate mendaciis, ac illius confutare fallacias, puritatis argumento possitis, caput, medium, & finem hujus bestie *Frederici* dicti Imperatoris inspicite diligenter: & in ejus verbis abominationes duntaxat inveniētes & scelera, contra ipsius dolos sinceros animos scuto veritatis armate. Attendentes qualiter sinceritatem Apostolicæ sedis & nostram, Literis per diversa climata mundi transmissis, pollutis visus est maculare narratibus dictus *Fredericus*; figulus falsitatis, modestiæ nescius, nec aliquo perfusus rubore mentitur: Quod nos ipsum nobis in minori officio constitutus, amicum pristinum, fidem, & mores, adepto Apostolatus officio, relinquentes, quia sicut sacramento præstito, & lata in ipsum excommunicationis sententia, tenebatur præfixo tempore in *Terra Sancta* subsidium vel succursum, infirmitate non potuit prohibente transire, vincula excommunicationis astringere; postulatū ab ipso sanitate resumpta absolutionis beneficium denegare, ipsumque in dictam transeuntem subsidium, per nuntios & legatos nostros Literas processui contrarias *Soldano* mittentes, impedire curavimus, ut sic esset de Regni *Hierosolymitani* recuperatione concepta frustratus: Regnum *Sicilia*, pro eo quod *Reginaldus* olim filius Ducis *Spolei*, præter ipsius conscientiam, terram invasit Ecclesiæ, nos injuste & violenter intrasse, ac ipsius homines provocasse ad perjurium, falso conqueritur. Seque de *Syria* in *Apuliam* redeuntem, illatæ injuriæ omisisse vindictam, acceptasse concordiam, & rediisse ad matrem Ecclesiam gloriatur: licet autem hæc figmenta publica notitia reprobet, quia tamen nonnunquam rectitudinis sedem velatum occupat in aure sincera mendacium, apud quam pro se veritas non invenit advocatum; ne in corda vestra falsitas quæcumque possit fraude furripere, dignum est, verum rei per nos gestæ modum & ordinem non latere, qui dictum *Fredericum* ante & postquam Apostolicæ nostros suggestimus humeros servituti, sub vulpe latentem, omni curavimus gratia prosequi; donec spe, quæ patri de filio solet innasci, sublata, idem *Fredericus* tremens in magnitudine sua, & ex adepta fortitudine infrunitus, matri Ecclesiæ pro bonis mala retribuit: & in eam quam fucatis delinivit aliquando verborum fallacis, virus effundere caudæ aculeo, more scorpionis, incepit. Nam cum olim *Terra Sancta* necessitas, prædicta sententia, & juramentum, ac præfixus terminus transitum ejus exposcerent, & illud idem multa Millia Crucesignatorum ipsum *Brundisii* expectantia, cum instantia postularent: idem dictos Crucesignatos inibi, donec sub ignoti aeris intemperie diversis lugendæ mortis casibus perire, detinuit, & perjurium ac excommunicationis sententiam gratis incurrens, infirmus fide, sed sanus corpore, ut securius Deo mentiretur, & Ecclesiam falleret, omisso promisso passagio, in lecto ægritudinis diebus aliquot simulatus decubuit, ac *Terram Sanctam* incurisibus hostium Christi exponere minime dubitavit, ex eo nullo dolore percussus, quod ibi claræ memoriæ nobilis vir *Thuringia Langravium*, utinam non veneni periculo, sicut mundus clamat, extitit interemptus. Cumque de conficta ægritudine & aliis præmissis, nobis per Literas Prælatorum ibi morantium constitisset: ne disciplinæ virga tanto subjecta facinori, nos & Apostolica sedes redderemur inde notabiles, Crucesignatorum mortem & *Terra Sancta* pericula deplorantes, & cupientes saltem in altero Ecclesiæ lachrymas mæroris dextra debita consolationis abstergeri, ipsam latæ sententiæ in eum de consensu suo autoritate bonæ memoriæ *Honorii* Papæ prædecessoris nostri, excommunicationis sententiæ subiacere denunciavimus; summo desiderio postulantes, ut cum postmodum emendatum, tantorum revelatione dampna-

Mar. Paris, Hist.  
Angl. p. 488,  
489, 490, &c.  
Literæ Papales

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torum, optatam præstare operam audiremus; Literis nostris offerentes eidem, quod impartiremur sibi juxta formam absolutionis beneficium, quam cito arriperet iter in præfatâ terrâ succursum. Sed ipse, in cujus erat super his pectore cura minor, claves Ecclesiæ parvipendens, non absolutus in *Syriam* transit. Ubi cum *Soldano*, solis sibi mœniis *Hierusalem* restitutis, & illi grandi ad impugnationem Christianorum transmissis equorum & armatorum exercitu, sexennale fœdus feriens, & templum Dominicum *Saracenorum* ibi laudes exclamantium *Machometi* curâ relinquens, ex defensore mutatus est in hostem, Venerabilem fratrem nostrum Patriarcham *Hierosolymitanum*, & *Templarios* pro viribus expugnavit. Illud autem non debet ad sanæ mentis credulitatem accedere, quod eum in recuperatione Regni *Hierosolymitani* nos vel Legati nostri, cum ad hoc multo labore sudaverit, grandiumque Ecclesiæ subierit onera expensarum, studuerimus impedire. Sed istud in notitiam omnis terræ pervenit, quod idem *Fredericus* sicut in *Syriæ* partibus in propria persona Dei persequeretur Ecclesiæ, sic citra mare ipsam diversis tribulationibus dicti *Reinaldi* Ministerio, quem contra consilium nostrum, suum in Regno vicarium reliquerat, affligebat. Cujus terram cum Literis aurea Bulla munitis, pecunia, & vassallis ipsius *Frederici* præfatus *Reinaldus* invadens, nonnullos Sacerdotes & Clericos suspendere, mutilare, ac fustibus cedere: necnon statu nostro turbato, *Perusii* partem ipsius terræ præoccupare, præsumpsit. Quem licet fideles & devoti nostri, non valentes id ulterius sustinere, a parte terræ prædictæ, Christo sponsæ suæ indulgente victoriam, eiecissent. Quia tamen idem *Reinaldus* nequaquam ab incepta persecutione cessabat, consultius æstimantes, si originalis militiæ venas inciderent, quam jam excitati torrentis impetus novis replere rivulis expectarent, dictum Regnum *Sicilia*, quod est spirituale patrimonium Ecclesiæ, ne inde nos percunctentur jacula, unde potius erat expectandum subsidium, intraverunt: multique ex ipsius Regni habitatoribus obediens Apostolicæ sedi, nequaquam ob id reputari debent perjurium incurrisse, cum a juramento fidelitatis, quod eidem *Frederico* præstiterant, ex lata in eum excommunicationis sententia, absoluti fuissent. Dicto quoque *Frederico* redeunti de partibus transmarinis, & ad sinum matris Ecclesiæ revertenti, pietatis apposuvimus Apostolicæ gremium; ipsique ad expetitum inclinati concordiam, absolutionis beneficium curavimus impartiri. Ad hæc, idem mendacii filius, falsitates falsitatibus cumulans, ut quo plura mendaciorum retia orditus fuerit, eo gravioribus se doleat periculis irretitum; de novis mendacii scriptura pronuntiat; quod eidem ut *Lombardiam* pacificus & inermis intraret, promittentes quod aspera sibi converteremus in plana, pro sua confusione subjecimus; & non permisimus obice nuntiorum & Literarum nostrarum intentionis suæ metas attingere. Ac deinde, quia sibi potentia non suffragabatur armorum, in Regnum redire coactus, ad instantiam nostram *Romanos*, tunc *Viterbium* impugnantes, diffidasse; & in *Viterbiensium* subsidium strenuam misisse militiam se falso asserit, nosque scripsisse *Romanis*, id præter conscientiam nostram fieri, & cum ipsis eo irrequisito reformasse concordiam, in querelam adducit, novo sibi blanditus mendacio, quod dissidentibus iterum ab Ecclesiæ pace *Romanis*, idem non vocatus cum *Conrado* filio suo, quem nobis obtulerit obsidem, ad præsentiam nostram personaliter veniens, & arbitrio nostro motam inter ipsum & *Lombardos* discordiæ causam exponens, terram sedis Apostolicæ occupatam ejus juri restituit, & libertatem Ecclesiasticam in statum primum & debitum reformavit. O utinam iste falsidicus esset vir habens spiritum! O utinam hujus propositio falsitatis, verum habuisset eventum! Ipsi vero negotium, quod per Venerabilem fratrem Archiepiscopum *Ravennatem*, de restituendis ei & dicto *Conrado* juribus, ipsis in Regno *Hierosolymitano* subtractis, ordinatum fuerat, nos quam cito delata potuit numerari pecunia, distribuisse fidelibus suis (quos non sine Ecclesiarum incendiis & hominum stragibus, hostilis devastabat insultus) ipsius interdixisse succursum; & ob id nos nuntium noluisse vel Literas destinare, contrarius veritati conqueritur. Ac Civitatem *Castella*, contra formam pacis & fratrum consilia, in sui juris præjudicium detineri a nobis, suis exarare Literis stylo mendacii non veretur. Quanquam autem his figmentis modica veritas impermixta, aliquid coloris adjiciat, ut tamen apertius intelligatis, quod tantam hujus commenti seriem non modica falsitatis adjectio decolorat, scitote pro certo, quod cum sicut nunc ex temporum eventu cognoscitur, discretæ menti verisimile videretur, ipsum de *Lombardis* suum potius consequi propositum potuisse, si se illis, quos populorum numerositas, profunditasque vallorum, armatorum copia, ac murorum reddit altitudo munitos, pietatis parentem exhibuisset, & clementiæ Dominum, quam

quam si tremantibus pro culpa imposita subditis ultionis exerto mucrone terribilis occurreret in cuneis armatorum: ei nos, qui bona pacis procurare tenemur, bona fide suasimus, ut armata militiæ omisso terrore, sub indictarum omissione pœnarum, & beneficiorum oblatione, illos ad Imperii devotionem reduceret. Qui et si in *Lombardiam* famulis stipatus inermibus accessit, quia tamen consilii fidelis oblitus, in partem *Cremonesensem* cædis, actor factus est schismatis, scissamque in discordias *Lombardiam* fortius scindere, & *Mediolanensem* a se terroribus & minis abigere studuit, quos tamen aduersa parte ad unitatem trahere potius debuit in funiculo charitatis: non est quod nostræ imputetur innocentia, si spe frustratus in *Apuliam* rediit, ipso spei conceptæ interitum procurante. Post hæc super tuitione libertatis Ecclesiasticæ, super extirpanda hæretica pravitate, nostris beneplacitis paratum se obtulit, ad quem recurrrens litera nostra respondet: Quod cum in Regno suo, ubi nullus manum vel pedem absque ejus movet imperio, in fidem catholicam hæresis latius venena diffunderet, & libertas Ecclesiæ quali penitus conculcata jaceret: non credebatur capiti salutis adhibere remedium, qui pedem suo reddiderat contractu morbosum: sicque responsum hujusmodi lapsu modici temporis approbante, audito quod quidam pravo seducti consilio, Ecclesiæ terram intrare volebant, in *Siciliam*, quali fuga capta, ne rupta promissio eum falsitatis arguerit, potius abiit: ac contra illos verbo vel opere in aliquo non processit, nobis impropere, quod revertentes ad urbem *Romanos* filios speciales Ecclesiæ, ad matris devotionem paternam curavimus diligentia revocare. Idem insuper intellecto, quod illos ab Ecclesiæ charitate sejungere quidam iniquitatis filii nitebantur, & excogitato, quod facilius hanc & illos opprimeret, si præfatam charitatem acerbius fraude solita vulneraret: nobiscum *Reate* præsentibus, ad sedem cucurrit Apostolicam etiam non rogatus: ubi sub multa humilitate promittens, quod terram Ecclesiæ perditam in primum statum reduceret, & ipsam pro viribus defensaret: in *Tuscia*, ad quam vires suas contulit, recuperationem cujusdam castelli, quod ad jus Ecclesiæ modico reduci labore poterat, impedivit. Et cum adhuc manus tradentes nobiscum essent in mensa, cum hostibus Ecclesiæ, sicut ex consequentia facti, & literis suis, quæ a nobis in tantæ prodicionis testimonium reservantur, aperte convincitur, hoc signo dato, inde vicarius pepigit in ipso, certo die exinde recedente, illi ad arma iste monasterii devotionis obsequia præstitit. Attendite quales Ecclesiæ famulatus occultus hostis impendit, qui in Ecclesiasticum transformari non erubuit famulum, ut nobis ad nocendum fieret efficacior. Pro firmo tamen vos tenere cupimus, quod nos his sub dissimulatione præteritis circa eum adhuc non permittens immutari affectum Apostolicæ puritatis, per dictum Archiepiscopum, commissio sibi legationis officio, jura ei & præfato *Conrado* in eodem regno *Hierosolymitano* mandavimus subtracta restitui. Qui licet id fecerit, quia tamen formam sibi datam, propter quod ab eo ad nos extitit appellatum: excedens Terram Sanctam, quod est inauditum à sæculo, post appellationem hujus sententiæ suppositum Interdictum. Nos attendentes quod ob id, in maximum ejusdem Terræ periculum, peregrini ex ipsa recederent, & alii inceptos ad illam transitum retardarent dictum sententiam, quæ utpote latam post appellationem legitimam, ipso jure nulla fuerat, in omnibus aliis præfati alii Archiepiscopi, intacto remanente processu sufficienti, a Baronibus, Nobilibus, & Comitibus Regni prædicti cautione recepta, in omni sinceritate de fratrum nostrorum consilio duximus relaxandam. Quod ergo ipse de nobis ob hoc labiis pollutis obloquitur, vester animus non turbetur, quia cum sit vas repletum vitiorum spurcitiis, ea quæ ipsius infecerunt animum, putat in aliis criminum deservire tormenta: ex quo cum malorum opprobria laudem, laudes quoque opprobrium resonent, a viro, cujus omnis lingua clamat infamiam, fustigationibus imperi eligimus multo fortius quam laudari. Sed forsitan maculam opinionis suæ, his credit abolere convitiis, quia se dum *Viterbium* moraretur inficiens, a facie hostium Ecclesiæ non verecundus aufugit; & ad defensionem suorum fidelium, quos ipsius hostes in oculis ejus obsederunt, terram nullo prohibente vastarent, affirmans suum per nos ad illos interdicti progressum, Imperialis honoris prodigus, sed timore prohibitus non accessit, ex eo innocentiam nostram accusans, quod ad evitanda hujus belli dispendia, nuntium a latere nostro non misimus. Sed nec mirum, cum eo tempore status Ecclesiæ multiplici fuisset persecutorum afflictione turbatus. Venimus autem ad civitatem *Castellanam*, cujus cives se illi violato sacramento fidei, Ecclesia ignorante, prodentes, nullum jus per hoc in seipsis adquir-

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ere, nullum nobis circa possessionem, cum jurisdictionem civitatis & civium quali possideret, Ecclesiam prodendo, potuerunt præjudicium generare. Quia illi, a quibus alteri potius quam sibi possidentibus non requiritur, possessionis initium, leges possessionum evertere, & extraneis jure conferre nequivit possessorum. Necnon qui de reddendis possessionibus Ecclesiæ ratione ad eum pertinentibus, pluries juramentum præstiterat, satisimprovidè a nobis videbatur petere, quod non poterat absque perjurio retinere. Nec credi debet in hoc, nos sibi omnimodam coram arbitris vel alio modo justitiam exhibere paratos, fratrum nostrorum despesisse consilium; quod nunciis ejus inceptum judicium recusantibus prosequi, non fuerat requirendum; quin potius hanc petitionem ea duntaxat fraude intentasse proponitur, ut sic ei obloquendi de Ecclesia, & pacem inter ipsam & eum initam, irritandi occasio præberetur. Illud quidem quod super facto Imperii inter cætera sua detestabilis testatur Epistola, nosse edisserit his literis calamus; ut quo pluribus ejus fictio cognita fuerit, eo fortius ex suo maneat commento confusus; dum de nobis obrectat, quod ad nostram translato notitiam eum ad recuperanda jura imperii cum multis bellatorum intrare millibus *Lombardiam*, sibi ne *Italiam* intraret armatus; & de negotio *Lombardorum* in nos præcise compromitteret, Apostolico scripto mandavimus, ut illud perpetuo suspendere, vel jus imperii libere suffocare possemus, contra ipsum venerabilem fratrem nostrum *Prenestinensem* Episcopum, per quem ejus vacuaremus propositum, transmittens, ei impedimentis clandestinis per legatos & literas nostras per orbem undique procuratis. Iste vero, cui ne veritatem fateri, aut enarrare possit judicium, a divina forsan est indignatione negatum: sicut obrectationes personæ nostræ non verecundatur ex falsis assumere: sic & excusationes suas ex similibus propositionibus non veritus ordinare, se per nuntios suos venerabilem fratrem nostrum *Panormitanum* Archiepiscopum, & quosdam alios, ad Apostolicam sedem missos, devotionem omnimodam super Ecclesiastica libertate, & reformandis Ecclesiæ & Imperii juribus, obtulisse; nosque id attentantes & promittentes, a cujusslibet ipsius impedimento cessare, nuntiis suis ad eum redeuntibus, dilecto filio *Gregorio de Monte Longo*, Notario nostro, in suorum eversionem fidelium, legationis officium commississe asserit: ipsoque nihilominus præfatos Archiepiscopum & alios nuntios suos, ad sedem Apostolicam remittente, & offerente satisfactionem omnimodam, nos cum contradicente saniore parte fratrum nostrorum, contra traditiones sanctorum patrum, & solemnem morem Ecclesiæ, injuste excommunicasse falso concludit: pro sua confusione subjungendo nos beati *Petri* vicarium, non habere ligandi solvendique potestatem, quali vellet asserere, nos concessa Apostolorum Principi \* carere clavium potestate. Quæsumus igitur libram rationis assumite, & in ea perpendatis prædictum *Fredericum* contra Ecclesiam, excessibus & beneficiis, quæ ab ea recepit, appensis, clarius videre: quod licet draco iste qui ad illudendum nobis formatus, & in escam populo *Aethiopiæ* datum existit, aquas persecutionum in subversionem Ecclesiæ ex ore quasi fluvium miserit, Apostolica tamen sedes ipsius nequitiam inestimabili beneficiorum misericordia superavit. Nam eum olim ab annis teneris illorum morsibus, qui terram ejus & sanguinem sitiebant, in lacuna confusionis expositum, parentum & amicorum solatio penitus pene nudum videns mater Ecclesia, protinus circa ipsum nutricis & bajulæ officium executæ, eum pallio Apostolicæ sedis operuit, de laqueo venantium eripuit, multis laboribus & expensis ad Regni solium & coronam Imperii sublimavit. Insuper hoc ei fecisse modicum reputans, & sibi *Hierosolimitanum* subijci Regnum, & illum undique per orbem exaltare procurans, licet ab eodem multiplici se læsam afflictione doleret, a paucis tamen retroactis temporibus, contra *Henricum* natum ejus (qui partem non modicam *Alemanniæ* ejus jurisdictioni subtraxerat) potenter astitit: & in afflictorum sibi per eum oblita vulnere, ipsum de novo quasi in Imperatorem erigens, *Teutoniæ* Apostolicis litteris ipsius reformavit disiderio. His & aliis, quæ non sufficimus recordari, beneficiis ipsius construens munimenta decoris: sed iste baculus impiorum, terræ malleus, universam conturbare terram, Regna contere, & orbem desertum ponere cupiens, libertatem Ecclesiasticam in dicto Regno *Siciliæ* in opprobrium servitutis extremæ deducens, & Ecclesias quas ut earum teneritudine suum ventrem impleret, quasi jam penitus exossavit, sordibus, oneribus, & angariis opprimens, eas bonis sacris, deputatis sanctorum usibus, spoliavit, personas Ecclesiasticas carceri mancipavit, ipsosque in examine vetito accusationes suscipere, tallias solvere, & bona Ecclesiastica,

\* St. Peter had never any power of the keys committed to him in such a case as this Emperor appears to be.



astica, ut se a vexationibus redimant, exhaurire, & postremo exulare coarctat. Ecclesiis pastorum solatio viduatis, non permittit sibi sponsum eligere, viduitatis vestimenta deponere, donec alicujus adulterinis amplexibus, per compulsionem extiterint copulata. De Christianis habitaculis construens mœnia *Babylonis*, & ædificia in quibus divinum nomen excolitur, illuc transferens, ubi *Machometus* perditus adoratur: turbis undique collectis, Crucifixi fidem & nomen publice prædicari in eodem Regno prohibuit. Recuperationem Terræ Sanctæ & negotium impediens, ad ejus consummationem de bonis suorum fidelium conferri interdixit. Contra juramentum præstitum, & pacis inter ipsum et Ecclesiam reformatæ fœdera, nobiles privatos castris & aliis bonis suis, uxoribus & liberis captivatis, loca sua proscriptos relinquere, domicilia in aliorum transferre coloniam: nutritos in croceis, amplexari stercora, & ad extremam cogit inopiam devenire. Nec non dum afflictione comprimit simili pauperes, id tanto fortius Deo displicere putamus, quanto verius ipsos credimus innocentes. Quid plura? Baronibus, militibus & aliis hominibus ejusdem regni *Sicilie*, ad fortunam & conditionem servorum inaudita crudelitate redactis: jam pro majori parte ipsius Regni habitatores non habent de proprio unde stramine vili quiescere, nuditates suas rudi sacco contegere, vel ventrem pene possent militatio saturare. Cumque ululatus & clamores dictarum Ecclesiarum & hominum, a tempore dicti *H.* prædecessoris nostri, Ecclesiæ aures continua deploratione pulsassent, & jam vix possemus eos absque latione conscientie sub dissimulatione transire: ipsum super correctione dictorum scelerum non semel, sed pluries, nunciis & literis monuimus, ac longa patientia temporibus expectavimus retroactis, si forsitan oculos suos ad cœlos erigere, exutus veterem, novumque indutus hominem, manus suas a tanta perpetrante facinorum cohiberet. De petita insuper emendatione dubii adhuc, volentes statum ejus proprio processu gratulari, eo *Lombardiam* cum armis intrante, mandavimus, ut in locis pro quacunque causa interdicto subjectis ipso præsentem Interdictum minime servaretur: & eundem *Fredericum* nostris literis admonentes ut ne crucis negotium, quod ad utilitatem Ecclesiæ, Imperii & totius populi Christiani fuerit ordinatum, impedire valeret, præcise in nos compromitteret: ne si contra *Lombardos*, armata manu procedens, tantam daret exempli perniciem ut præsumeretur a pluribus, quod cæteros Ecclesiæ fessellisset. Ceterum quia redintegrare scissuras Schismatis, nostro incumbit officio servitutis, pro sedanda Imperii & *Lombardorum* discordia, *Præstinum* Episcopum, commissio sibi legationis officio, illa consideratione potissime duximus destinandum, ut sibi & quibuscunque discordantibus, minori haberetur ratione suspectus, quo suis actibus minus firmamenti odii vel amoris ingereret, qui a mundo & carne ex susceptione sanctæ religionis abstractus, in divini amoris altitudinem evolasset. Noster sibi destructor respondeat, quid ex hoc nobis & eidem Episcopo poterit imputari, si *Placentia* inter patres, filios, affines, consanguineos, & germanos ordinata concordia, eo præsentem & protestante, quod id salvis honoribus & juribus Imperatoris & Imperii, & quorumlibet aliorum heret, consummationem accept? Quinimo idem blasphemus intelligat, sibi ad infamiam merito reputari, quod cum ad ipsius & nuntiorum suorum instantiam, venerabilem fratrem nostrum *Offiensem* Episcopum filium nostrum *T.* tituli sanctæ *Sabine* Presbyterum Cardinalem, pro pace juxta formam ab eisdem nunciis inter *Lombardos* & Imperium reformanda, ad partes misissemus, easdem idem dictis Legatis petita & ampliora adimplere paratis, & delusis nobis reformationem pacis per ipsos noluit acceptare. Ecce, nunc intelligite, qualiter Imperii jura conculcavimus. Ex præmissis advertite, qualiter hic a nobis fuerit impeditus: quod longo & inani labore suos & suorum humeros decrevit prius conteri, quam passus extiterit per nos jura Imperii reformari. Præterea, idem illatis Ecclesiæ non contentus injuriis, data quibusdam rebellibus nostris non modica summa pecuniæ, seditionem contra nos in Urbe molitus pluries commovere, ut nobis & fratribus nostris a sede nostra repulsis, & conculso capite, fidei quod superædificavit Dominus, impulsu ejusdem *Frederici* rueret leviori: *Ferrariam* & quasdam alias terras Ecclesiæ, in *Lombardiam* contra juramentum præstitum temere veniens, occupavit. Super quo, & aliis credens, detinere inanibus verbis dictos *Panormitanum* Archiepiscopum & alios nuntios suos cum literis de credentia, ad nostram duxerit præsentiam destinandos. Quibus offerentibus nobis satisfactionem super præmissarum offensarum emendatione: venerabilem ante & post ipsorum a curia nostra recessum, terram *Sardinia* & *Massam Lunensis* Diocesim occupare, ad *Romanam* Ecclesiam pertinentes, non omittens, ipso

ipso tacto, ne ultra ejus expectaremus correctionem edocuit: ac non debere fidem sibi vel suis Nunciis adhiberi, operis evidentia demonstravit. Ex quo illud solum in conscientia sua legens, quod cor ejus ad conterendas Ecclesias & catholicam fidem dirigitur, de nobis, quibus se jam quocunque fraudis vellere occultare non potest, non immerito suspicatur; quod ipsius potentiam habentes justitiae ratione suspectam, cum melius sit ante tempus occurrere, quam post inflata vulnera remedium invenire, ad avertendas suorum progressuum semitas, officium Legationis dicto Notario commisimus: quod nequaquam juxta ipsius suspensionem id fecimus, sed ut per eum bellorum cladibus, animarum corporumque periculis obviare possemus. Ex praemissis igitur & aliis nequeunt de ipsius correctione sperare, & dolentes nos ejus promissionibus toties & toties fuisse delusos: praefatum *Fredricum*, de fratrum nostrorum consilio, sententia **excommunicationis durimus innodandum**. Quamquam ex hoc perditum intellectum resumere, & coram Deo potius humiliari deberet: eo tamen amplius inde furens, quo jam suam confusionem agnoscens, fortius veretur, ut Ecclesiae obstetricante manu educatur colubris tortuosus. Nos ex personae nostrae meritis indignos asserens, qualibet officii auctoritate Papalis: per nos praedicta sententia minime potuisse constringi, suis praesumptuose literis asserit: & nos qui temporibus nostris patrimonium Ecclesiae, per gratiam Dei, non modice ampliavimus, de dilapidatione bonorum Ecclesiasticorum, dispensationum processu, receptione munerum, & avaritiae vilitate redarguit. Ac contra eum, ex illo quod contrahendis inter neptem nostram & naturalem ejus filium, sponsalibus petum subtrahit assensum, provocari falso confingit: illud apertius mentiens quod *Longobardis* contra eum & Imperium corporale praestitimus sacramentum: seu quod totius orbis decimas Terrae Sanctae utilitatibus reservatas, convertere promiserimus in ejus compendium, si arbitrio nostro negotium exponeret *Longobardorum*. Fateamur autem, nos defectu meritorum nostrorum indigne Christi esse vicarium: fateamur nos oneri tanto insufficientes existere, quod humana conditio non potest absque divino suffragio supportare; nihilominus tamen, vices nobis commissas, prout melius nostra permittit fragilitas, exequentes, secundum quod locorum, temporum, personarum, & negotiorum qualitas & natura requirunt, disponenda disponimus: & cum excellentibus personis pure & secundum Deum, cum necessitas id exposcit, de nostrae potestatis plenitudine dispensamus. Veruntamen non est dolor quod sic profundo gladio ejus feriat animum, sicut dum terminos Regum transgreditur, nec potest aggredi officia Sacerdotum. Propter quod idem qui pro auri fame dictum Regnum *Siciliae* jam redegit in cinerem, credens se, qui omni tempore vitae suae paucis pure, pluribus vero justitiam pretii venalitate corruptus exhibuit: quod in persona sua resuscitans magnum *Simonem*, luto temporalium maculare possit Ecclesiae puritatem, ut sic in spiritualibus grassari, & in suis permitteretur sordibus remanere: murum integritatis, Ecclesiae multis, & specialiter oblatione castrorum ac parentela inter suos & nostros contrahenda, pro qua nos per quosdam magnos Praelatos & nuncios suos pluries requisivit, tentavit intringere. Nunc vero quia id nulla instantia nulloque ingenio, sicut est in curia nostra quasi notorium, a nobis potuit obtinere: quin potius se cum suis perditioni relictum arcium suarum fallacis in pejus proficere jam agnoscit, quia nesciat ultra quid faciat: seipsum mendaci suo in aliorum detractone deturpat, more meretricis *Aegyptiacae*, quae *Joseph* invitavit ad stuprum, & ab ipsos contempta, apud virum suum volens accusavit invitum. Unum quidem est de quo, etsi pro homine perditio sit dolendum, latri non modicum & Deo regratiari debetis: quod volenti domino diutius occultari non patitur: umbra mortis iste, qui gaudet se nominari praebulum Antichristi: non expectans propinquum suae confusioni judicium manibus propriis effosso suarum abominationum pariete, per dictas literas ejus suarum producit in lucem opera tenebrarum, in eis constanter proponens, quod per nos tanquam Christi vicarium vinculo excommunicationis astringi non potuit. Sicque affirmans, non esse apud Ecclesiam a Domino beato *Petro*, et ejus successoribus ligandi atque solvendi traditam potestatem, dum haeresim asserit, proprio sibi argumento concludit; consequenter ostendens, quod male sentiat de caeteris fidei Orthodoxae articulis, dum Ecclesiae, super quam fides fundata consistit, auferre nititur concessum \* verbo Dei privilegium potestatis. Sed quia minus bene ab aliquibus credi possit,

\* If he had shewed where, it had been well.

fit, quod se verbis illaqueaverit oris sui; probationes in fidei victoriam sunt paratæ: quia iste Rex petilentia, a tribus Baratoribus, ut ejus verbis utamur, scilicet *Christo Jesu*, *Moyse* & *Machometo*, totum mundum fuisse deceptum: & duobus eorum ingloria mortuis, ipsum *Jesum* in ligno suspensum manifeste proponens: insuper dilucida voce affirmare, vel potius mentiri præsumpsit, quod omnes facti sunt, qui credunt nasci de virgine Deum; qui creavit naturam, & omnia potuisse. Hanc hæresim illo errore confirmans, quod nullus nasci potuit, cujus conceptum viri & mulieris conjunctio non præcessit: & homo debet nihil aliud credere, nisi quod potest vi & ratione naturæ probare. Hæc, & alia multa, quibus verbis & factis Catholicam fidem impugnavit, & impugnari, suo loco & tempore, sicut decet & expedit, manifeste \* poterunt comprobari. Quocirca; universitatem vestram rogamus, monemus, & hortamur attente, in virtute obedientiæ per Apostolica scripta districte præcipiendo; quatenus ne dictus *Fredericus* corda fidelium fallacibus verbis subvertere, vel contagione sua possit quomodolibet gregem Dominicum maculare, Clero & populo vobis subditis, supradicta plene ac \* fideliter exponatis. Datum *Laterni*, Duodecimo Calend. Junii, Pontificatus nostri Anno Decimo tertio.

Clausula superscripta mittitur Domino Regi, cum Literis præcedentibus, hoc modo: Quocirca, serenitatem Regiam monendam durimus et hortandam, quatenus supradicta tibi facias diligenter exponi, ne Regalis innocentia puritas possit verbis fallacibus maculari. Datum *Laterni*, &c. ut prius.

Hæc igitur divulgata, & multis Regibus ac Principibus & Magnatibus, mutatis tantum titulis, transmissa per orbem, timorem & horrorem, necnon admirationem cordibus fidelium incusserunt, & Imperialem Epistolam suspectam, licet probabilia continerent, reddiderunt, unde corda multorum, qui prius cum alterutro steterant, fluctuantia reddiderunt. Et nisi Romana avaritia devotionem populorum a Domino Papa plusquam expediret et deceret, avertisset: totus mundus hac Epistola exasperatus, in Imperatorem, quasi in manifestum hostem Ecclesiæ, et Christi inimicum, graviter et unanimiter insurrexisset. Sed pro dolor! multi filii a patre suo Papa avulsi sunt, & Imperatori adherentes, assererebant, quod odium inextinguibile inter eos jam induratum, prædicta iurgia et invectiones excogitatas excitabat. Et injuste impropere Dominus Papa, quod eundem *Fredericum* dilexerit, & promoverit in novitate creationis suæ; hoc enim totum factum est in odium *Othonis*, quem Ecclesia adjutorio *Frederici* usque ad mortem persequabatur, quia dispersa Imperiis, secundum Sacramentum suum, vicissiter congregare cepit, sicut qui præsens est Imperator *Fredericus* facere proponit. Unde hoc faciendo *Fredericus* militabit Ecclesiæ, et plus tenetur Ecclesia Romana ipsi, quam Imperator Ecclesiæ Romanæ rationabiliter teneatur obligatus. Sentit Ecclesia Occidentalis, præcipue tamen religiosorum, & præ omnibus aliis devotissima Deo *Anglicana* Ecclesiæ, Oppressiones Romanorum quotidianas, nec adhuc unquam pressuras sensit Imperiales. Addiditque populus, Quid sibi vult istud? Retroactis temporibus imposuit Papa Imperatori, quod ipse *Machometo* legique *Saracenicæ* plus consensit, quam Christo vel legi Christianæ: nunc autem in sua invectiva Epistola imponit eidem, quod tam *Machometum*, quam *Jesum* vel *Mossem*, quod horribile est recitare, vocat *Baratazem*. In Epistolis suis humiliter de Deo scribit Imperator & Catholice; nisi tantum quod hac ultima Papali personæ derogat, non officio, nec publice prædicat: nec procaciter sustinet quicquam Hæreticum ut novimus adhuc, vel prophanum: non usurarios nobis misit, vel raptos reddidit: (as this Pope and his predecessors did.) Et sic ortum est schisma in populis formidandum.

Diebus etiam illis, videns Dominus Papa robur & constantiam Imperatoris nondum enervatam; sibi & Romana Ecclesiæ nondum incurvari, misit per totam *Alemaniam* Prælatis, Magnificis, & alias manentibus, Epistolas prolixas communitorias, & præcepit districte, ut omnes insurgerent in suum Imperatorem, Deo et Ecclesiæ Romanæ rebellem, et eundem magnis convitiis diffamabunt. Absolvit etiam omnes, qui eidem fidelitatis Juramento tenebantur,

\* It should have been actually and clearly proved before thus confidently divulged throughout the world.

\* This they could not do, there being neither faith nor truth in these grosse calumnies.

Mac. Paris Hist. Angl. p. 495. Avaritia Romanorum fidem eorum elevat.

Imperator & Papa invicem persequuntur.



bantur affricati, persuadens ut essent in infidelitate fideles, in inobedientia obedientes: (against St. Paul's and St. Peter's Doctrine, Rom. 13.1, to 7. Tit. 3.1. 1 Pet. 2.13, 14, 15.) sed tantum promeruit Romanæ Ecclesiæ improbitas omnibus execranda, quod a nullis, vel a paucis, meruit Papalis auctoritas exaudiri.

Desolatio Bononiensium, & aliorum fautorum Papæ.

In ejusdem anni Ætate, Dominus Imperator volens *Mediolanensibus* proditoribus suis, *Bononiensium* auxilia præcludere, in *Bononienses* impetum fecit formidabilem. Volebant enim in favorem Papæ & *Mediolanensium* suorum, exire ad debellandum exercitum Imperialem: cum ecce repente exeuntibus occurrit Imperator, & suos inter Cives & Civitatem armatos interposuit, & Civium cuneos terribiliter subito dissipavit. Qui fugientes, per quædam diverticula cupientes ad Urbem remeare, sese in amnem, quem transire necesse habebant, præcipitaverunt: ita ut plures submersi, quam in ore gladii cæsi, miserabiliter perierunt: (*a just reward of Popish Rebels against their Sovereign.*) Deinde, Dominus Imperator, postquam *Bononienses* illi dextras dederunt, qui in civitate remanserunt, direxit suorum armatorum legiones versus *Mediolanum*. Et in brevi temporis spatio, fossata sua, quibus se *Mediolanenses* undique cinxerant, erectis machinis & applicatis pontibus multis, cum suo exercitu transit numeroso. Unde timor & tremor Cives invasit inopinabilis, & audito *Bononiensium* infortunio, gemitus gemitibus cumularunt. Unde negotium illud ad votum consummasset, nisi mota per Papam periculosa perturbatio, ad partes ulteriores provocat Dominum Imperatorem transulisset. Quod comperientes Cives, facti animosiores, extulerunt caput, & per vicinia discurrentes, Castra Imperialia obsederunt. Et per quendam Legatum, quem ad consolationem eorum illuc Dominus Papa miserat, solidati, *Ferrariam* obsederunt, hostiliter vallaverunt: nec ab eis nisi se absolute redderent, satisfactionem admiserunt obsessorum, hoc Legato persuadente, & Cives ad hoc *Mediolanenses* immisericorditer compellente.

Mat. Paris, Hist. Angl. p. 500, 501. Papa & Curia Romana eligunt in Imperatorem Robertum fratrem Regis Francorum, qui id constanter renuit.

Circa dierum illorum curricula, Dominus Papa scripsit Regi *Francorum*, solemnes eidem Nuncios destinando; significans eidem, ut juberet Epistolam suam eorum ipso & toto Baronagio *Francie* solemniter & memoriter legi & intelligi. Cujus summa & tenor talis fuisse perhibetur. Noverit dilectus filius Ecclesiæ Spirituális, Illustris Rex, & totum *Francorum* Baronagium, nos deliberatione & tractatu diligenti omnium fratrum nostrorum condemnasse, et a culmine Imperiali abjudicasse Fredericum dictum Imperatorem, et Robertum Comitem fratrem Regis *Francorum*, loco ipsius elegisse substituendum: quem etiam omnibus modis Ecclesia non tantum *Romanæ*, sed universalis, duxit non segniter adjuvandum, & efficaciter promovendum. Nullo igitur modo, tantum sponte oblata dignitatem apertis brachiis suscipere ne pigritemini; ad quam opes & operam abundanter effundemus consequendam. Scelera enim prædicti *Frederici* multiplicia, sicut jam novit mundus, eundem irreversibiliter condemnarant. Ad quod, inito consilio, circumspecta prudentia *Francorum* respondit: Quo spiritu vel ausu temerario Papa tantum Principem, quo non est major, imo nec par inter Christianos, non convictum vel confessum de objectis sibi criminibus, exheredabit, et ab apice Imperiali præcipitabit? Qui si meritis suis exigentibus deponendus esset, non nisi per generale Concilium cassandus judicaretur. De transgressionibus suis non est hostibus suis fides adhibenda, quorum Papa dignoscitur esse capitalis. Vobis adhuc insons, imo bonus fuit vicinus, nec quid sinistri vidimus de eo in fidelitate seculari, vel fide Catholica. Scimus autem, quod Domino nostro Jesu Christo fideliter militavit, marinis & bellicis se periculis confidenter opponens. Tantum Religionis in Papa non invenimus. Imo qui eum debuit promovisse, & Deo militantem protexisse, eum conatus est absentem confundere, & nequiter supplantare. Nolumus nosmetipsos in tanta pericula præcipitare, ut ipsum *Fredericum* tam potentem impugnemus, quem tot Regna contra nos juvabunt, & causa justa præstabit adminiculum. Quid ad *Romanos* de prodiga sanguinis nostri effusione, dummodo suæ iræ satisfaceremus? Si eum per nos et alios devicerit, omnes Principes mundi contulcabit, lumens cornua jactantiæ et superbiam, quoniam ipsum *Fredericum* magnum Imperatorem contriverit. Sed ne in vacuum Papale mandatum videamur suscepisse, licet magis constet hoc ob odium Imperatoris, quam

quam nostri dilectionem ab Ecclesia Romana derivasse, mittimus Nuncios prudentes ex nobis ad Imperatorem, qui quomodo Catholica sentiat, diligenter inquirant, nos super hoc certificatos. Et si nil nisi sanum invenerint, cur infestandus est? **Sin autem, et ipsum, imo etiam ipsum Papam, si male de Deo senserit, vel quemlibet mortuum usque ad internecionem persequemur.** Quæ cum audierunt Nuncii Papales, confusi recesserunt. Adierunt igitur Dominum Imperatorem *Francorum* Nuncii solemnes, ipsi mandata quæ a Domino Papa receperunt, seriatim nuntiaturi. Quod cum audisset Dominus Imperator, de immanitate odii stupefactus, respondit, se esse virum Catholicum, Christianum, sane de omnibus Orthodoxæ fidei articulis sentientem. Et addidit, Non placet Domino meo Jesu Christo, ut unquam recedam a fide magnificorum Patrum, & Antecessorum, sequens vestigia perditorum. Judicet autem Dominus inter me & ipsum, qui me ita per Orbem tam nequiter diffamavit. Et tendens manus in Cælum, lachrymis obortus, singultando exclamavit, Deus ultionum Dominus reddat ei retributionem. Et conversus ad Nuncios, ait: Amici mei, & vicini charissimi, vere, quicquid dicat inimicus meus, sititor sanguinis mei, & honoris subversor, credo sicut alius Christianus; & si bellum mihi movere disponitis, non miremini si me defendam ab insurgentibus in me: Spero enim, quod Deus protector innocentium, me potenter liberabit. Novit enim Deus, quod Papa in favorem mihi rebellium, præcipue *Mediolanensium* hæreticorum, contra me levat calcaneum, & insurgit iracundus. Sed vobis totus in gratiarum actiones assurgo, quod voluistis ante assensum per responsionem meam de præsentis causa certificari. Ad hæc Nuncii: Nolit Deus ut unquam ascendat in cor nostrum, ut aliquem Christianum sine manifesta causa impugnemus. Nec nos pulsar ambitio, credimus enim Dominum nostrum Regem *Gallia*, quem linea Regii sanguinis provexit ad Sceptra *Francorum* regenda, excellentiorem esse aliquo Imperatore, quem sola electio provehit voluntaria: sufficit Domino Comiti *Roberto*, fratrem esse tanti Regis. Et his dictis, cum dilectione & gratia Imperiali recesserunt. Et sic in hoc proposito conatus Papalis irritus evasit.

Perfuasit interea Dominus Papa, & per *Prædicatum* & *Minorum* ministerium provocavit multiformibus argumentis, ut sibi pecuniam undecunque abrafam in detrimentum Imperatoris acquirerent. Et facti sunt eo tempore *Prædicatores* & *Minores* Regum Consilarii & Nuncii speciales, ut sicut quondam mollibus induti in domibus Regum erant, ita tunc qui vilibus vestiebantur, in domibus, cameris, & palatiis essent Principum. Vocavit eum Dominus Rex tunc temporis fratrem *J. de Sancto Egidio* ad consilium suum. Admirati sunt multi, quod preces fidelium non curavit Dominus Papa, sicut legitur de *Petro* servato in carcere.

Papa summa diligentia pecuniam colligit pro sua defensione.

The Emperor justly incensed with these Antichristian proceedings of the Pope against him, resolved to march with an Army to Rome it self, to chastise him according to his demerits, and put a period to his vexations.

Sub illis quoque diebus, cum vidisset Dominus Imperator, quod Papa non tantum sanguinem suum sitiret avidissime, imo in favorem rebellium *Mediolanensium* Hæreticorum ad ejusdem vilissimam dejectionem anhelaret, relicto & ad horam suspensio belli quod proposuerat negotio, Urbi, ut terribilior suis appareret, audacter cœpit appropinquare: Cui adventanti occurrerunt quasi Domino suo *Viterbienses*, cum aliis Nobilium Civitatum Potentatibus & Civibus reverenter cum honore, & cum numerosa *Romanorum* multitudine: Sicut ex tenore Epistolæ Imperialis transmissæ Regi *Anglia* colligi potest manifeste.

Mat. Paris Hist. Angl. p. 503, 504, &c. Imperator versus Urbem iter suum dirigit.

**F**REDERICUS Dei gratia *Romanorum* Imperator, semper Augustus, *Hierusalem* & *Sicilia* Rex, illustri Regi *Anglorum*, dilecto sororio suo, salutem & sinceræ dilectionis affectum. Triplex doloris aculeus, qui cor nostrum quotidie pungit & stimulat, jam nos ulera flere non patitur, quin dolor intrinsecus prorumpat in gemitus, & gemitus exeant in clamores, dum per dissensionis novæ materiam, ad quam universalis Ecclesiæ rector & Pontifex, violenta nos quadam compulsionem coegit, Catholicæ fidei detrimenta cognoscimus, Eclipsim justitiæ manifeste perspicimus, & *Terra Sancta* dispendium miserabiliter deploramus. Sed illa non minus angustia perurgemur, quod *Hæresis* Sacerdotis oculi calligantes, nullum horum periculorum aspiciunt: sed tanta circa nos iracundia commovetur, tanta circa *Mediolanenses* & eorum fautores rebelles Imperii dilectione perstringitur: ut orbe toto dubii successus

Litteræ Imperatoris ad Regem Angliæ.

cessus eventibus, vel fortunæ periculis potius prorsus exposito, ad conculcandam Imperii sacri iustitiam, & *Mediolanensium* rebellium nostrorum auxilium totus assurgat. Nec nos super hoc læsæ conscientię stimulo pungimur, nec lædenti famæ iudicium expectamus: quin a multis retro temporibus, periculorum istorum omnium divina quadam inspiratione præfagi, præsens semper evitaverimus scandalum, istius Summi Pontificis gratiam omnia quocunque potuimus ingenio, licet frustra, laboravimus obtinere: personæ nostræ non parcendo laboribus, rerum nostrarum non cavendo dispendiis, & persæpe fidelium nostrorum vitam pro suis & Ecclesiæ *Romana* subsidii liberaliter exponendo. Sed, quod dolentes referimus, nihil penitus cepimus toto tempore laborantes, nullam ab ipso pro nostris obsequiis affectionem retulimus: semper se contrarium nobis posuit, semper Imperii sacri profectibus obviavit. Imo quod crudelius ab omnibus debet reputari, existentibus nobis in Ecclesiæ Sanctæ subsidii apud eum, Civitatem *Castella* subtraxit Imperio: prout per Literas suas, quas *Castellani* nobis noviter assignarunt, manifeste probatur. Nihil tunc temporis etiam potuimus ab ipso de cunctis petitionibus nostris, nobis & Imperio favorabile reportare. Legato, quem tunc ipso tempore pro nobis se misisse dixit in *Syriam*, ut *Aconensium* & quorundam Regni *Hierosolymitani* nobilium, nobis & filio illatas injurias emendaret, auctoritatem omnem per contrarias latentes Literas, subsequenter ademit. Eodem ipso tempore *Mediolanensibus* ne contra fideles Imperii *Cremontenses* insurgerent, nec *Florentinis Vesenenses* fideles nostros offenderent, potuimus aliquas Literas obtinere: cum nobis in auxilium ipsorum, ne indefensam dimitteremus Ecclesiam, procedendi licentiam denegaret. In *Germaniam* deinde procedentibus nobis, ad primogeniti filii nostri malitiam reprimendam, favorem omnem promissit ore tenus, sed per Nuncium suum Literas de credentia deferentem, Principibus nostris nobiscum præsentibus in Curia *Maguntina*, sub omni qua potuit attestatiōe latenter injunxit, ne electioni filii nostri minoris vel cuijlibet de domo & sanguine nostro modo quolibet consentirent. Processum nostrum deinde in *Italiam* ad reformandum Imperium, in eadem per Literas & Nuncios suos, præsertim Episcopum *Præstensem*, qui *Placentiam* & *Mantnam* omni qua potuit calliditatis fraude subjunxit, prout scivit & potuit, præpedivit. Tandem, cum post obtentam faciente Domino de *Mediolanensium* strage victoriam, prodesse sibi furtivas hujusmodi legationes & Literas non videret, ense nostræ iustitiæ, suæ nequitie fraudibus pravalente, processibus nostris cepit apertioribus obstaculis obviare: manifestius inhiibendo Civitatibus & Nobilibus *Marchia*, *Anconitenfis*, & vallis *Spoleti*, de quibus auxiliari tenebatur Imperium, non noceri, ne in *Lombardiam* venire vel mittere milites attemptarent. *Anconitanis* etiam & aliis locis maritimis, sub excommunicationis pœnitentia, & banno Decem Millium Marcarum, injunxit: ut *Venetis* excellentiæ nostræ rebellibus, contra mandatum & Interdictum nostrum, quæque necessaria ministrarent, prout hæc omnia per Literas suas evidentissime comprobantur. Aliquibus etiam nobilibus *Marchia Tervisia*, quos Imperii fide debiles & vacillantes effecerat, Literas destinavit, ut a nobis manifeste recederent: pro certo scituris, quod nisi ordinationi, & mandato suo negotium *Lombardia* vellemus præcise committere, contra nos excommunicationis sententiam fulminaret. Super quibus omnibus, dilectorum Principum & aliorum fidelium nostrorum communicato consilio, qui nobis in obsidione *Brixia* tunc temporis assistebant: volentes, ut duximus, inter nos & Ecclesiam scandalum præcavere, solemnes Legatos nostros ad sedem Apostolicam duximus transmittendos; per quos, & de quibusdam aliis frivolis, quæ in Regno nostro *Sicilie* contra jus & libertatem Ecclesiæ attemptata dicebat, satisfactionem obtulimus; & desideratam inter nos & Ecclesiam unionem, Nunciis & mutuis cautionibus roborandam, multoties dudum a nobis per innumerabiles Nuncios expectam, denū repetivimus per eosdem. Quam cum libenter affectare se diceret, modum cautionis & formam iudicio nostro committens; Nunciis nostris & suis cum unionis & pacis concessæ fiducia redeuntibus ad nos alacriter, omnino celatis, *Gregorio de Monte longo* (quem pridem in *Lombardiam* suspectum nobis & nostris simplicem Nuncium habebamus, & quem de regione ipsa promiserat revocare) contra nos & nostros, in eadem provincia Legationis officium plene commisit. Ad majoris quoque coaggregationem nequitie, dum nos propter unionis promissæ fiduciam reportaret incautos, per quosdam Principes & fideles nostros admoneri mandavit super quibusdam gravaminibus, quæ in Regno nostro *Sicilia* & Urbe *Romana* contra se & Ecclesiam per nostros officiales & Nuncios illata dicebat. Ad quæ omnia cum Domino ipsorum



ipforum admonitorum, ut minus aliorum quamplurium religiosorum iudicio, serenitas nostra plenissime respondisset, responsionibus singulis ad singula capitula non contenti, verbum generale subjunximus: quod voluntatem & responsionem nostram in lingulis suo iudicio committebamus, & totum prout hæc quamplurium Prælatorum omni fide dignorum Literis & testimonio manifeste comprobantur. Et cum super his omnibus, Nuncios nostros super responsionibus ipsis & satisfactione plenaria facienda, plena nostri culminis autoritate munitos ad ejus processus sui faciente astutia præcidendam: contra nos die Palmarum, qui processibus talibus est prorsus insolitus, contra morem Ecclesiæ, perperam & injuriose processit. Nos autem, **qui processum hujusmodi temeritate plenum, et iustitia vacuum habebamus,** ad fratres suos Literas & Legatos transmisimus, generale petentes Concilium convocari: in quo iudicis corrupti nequitiam, ac Imperii nostri iustitiam & innocentiam nostram, argumentis arguere luce clarioribus spondebamus. Super quod nedom quod iustitiæ nostræ delataratio fuerit, imo contra jus gentium, quod violari Legatos & Nuncios non permittit: prædictos Nuncios nostros Episcopos, iste qui scribitur Servus Servorum Dei, turpissimo carceri mandavit intrudi. Attendite igitur & videte, si sunt ista facta Papalia, si sunt hæc opera sanctitatis: et si compositæ prædicationi conveniat in interitum mundi deducere, conculcare iustitiam: et dissimulatis fidelium oculorum nostrorum iudiciis, secundum infidelium *Mediolanensem* faciem iudicare. Sed nec in his omnibus, cum contra nos spiritu oris sui licet perperam procedebat, ad justum Imperialis vindictæ iudicium movebantur; quousque ad extremam interemptionem nostram & manifestam exheredationem Imperii se ostendit temporaliter profilire: dum nobis in *Marchia Tervisina* morantibus, ad pacificandam eandem (quam ob dissensiones continuas & antiquas passim stragibus occisorum invenimus rubricatam) *Marchionem Estensem*, Comitem Sancti *Bonifacii*, & alios Nobiles Regionis, qui ad suggestionem Summi Pontificis simul in necem nostram conjuraverant; cum Civitate *Tervisi*, non modica data pecunie quantitate, fecit nobis et Imperio rebellare. Civitatem nostram *Revenna*, per *Paulum Transuram* antea fidelissimum nobis, & factum postmodum per corruptionem Papalis pecunie proditorem, tractante Magistro Legato Cardinali, tunc *Marchia* & Imperio subtrahens, & ab eis sibi & Ecclesiæ, tanquam Princeps & Pontifex, sacramenta suscepit; & plateas publicas per *Marchiam* & Ducatum, quem ab Imperio detinebat, Nunciis ad nos venientibus & necessaria nobis & exercitui nostro deferentibus, præcludi mandavit; adeo quod nonnullos ex eis, more prædonio, bonis omnibus spoliatis, carceri mancipare præsumpsit. Hæc omnia faciens, ut nos & Milites nostros tam *Italos* quam *Germanos*, vel famæ perimeret, vel ab obsidione *Mediolanensem* & nostrorum depopulatione rebellium, necessario revocaret. Quibus omnibus non contentus, contra nos & Imperium se belli Ducem & Principem manifeste constituit; *Mediolanensem* & aliorum infidelium proditorum causam, suam propriam faciens, & ipforum negotium ad se manifeste convertens, præfectos *Mediolanensis*, imo verius Papalis exercitus, statuens, loco sui *Gregorium de Monte longo*, prædictum, & fratrem *Leonem* Ministrum ordinis fratrum *Minorum*, qui non solum accincti gladiis & lorice induti, falsas militum imagines ostendebant, verum etiam prædicationi insistentes, *Mediolanenses* & alios, quicumque nostram & nostrorum personam offenderant, a peccatis omnibus absolvebant. Hodie quidem prædicti Legatus & Frater, contra nos & Imperium se scribunt rectores & Dominos: per quod evidenter datur intelligi, quod Papa non solum sit infidelium fautor, quos omnes pro majori parte publica mundi lingua testatur hæreticos: sed in præiudicium et exheredationem Imperii, sibi *Mediolani* Regimen et Dominium temporaliter usurpavit. Jam igitur ultra iusto iudicio tot provocari dispendiis, tot injuriis læssis, manus nostras continere nequivimus: quin apprehenderemus arma & scutum, nostram & totius Imperii causam contra publicum hostem publice contra temporalem temporaliter prosequentes, filialem illi nequivimus amplius dilectionem ostendere: quia nedum quod affectionis paternæ dulcedinem nobis non redderet, nec dum injuriis exheredationis afficeret, sed vitam nostram et sanguinem crudeliter sitiebat. Sed *Liguria* partibus, quæ in deditionem nostram venerant, Milicam & Balistariorum præsidio, non sine multis

multis ararii nostri dispendiis, prout expedit comminutis, ac in peregrinatione *Tuscia* multis Imperii juribus reformatis, præmisso nihilominus *H.* benigno filio nostro, illustri Regi *Turrim & Galluris*, sacri Imperii in *Italia* Legato, ad *Anconitanam Marchiam* revocandam, nos personaliter versus Ducatum *Spolei*, ac partes Urbi vicinas, erectis Aquilarum nostrarum victricibus signis, convertimus; totam terram nostris processibus occurrentem, usque *Viterbium*, Civitatibus admodum paucis exceptis, propter tam graves et infestos, ingratitude et offensam, ad jus et proprietatem Imperii revocantes. A *Viterbiensibus* autem & locis ac Civitatibus circumvicinis, cum summa devotione recepti, dum, jam hosti & adversario nostram ostenderemus potentiam, è vicino timore terribili licet juste perterritus, tamen per seram poenitentiam sibi non crederet posse consulere, in profundum desperationis immersus, ac viribus propriis omnino diffusus, *Romano* populo clamante nostrum ad Urbem gratanter accessum; garsones quosdam & vetulas, necnon & paucos admodum conductivos Milites, veris præter solitum profusis lachrymis exoravit, ut contra nos crucem assumerent; in sua prædicatione mentitus, quod nos ad everisionem *Romana* Ecclesiæ ac violationem sacrarum reliquiarum beatissimorum Apostolorum *Petri & Pauli*, procedere nitebamur. Excuset igitur recto judicio magnificentia Regia motum nostrum, ad quem nos adversarii nostri malignitas impulit; et quem, ad conservandum non magis Imperii quam omnium Regum et Principum terræ decus, justitia persuasit. Nosque præ cæteris orbis Regibus causam nostram tanto ferventiore favore debetis assumere: tantoque securius confovere: quanto velut totius oneris et honoris nostri participes, ac per nos ad istarum omnium moderamen, si bene recolitis, confidenter assumpti, et ab adversa parte contempti, innocentiam nostram et Imperii nostri justitiam puriori zelo ac sinceriori potestatis conscientia confovere. Datum *Viterbii*.

Terror mundi  
universi.

His igitur per orbem auditis & cognitis, fama Domini Papæ et auctoritas magnam subit ruinam et detrimentum: et subortum est scandalum; et coeperunt viri prudentes et sancti timere vehementer de Ecclesiæ, et Domini Papæ, et totius Cleri honore; et formidare ne Dominus in furore maximo populum suum insanabili vulnere lauciaret.

Queremoniæ  
Episcoporum  
de oppressioni-  
bus Ecclesiæ.

In octavis vero *Epiphania*, congregati sunt *Londoni* Archiepiscopi & Episcopi cum multis aliis magnatibus, præsentē etiā Legato, reponentes querimoniam gravissimam coram Rege in curia sua super variis injuriis, & oppressionibus & quotidianis desolationibus illatis Ecclesiæ per iniquum Regis consilium (*Especially by this Legate*) contra suas chartas & juramenta temere veniendo, nec patitur suis pastoribus viduas Ecclesias, restitutas respirare: sed ut ab eisdem Ecclesiastica bona variis argumentis extorqueat, annis plurimis eas in manu sua detinet, nec patitur electiones canonicas celebrari: Super quibus injuriis illatis, & diatim multiplicatis, omnes se afferunt vehementer admirari, cum ipse Rex toties juraverit, se jura Ecclesiastica illibata conservare, ipsomet audiente, & candelam tenente, quod omnes Episcopi in violatores libertatum Ecclesiasticarum, simul sententiam fulminabant, in cujus sententiæ consummatione, Rex ut alii, suam candelam extinxit inclinando. Et erant contra Regem in querimoniis Episcoporum capita circiter 30. Et eatenus processum est, quod lata sit iterum sententia terribiliter nimis in omnes Regis consiliarios, qui ejus animum ad prædicta enormia conabantur inclinare.

Imperator Re-  
gem reprohen-  
dit, quod per-  
mittit pecuniā  
asportari de  
terra sua in  
damnum utri-  
usque.

Et nondum negotiis in Concilio prædicto perfecte expeditis, venerunt ab Imperatore duo Nuncii ad Regem, per quos ei literatorie significavit Dominus Imperator, se non immerito nimis admirari, quod ipsum sinebat sine aliqua contradictione in sua Christianissima terra tam horribiliter et irrationabiliter et communicari. Et quod obitus fœderis maritalis & amicitiae inter eos initiata per matrimonium *Isabelle* jam Imperatricis, ipsius supremi Principis statum & famam permittebat denigrari. Quamobrem hujus rei coadjutorem, scilicet Legatum, quem Rex inconsulte in Regnum suum vocaverat, exposcit a finibus *Anglia* propulsari, quia ipsum inimicum suum & Regni *Anglia* esse veraciter affirmavit: abjacti enim undecunque impudenter omnem quam potuit pecuniam, ut Papæ satisfaceret

faceret avaritiæ et Imperialem confunderet dignitatem. Quibus nunciis Rex inito consilio, respondit; quod oportuit ipsum Papalibus et Ecclesiasticis mandatis obedire prout ceteris principibus mundi, præsertim cum Tributarius vel feudarius Papæ esse de jure comprobetur: et sic se excusando, turpiter accusabit; Rex vero, sperans in hoc placere Imperatori, scripsit Papæ supplicans attentius, ut ipse gratia affinitatis mitius ageret cum Imperatore. Quod cum Papa audisset, in iram vehementem resolutus, contumeliosa in hæc verba prorupit: Vere non invenitur in *Anglia* quis fidelis. Et ab ejus ore verbum rapuit quidam ibidem existens ex parte Regis, dicens: Pater sancte, idcirco non miremini, si Rex *Anglia* suis *Anglicis* fidem non perhibeat, sed alienigenis: quia vix est aliquis hodie *Anglicus*, cui fides debeat perhiberi. Et qui verbum protulit, erat, ut dicitur, Magister *Simon Normannus*. Pro quibus verbis utrobique prolatis, Magister *Robertus de Samreote* Cardinalis in iram magnam commotus, & ipsam, ne in jurgia prorumperet, more sapientis compressit. Erat nempe natione *Anglicus*: & Domino Papæ, qui eum creaverat, in omnibus adversitatibus fideliter adhæsit.

Rex autem cum ad se reversus timuisset, ne sibi aliquid sinistri contingeret, eo quod tam familiarem occultum inimicum Regni, scilicet Legatum, habuisset: ei consuluit in bona fide, ne per moram suam in *Anglia* Imperialem magnitudinem amplius in iracundiam provocaret, sed festinanter transalpinans, Papæ & sibi consuleret. Cui Legatus ait: Me vocasti a Curia, conductum salvum a te requiro, ut salvus redeam. Imperiales vero Nuncii, de quibus mentionem ante fecimus, cum hæc omnia cognovissent, ad Dominum suum redierunt: omnia quæ viderant & audierant, ut sagaces exploratores, nuntiaturi.

Legatus interea, sui non oblitus, nummos & redditus non segniter sibi rapuit: procurationesque sibi dari compellens, mittebat Episcopis & Archidiaconis districta mandata, circa festum Annuntiationis Beatæ *Mariæ*, in hæc verba.

Mat. Paris, p. 506.  
Legatus sæpe admonitus noluit repatriare.

**O** T T O, miseratione divina, &c. Discreto viro, illi Episcopo, vel Archidiacono, salutem. Cum necesse habeamus de mandato Summi Pontificis, moram trahere longiorem, nec possumus propriis stipendiis militare: discretionem vestram, qua fungimur auctoritate, mandamus, et quæsumus, ut Procuraciones nobis debitas in Episcopatu vel Archidiaconatu vestro, colligi facias nostro nomine diligenter: eas quam citius poteritis nobis transmissuri, contraditores per censuram Ecclesiasticam compescendo. Provisum quod quælibet procuratio, summam quatuor Marcarum aliquate nus non excedat. Et ubi una Ecclesia non sufficit ad procuracionem hujusmodi habendam, duæ pariter unam solvant Datum *Londini*, decimo quinto Calend. Martii, Anno Pontificatus Domini *Gregorii* Papæ decimo tertio.

Litteræ Legati,

Eodem tempore, Dominus Legatus accepit in mandatis Domini Papæ, ut jam excogitato alio argumento pecuniam a fidelibus abraderet; hoc modo: qui per sequens scriptum diligenti lectori satis manifestatur.

Mat. Paris, p. 507.  
Romani ut pecuniam emungerent, a voto Crucesignatos absolvunt.

Ille, vel ille Episcopus, dilectis in Christo filiis omnibus Archidiaconis per Diocesim suam constitutis, salutem. Literas Domini Legati suscepimus in hæc verba. *Otto, &c.* Cum, sicut intelleximus, nonnulli Crucesignati Regni *Anglia*, qui sunt inhabiles ad pugnandum, ad sedem Apostolicam accedant, ut ibidem a voto crucis absolvi valeant: & nos nuper recepimus a summo Pontifice in mandatis, ut tales non solum absolvere, verum etiam ad redimenda vota sua compellere debeamus: volentes eorum parcere laboribus & expensis, paternitati vestræ qua fungimur auctoritate, mandamus, & quæsumus, ut potestatem prædictam, a Summo Pontifice nobis concessam, faciatis in vestris Diocesibus sine mora qualibet publicari; ut præfati Crucesignati ad nos accedere valeant, beneficium super hoc juxta formam nobis traditam accepturi. Datum *Londini*, xv. Calend. Martii, Anno Pontificatus Domini *Gregorii* Papæ decimo tertio.

These unparallel'd Exactions opened the Kings eyes by degrees, to consider, oppose, and redresse them in some measure.

A a a a

Temporibus



Quibzdam  
Causis Ang-  
lia interdi-  
tur.

Data pecunia  
quilibet a voto  
crucis absolvi-  
tur.

Papa extorquet  
quintam partē  
bonorum a  
alienigenis in  
Anglia benefi-  
ciatis.

Mat. Paris, p.  
508.  
Legatus nititur  
inclinare Epis-  
copos ad solven-  
dam quintam  
partem bonorū

Comes R. vale-  
dicat Episcopis  
ad Radingum  
congregatis.

Anno 1240.  
Mat. Paris Hist.  
Angl. p. 509,  
510. Increpat  
Imperator Regē  
Angliæ, quod  
permiserit sen-  
tentiam contra  
eū in terra sua  
publicari, et pe-  
cuniam colligi.

Temporibus sub eisdem, oculi Regis aperti sunt, & *Causis*, præcipue *Senonensi-  
bus*, terram suam interdixit: qui terram suam mundissimam, iniquis exactionibus  
palliatæ usuræ macularunt. Ipsi autem moleste ferentes & dolentes tales se pascu-  
as amissuros, data pecunia, quæ nimis solet impios justificare, adhuc pro magna parte  
latuerunt. *Such was the corruption of that age.*

Eisdemque temporibus inceperunt ipsi *Prædicatores fratres & Minores*, & alii viri  
literati, præcipue Theologi, *Crucesignatos* absolvere a voto suo, accep-  
ta tamen pecunia quanta sufficere videbatur unicuique ad viaticum  
ultramarinum. Et factum est in populo scandalum cum schismate.  
Absurdum enim videbatur etiam simplicibus, quam diversis mulci-  
pulis simplicem Dei populum substantia sua molebatur *Romana*  
*Curia* privare, nihil petens nisi aurum et argentum. *The only God*  
*they adored.*

Proposuit etiam Dominus Papa eodem tempore, et dignum censuit extorquere  
quintam partem bonorum, in redditibus ultramarinorum Clerico-  
rum beneficiatorum in *Anglia* ad ingerendum gravamen Imperatori,  
quem undique pericula inimicorum cingebant, quos Papa per pecu-  
niam, ab *Anglia* collectam et extorram, sustentabat. Nec desinebat  
interim omnes absolvere, qui eidem Imperatori fidelitate teneban-  
tur: et induratum est odium horribile, diatim suscipiens incremen-  
tum. Dicebant etiam Regi sui fideles: Domine, Princeps no-  
minatissime, quare permittis *Angliam* fieri in prædam et desolatio-  
nem transeuntium, quasi vineam sine maceria omni communem via-  
tori, ab apertis exterminandam: cum habeas efficacis privilegium, ut  
non fiant tales in Regno isto exactiones: nec sit dignus privilegio,  
qui eo concessio abutatur? Quibustalia persuadentibus ait, *Nec volo, nec*  
*audeo Domino Papæ in aliquibus contradicere.* (Such was his pusila-  
nimity.) Et facta est in populis desperatio nimis deploranda.

Eiusdem anni spatio, convenerunt apud *Radingum* omnes *Anglia* Archiepiscopi,  
Episcopi, & majores Abbates, & quidam Magnates Regni, Papale mandatum a Do-  
mino Legato explicandum, audituri. Quo cum pervenissent, Legatus facto prolixo  
sermone, ut sibi corda audientium inclinaret, tandem varias pressuras, quas pro  
justitia Ecclesiæ sustinuit Dominus Papa, sustinendo insultus *Frederici* dicti Imperato-  
ris omnibus præfecit. Erigebat igitur instanter ex parte ipsius Papæ,  
quintam partem bonorum suorum: quibus suffultus, injurias tam  
validi inimici valeret propulsare. Cui inuito consilio, responderunt Episcopi,  
Quod nullo modo tam importabile onus, quod universalem tangebatur  
Ecclesiam, subirent, sine prolixi consilii diligenti deliberatione.  
Et idcirco datus est illis dies remotior super hoc magno mandato deliberationis.

Comes vero *Richardus*, & alii Magnates *Crucesignati*, ibidem existentes, illis om-  
nibus, qui ibidem congregati fuerant, valedicebant; quia parati fuerant iter *Hiero-  
solytanum* arripere. Quod cum vidissent omnes Prælati, in lachrymas resoluti,  
dixerunt Comiti *Richardo*: Cur nos Comites, spes post Regem unica, deseris? aut cui nos  
desolatos relinquis? Invadent nos in absentia tua alienigenæ rapaces. Comes vero uni  
pro omnibus, scilicet Archiepiscopo *Cantuariensi*, flebiliter respondit: Patet mihi &  
Domine, certe etsi non essem *Crucesignatus*, abirem tamen, & absentem me, ne viderem  
mala gentis nostræ, et Regni desolationem, quam credo posse, cum  
non possim, impedire.

The Popes Legate excommunicating the Emperor, and indefatigably collecting,  
extorting monies throughout *England*, and the Kings Dominions, to carry on his  
Wars against the Emperor, he thereupon sent a just reprehensive Letter to the King  
his Brother-in-Law, thus related.

Eodem tempore, significavit Dominus Imperator Regi *Anglia*, quod mirabatur  
supra modum, quod tam inconsulte Thesaurum suum, in detrimentum suum, alieni-  
genis distribuisset, scribens ei in hæc verba.

*Fredericus*

**F**REDERICUS Dei gratia *Romanorum* Imperator, semper Augustus; *Hierusalem & Sicilia* Rex, illustri Regi *Anglorum*, salutem & sinceram dilectionis affectum. Cum inter Reges orbis & Principes affinitas interdum & Matrimonium contrahitur, tanto magis inter eos affectio debet vel unio potius suboriri, quanto majores aliis, & in altioribus positi speculis dignitatum, virtutum inferioribus debent exempla porrigere: quantoque per unanimes voluntates ipsorum pax & concordia firmior crescit in populis, honores servantur in alterutrum in suorumque roborantur in posterum jura Regnorum. Et cum hujus fructum ex affinitate nostra, nobis & vobis crediderimus hactenus proventurum (praesertim cum obligationem cognationis nostrae firmaverint sacra sequentium pignora filiorum) totum intentioni nostrae contrarium, quod dolentes & inviti referimus, experimur. Dum praeter id quod illam nobis per *Romanum* Pontificem manifestam injuriam, quam nobis praeter ceteris terrarum Principibus prorsus intolerabilem credebamus, conpiventibus oculis pertransisse, iniquam ipsius contra nos et plenam odio carnali sententiam permittendo, vobis audientibus et scientibus, non sine multa nostri injuria, et Imperii verecundia et jactura, per Regnum vestrum undique publicari, nunc, prout certo comperimus; eidem Capitali insimulatio nostro fatuae obediendo, honorem nostrum et sanguinem sitientis, de Ecclesiis Regni vestri ac praedecessorum vestrorum, quos reputari nostros nostra compellit affinitas, pia largitione ditatis, ad impugnationem nostram pecuniaria finitis subsidia, tallias, et collectas ministrari. Attendat igitur industria Regia, callidis non circumventa consiliis, si vos deceat et vobis expediat sororium & fratrem, aut saltem amicum, seu postremo quenquam Regem, aut Principem, cui non indixeritis praelium, sicut est Regni juris et moris, pecuniae vestrae viribus impugnari. Et quid refert auro et argento, vel armis, per vos, vel patientibus vobis, hostis nostri subsidia muniantur? Praesertim cum ab experto sciamus, quod majoris auxilii manum contra nos, Papae porrigere non possitis, quam si de Regno vestro permittatis pecuniam ministrari, de qua *Mediolanensibus* & aliis proditoribus nostris stipendiarios milites pollicetur; per quam devotos & fideles nostros a fidelitate nostra seducere nititur; adeoque quod aliquorum debiliorem fidem, in evidentem infamiam; & non minus in perpetuum eorum exitium, est hujus pretii venalitate mercatus. Pro Deo, frater charissime, non primum istud a vobis incipiat, vel contra nos saltem, quod gratis Reges a Regibus impugnentur: nec sic cervicem Regiam Papalis Domini jugum premat, ut in offensam Evangelici dogmatis et naturae, proximum, sororium, et amicum, imo se fratrem, vos in tantum delectet offendere: maxime cum in instanti negotio non magis nostra, quam vestra, et aliorum Regum et Principum, si sane diligenterque attenderitis, per consequens res agatur. Quocirca serenitatem Regiam praesentium tenore affectuose requirimus ac rogamus, quatenus industriam ac potentiam vestram talibus, ex quibus tantum obstaculum formidamus, sicut amorem & honorem nostrum diligitis, tam strenue quam viriliter opponatis; non permittentes de redditibus, talliis, collectis, aut aliquibus aliis obventionibus Regni vestri, pecuniam aliquam ad *Romanam Curiam* deportari. Nec istud vos decet aut expedit conniventia qualibet aut dissimulatione pertransire; sicut vos non velletis, quod contra vos a nobis & nostris qualiacunque petita vel petenda suffragia daremus aliquibus, vel modo quolibet dari pateremur. Alioqui, ne, dum simili, sed justiori, per vos instruamur exemplo, & iis, qui vobis attingent, & quibus vinculo veteris dilectionis astringimur, hucusque negata, contra vos & Regnum vestrum, largiremur; dum vos Papa in prosecutione justitiae nostrae favorabiles invenerit, qui vobis in nullo penitus attinget, nisi quod gloriatur, quod non sine multa verecundia dicimus, in vobis habere dominii ligi potestatem. Super praemissis autem singulis, & super aliis omnibus servitiis nostris in ipsis partibus procurandis, ecce mittimus vobis *H. Chabot*, militem & fidelem nostrum, latorem praesentium: dilectionem vestram rogantes attentius, quatenus ea quae vobis ex parte nostra dixerit, sicut personae nostrae indubitanter,

*Nota.*

dilectio vestra credat, & adimpleat cum effectu: ac per ipsum præcise ac determinate respondeat, quicquid de prædictis omnibus providerit & ordinaverit faciendum. Volumus enim in instantibus negotiis esse certi, a quibus debeamus expectare consilium, & a quibus sit cavendum.

Et quia verbum Domini Imperatoris positum fuit in ore ipsius Nuncii, dicti *H. Chalbat*, in magna parte mutilata est præsens amicabile Epistola, & multa sunt taciturnitate prætermissa. Rex vero respondit rescribendo, **quod voluntati Papæ non est ausus contradicere**: sed mirabatur supra modum, quod soror sua Imperatrix non adhuc coronam in locis & Civitatibus solennibus, in Imperio magnifice portavit.

\* Mat. Paris p.  
509, 510, 511.  
Imperator ap-  
propinquans  
Urbi multas  
capit Civitates.

The Emperor this year to curb the Pope, and put a period to his vexations: Captis treugis cum *Mediolanensibus & Bononiensibus*, vel quali quali pace ad modicum suspensiva: Dominus Imperator partes Urbi vicinas copioso stipatus exercitu consultius peragravit, & Urbes & oppida suo dominio mancipavit: exemplum a *Viterbio* Civibus & oppidanis capientibus. Unde Papa suæ causæ diffidens, in abyssum desperationis est demersus: & relinquerunt eum recedentes ab eo multi Cardinalium, ut vix eum, quem suo solo impetu videbant plus efferrî, quam fræno regi rationis & consilii, aliquis, præter Magistrum *Ribertum de Sumercote*, qui eum non potuit præ verecundia dimittere, quia ipsum creaverat, amplius sequeretur.

Hereupon the Pope, to divert the Emperor from *Rome*, stirred up the Earl of *Flanders* to War upon the Emperor, and to invade his Territories and Friends; and procured the Earl of *Province*, and King of *France* to War upon the Earl of *Tholouse*, filling Christendom with bloody Wars: by means whereof the Christians, destitute of relief, were routed and miserably oppressed by the Saracens in the *Holy Land*: Upon which the Emperor, condoling their misfortune, sent a Letter to King *Henry* the 3d. wherein he manifested the Popes indiscretion, and quarrels with him, detaining him from that expedition, to be the chief cause of their misfortune.

In this Letter he recited, That præsens *Romanus* Pontifex, nostri sermonis & operis malignus interpres, quasi discrimen nostræ religionis & Catholicæ fidei in dilatione commodi temporis ageretur, crebris monitis, mandatis & minis Crucesignatos ad transitum cœpit impellere: alligans aliis, juxta sacræ scripturæ verbum, onera gravia, quæ digito suo movere recusat. Quod cum ad nostram notitiam pervenisset, eundem Antistitem multoties iterata prece rogavimus, ne tantum opus, quod deliberationem consilii, opportunitatem temporis, & grandem apparatus rerum & hominum exigebat, volubilitati & præcipitio fortunæ committeret: nec servitium Jesu Christi, & *Terræ Sanctæ* subsidium, quod nostrum & tantorum animos virorum accenderat, improvida celeritate confunderet, &c. Sed iste *Romanus* Antistes, hæc omnia parvi pendens, ut in odium nostrum universa cogeret ad ruinam, Crucesignatis acrius institit, ut transirent; non attendentes, quod Christianorum reliquiæ de partibus transmarinis, quæ cum hostibus salutiferæ Crucis treugarum nostrarum fœdere quiescebant, ex motu Crucesignatorum violato fœdere, poterant gladii periculis & famis exponi, cum non posset eis de subventionem sceleri subveniri ac provideri. Tandem, intellecto quod idem Papa Crucesignatis eisdem de transitu Literas terribiliter iteraret, scripsimus eis ut per Regnum nostrum ad transitum properarent: & quod parati eramus quibuscunque possemus eis hilari munificentia subvenire, &c.

Mat. Paris Hist.  
Angl. p. 513.  
Imperator mul-  
torum corda si-  
bi reconciliat, et  
Concilium ge-  
nerale convo-  
catur.

His auditis, Dominus Imperator multorum corda sibi conciliavit; & cœperunt multi stare cum eo, qui in amore & reverentia ejus prius vacillabant. *Romanorum* etiam populus, spretis promissionibus Papalibus, Imperiali celsitudini cœpit firmiter adherere. Senatores quoque cum Magnatibus Urbis, præclaris sanguine, ipsi Imperatori dextras dederunt. Creatus enim erat unus Senator *Romæ* auctoritate Imperiali, anno tertio præcedenti. Unde ex tunc congregati sunt Cardinales, dicentes, quod noluerunt Papales impetus in periculum totius Christianitatis amplius tolerare. Igitur significaverunt Cardinales, inito proximiori Concilio, Domino etiam Imperatore consentiente et petente; quod juxta petitionem suam bene volebant, ut convocaretur Concilium generale, sub quanta posset competenter celeritate, & rite celebrandum. Præfixus est igitur dies Concilii, proximo advenientis die Paschæ: ut ea die cum resurgente Domino, resurgens Ecclesia valeat foeliciter respirare.

In



In fine vero ætatis, comperiens Legatus Papam cum Imperatore treugas usque ad Concilium in proximo Pascha celebrandum accepisse, iratus valde, significavit eadem, quod effœminatus animo, & pusillanimitas frangebatur, mersus in desperationem. Et immerito, cum in sola *Francia* jam collectam adunaverat in auxilium suum pecuniam, unde per annum integrum bellum confertum contra Imperatorem valeret indubitanter intrepidus continuare. Unde Papa hæc audiens, pœnitens & dolens quod treugas acceperat, vocavit Magistrum *Johannem de Collumpna*, & Dominum *Reimundum*, excellentes Cardinales, dictarum treugarum mediatores, & adversus Imperatorem intercessores. Et dixit *Johanni*: Confundor in memetipso quod treugas concessi inimico Ecclesiæ *Frederico*. Vade igitur tu, qui interpret es fuisse super hoc inter nos, festinus ad ipsum, ipsas me nolle acceptare denunciare, me illi inimicum fore ex hoc nunc & antea, sub diffiduatione audacter attestando: (*A Message more becoming the Devils Vicar general, then Christs, the Prince of Peace.*) Cui *Johannes*: Ablic Domine hæc levitas verborum in ore tanti viri, ad tantum Principem destinanda; præcipue per nos, qui non vulgares reputamur: huic enim consilio instabilitatis ac infidelitatis nequaquam consentio, sed constanter contradico. Cui Papa: Nec ego de cætero te habeo pro Cardinali. Et ait ei *Johannes*: **Nec ego te pro Papa.** Et sic recessit, de amico factus adversarius. Juxta illud: Quidam Imperator injuriosus dixit in ira & superbia cuidam suo Senatori: Recede, non te amplius pro Senatore habeo. Cui Senator intrepidus: Nec ego te pro Imperatore. Sicut subditus Domino, ita Dominus subdito tenetur.

Mat. Paris, p. 522, 523. Papa conatur a treugis cum Imperatore factis resilire.

Quod cum Regi *Francorum* innotuisset, præcepit pecuniam totam, quam in terra sua mellitis fermocinationibus & fellitis comminationibus ab universitate Cleri, Rege permittente, messuerat, ab eodem Legato extortam, in terra sua, donec rei exitum videret, reservari, ut sic saltem, etsi invitus, Papa fidelis, qui vicarius Christi in terris nuncupatur, inveniretur. Et sic durabant treugæ adhuc inter eos inviolatæ, exceptis tamen Imperialibus inimicis, scilicet *Mediolanensibus*, & quibusdam aliis *Italicis*, de quibus non pertinebat ad Papam sollicitari, sicut fuit ab initio in treugarum compositione primitiva.

Legatus in Francia magnam pecuniam collegit.

The Pope being thus disappointed of his rapines in *France*, to carry on his Wars, contrived to make up his prey in *England* by this politick stratagem.

Papa vero de pecunia congreganda vigil contemplator, ab *Anglia* prædam desideratam expectans, significavit Legato, ut non sicut prius omnem simul Clerum convenire attemptet, ne forte audaciam alterutrum accipientes, pristinis rationibus & exceptionibus fulciantur contradicentes: imo potius singulatim quemlibet eorum conveniendo flectere conetur. Prius tamen omnibus modis constantia Regis enervata, ut qui cum Clero ante stetit, & ei dederat cornua, effœminatus fiat ei ad ruinam.

Callida Papæ exactio pecuniarum in *Anglia*.

Hæc cum intellexisset Legatus, de docto factus doctior ad nocendum, Clerum *Anglia* universatim *Londinum*, **Authoritate Papæ**, coram eo in festo omnium Sanctorum, convocavit. Ubi Clerus congregatus simul cum religiosis, Regem invenerunt adversantem eis, quasi inimicum manifestum: & factus est illis baculus harundineus, in quo sulti confidenter vulnerantur per fragmenta. Videntes igitur tam Religiosi quam Archidiaconi & Clerici beneficiati, qui ad contradicendum Legato in faciem, & ad instans Concilium appellandum proprio spiritu erecti animabantur, quod facti sunt velut oves traditæ rictibus Luporum cruentatis, mellitis & super oleum mollitis Legati seductionibus, quas postea in jacula convertit, consenserunt.

Legati diligentia in pecuniis colligendis.

The Emperour informed of the Popes designs against him, to break off the Truce, raise monies to make Wars against him, and the ill consequences that might arise if the *General Council* should assemble at the time appointed, sent Letters to the King of *England* and others, prohibiting the repair of any Bishops to this Council, rendering substantial reasons for it, expressed in the Letter and other writings, in pursuance thereof: *Sub eisdem etiam diebus curientis scripsit Dominus Imperator Regi Anglorum in hæc verba.*

**I**mperator Regi, salutem. Qualiter ad multam instantiam *Lombardorum Romana* sedis Antistes contra nos inconsulto calore processerit, satis vos publica fama perdocuit. Qualiter etiam prius quam contra nos, religionis debito & Pontificatus gravitate depositis, hostiliter arma capiens, se Ducem & Principem nostrorum rebellium

Mat. Paris, p. 524, 525, 526. Epistola Imperatoris ad Regem *Anglia*.

lium stabiliret, nos universale Concilium, & specialiter Nunciorum vestrorum præsentiam petissemus, serenitatem Regiam credimus non latere. Demum, notitiam vestram non latuit, qualiter ad quorundam ex fratribus ejus instantiam, qui pro reparatione tanti discriminis remedia cogitabant, præter omnium requirentium spem, nostra magnificentia condescendit, ut *Lombardis* prorsus exclusis, permitteremus eundem ab insuetis infestationibus Sacerdotum per temporale treugarum subsidium respirare, utpote qui libenter pro sedatione scandali generalis, & *Terra Sancta* subsidio procurando, reperiri modos & vias patiebamur ad pacem. Sed ipse *Lombardos* eosdem, quibus confederatus fuerat, a treugarum nostrarum federe non est passus excludi, totius orbis dissidio *Mediolanensium* ac ipsorum sequacium suffragia præstendo. Cui cum aliquatenus assentire nollemus, ut læsæ Majestatis nostræ reos sub prædictarum treugarum involucro pateremur involvi, vel ipsos ullo modo Papæ præsidio communiri, tandem postquam vidit eosdem rebelles nostros propria virtute deficere, nec ipsis posse temporalia remedia saltem quiete asserre, ad artes alias postmodum se convertit, satagens nos per venerabilem *Brixensem* Episcopum, ad nostram præsentiam accedentem, inducere, ut cum pro reformatione pacis inter nos & Ecclesiam, ut dicebat, quamplurium Regum Nuncios ac nonnullos de Occidentalibus partibus Principes & Prælatos ad Synodum intenderet convocare, *Lombardos* prædictos excellentiæ nostræ inimicos, in treugis cum ipso usque in proximum festum resurrectionis Dominicæ contrahendis, comprehendere deberemus, causam fingens, ut ex universilibus treugis, vocatis ad Synodum securitas largior præberetur. Audite mirabilem circumventionis modum, ad depressionem nostræ justitiæ excogitatum, dum pacem nobiscum habere velle se simulat, ut *Lombardos*, ad tempus per treugarum suffragia respirantes, contra nos fortius postmodum in rebellionem confirmet, utque contra nos ad discordiam se medio tempore pervenientium Prælatorum ad vocationem suam subsidia licentius præparet, speciem nobis concordia pollicetur. Et ut evidenter ad oculum videatis, quod pro discordia potius Concilium advocet, quam pro pace, formam hujusmodi advocacy attendite. In qua nihil omnino de futuræ pacis tractatu describitur, nisi pro magnis & arduis Ecclesiæ *Romana* negotiis vocationum præsentiam asserat opportunam. Tempus inspicite, dum Legatum nobis ante Concilium, postquam nos & aggressus hostiliter, nititur convocare. Considerate personas, dum spretis magnificentiæ vestræ Nuncios, per quos sibi tractatum pacis hujusmodi frequentius obtulistis, nunc *Provincia* Comitum, manifestum excellentiæ nostræ rebellem, Ducem *Ventorum*, Marchionem *Offensem*, Comitum *S. Bonifacii*, *Albericum de Romandiola*, *Blackinum*, *Guglinum de Camino*, & *Paulum Traversanum*, cum quibus in malum nostrum, data eis pecunia, prout est publica voce notorium, conjuravit, vocat expressis nominibus ad Synodum supradictam. Veruntamen ob reverentiam summi Regis, sic nominato Episcopo duximus respondendum, quod nos cum sacrosancta *Romana* Ecclesia matre nostra discordiam non habemus aliquam, sed ab hujusmodi *Romani* Pontificis impetu justitiam Imperii nostri defendimus, & injuriam propulsamus. Nihilominus tamen, cum ipso semper pacem habere optavimus & optamus, per quod generale mundi dissidium evitemus. Et ut tractatus pacis a remotioribus partibus non quæratur, per eundem Episcopum ac alios bonos viros, justitiæ nostræ conscios, & communis concordia zelatores, ad præsentem tractatum pacis, ut mala de medio citius auferantur, obtulimus nos paratos, treugas etiam, licet nobis tanquam ad belli præsidia munitis infestas, inire concessimus eum eodem; sperantes per eos, velut per quandam salutiferam scalam, posse facilius ad excelsa palatia pacis ascendi. *Lombardos* tamen excellentiæ nostræ rebelles, a nexu treugarum hujusmodi, sicut semper exclusimus, sicin perpetuum excludemus, nec inter nos & eum, præsentem discrimine, vocari Concilium per eundem, velut hostem publicum Imperii, permittimus: **Præsertim cum nobis, Imperio, et omnibus terrarum primatibus indecentissimum iudicemus, honorem nostrum causam suspecto foro subicere, vel iudicio Synodali:** Sed omnibus ad Concilium ipsum convocatis, per terram nostræ ditioni subjectam, in personis & rebus securitatem denegamus. Quamobrem serenitatem Regiam præsentibus exhortamur, quatenus per Prælatos omnes & singulos Regni vestri, edicti Regii vulgato programme divulgetis; ut nullus sub securitatis nostræ fiducia ad Synodum ipsam accedat. Nos enim quantumcunque Regni vestri fidelibus, ob amorem præcipuum quem erga vos gerimus, libentissime deferamus; præsumptuosam tamen audaciam eorum, qui ad inimici nostri vocationem accederent, nos non deceret ullatenus æquanimiter tolerare. Datum in Castris, in obsidione

obsidione *Faventia*, xiiij. die *Septembris*, xiiij. Indict. A clear evidence of the Emperors Prerogative, to prohibit, as well as to summon Councils, when called to his prejudice, to prevent the Popes designs against him.

Subscriptis igitur & quibusdam aliis causis rationabilibus, Dominus Imperator turbatus, & timens sibi laqueos preparari in Concilio celebrando, cepit illud impedire, his admonitus causis pro parte prælibatis. Primo, igitur Dominus Imperator tempus reprehendit inopportunitatem, & nimis festinum, ad quod nunquam consensit præhendendum. Item, quod licet præloquutum fuit, & tam Papali quam Imperiali assensu determinatum, non vocat Dominus Papa vocandos ad Concilium, cum utriusque causa sit in ipso specialiter pertractanda. Item, cum pro pace, reformanda inter eos & confirmanda vocandum fuit Concilium, & non ob aliud, in scripto vocationis suæ non facit super hoc Dominus Papa mentionem nisi tantum sic exprimens, **pro arduis Ecclesiæ negotiis**, suppresso penitus pro qua causa vocari Concilium debuit principaliter, & sic obviat Papa promissis utrobique formatis & firmatis. Item, dicit Dominus Imperator, quod Dominus Papa ad Concilium publicos hostes, & manifestos Imperii vocavit, (quorum nomina Dominus Imperator in sua epistola exprimit,) & eosdem Imperialibus corruptis muneribus, ut vertantur in Arcum prævum, ut traditorum nominibus in perpetuum probosc cum suis generationibus deturpentur, quibus non sunt tam ardua status Imperialis committenda. Item, dicit Imperator: *Otto* Cardinalis, Legatus in *Anglia*, & Rex *Angliæ*, omnem fere thesaurum illius regionis, ad meam dejectionem anhelantes, erpulerunt: & nos, non sine Imperii magna verecundia, & tam nostræ sugillatione, in regno *Angliæ* anathematis vinculis innodari fecerunt. Quapropter ipsos, & omnes *Angliæ* Prælatos, nostros inimicos merito debemus reputare, qui pecuniam suam in nostrum gravamen effundentes, honorem nostrum pro posse suffocant; nec movit eos, quod nunquam eis nocens affinitatis scedere *Anglorum* Regi conjungor sociatus. Ipsorum igitur examen subire mihi foret absurdum, & penitus dissonum rationi. Item, dicit Dominus Imperator, quod per treugarum acceptarum moram, nobis suspectam, imo dispendiosam, & dum Concilij tractarentur negotia (quæ finem forte non poterunt fortiri repentinum) inimici nostri poterunt respirare, & ad gravamen Imperii, assensu & fomento Papæ, quorum se constituit principem defensorem, & pro ipsis bellatorem, surgere fortiores. Item, dicit Dominus Imperator, quod Dominus Papa maximam quantitatem pecuniæ expectat extorquendam a Prælatibus *Francia*, & præcipue *Angliæ*, quam promissit hostibus Imperii se daturum: unde sumunt Papa & ipsi spem & cornua, quæ merito sibi imminet formidanda. Sumpsit enim hæc consuetudo ab prædecessore suo *Innocentio*, in ultimo Concilio exordium detestandum; ut celebrato Concilio non detur Prælatibus recedendi licentia, donec Papa singulatim a singulis pecuniam extorserit, non habito respectu ad labores & viatica Prælatorum, in itineribus vexatorum. Item, dicit Imperator: quod omnes Prælati, præcipue *Angliæ*, imo etiam Rex *Anglorum*, tenentur Papæ per suam professionem et juramentum, tanquam Domino sententialiter non obligati, et Imperatori vel Imperio: Unde judicat Imperator, eorum arbitrium merito ipsi fore nimis suspectum, et ratione formidandum, præsertim cum Papa ejus dignoscatur esse inimicus præcipuus et capitalis, membra tracturus ad consendum. Studet etiam et omnem effundit peritiam et industriam, ut ipsum confundat Imperium cum Imperatore. Sed secundum illud *Ovidianum*.

Causæ quibus Imperator motus Concilium vult impedire.

*Ut lauro, sic cautus præcingitur ense viator:  
Hic parat insidias, hic sibi præstat opem.*

Cum igitur hæc, & alia populo incognita, subtili rationis trutina libraret Dominus Imperator, sciens multos callere in ipsius nocumentum, cepit per præscriptam Epistolam vocatos & venientes ad Concilium, de imminentibus sibi periculis, scilicet, quod noluit eos defendere perditionem suam facientes transitum, civiliter præmunire.

More-



Moreover, the Emperor soon after proceeded to obstruct and prohibit the meeting of this Concil, thus related.

Anno 1247.  
Mar. Par. Hist.  
Angl. p. 534.  
335.  
Imperator prohibet Prælatos ad Concilium convenire.

Circa eorundem temporum curricula, Dominus Imperator satis subtiliter considerans, quod si Concilium generale celebraretur, cui præsidere habuit ejusdem Capitalis adversarius, scilicet Dominus Papa, & cui obedire habebant omnes Prælati assessores quasi membra suo Capiti, ad se reversus cepit vehementer sibi formidare, & sibi præcavens, ait Optimatibus suis, Angustor undique, & Circumventus oppressuris variis torqueor, Imperio periculis jam imminentibus. Quia sicut jam paratum est, si Concilium generale convocetur celebrandum, præsentem inimico meo Capitali, cui non audebunt contradicere præsentem Prælati sibi subjecti, mecum Imperio irrestaurabiliter condemnabit. Est enim Papa meus insatiabilis inimicus & adversarius manifestus, potens quemcunque eorum suæ voluntati obvium a gradu suæ dignitatis deponere, imo & depositum anathematis vinculis innodare, & in deterioris pænæ confusionem præcipitare: **longe aliter periclitatur causa nostra et Imperii Conditor, nec non et omnium Principum, quam solus amplector contuendam. Reges orbis et Principes, quorum etiam causam, eorum factus Syndicus, foveo, ad meam non venient vocationem vel mihi obedirent, nec mihi subiciuntur, ut possem eos cogere vel punire contumaces.** Ipsorum igitur adminiculo destitutus & præsentia, dubio foro committam Imperialis culminis causam dignissimam, & Inimici ejus Judices erunt? Absit hoc me supersilite. Quibus rationibus ac persuasionibus consentientes Magnates sui providebant, quod licet in sui honoris præjudicium redundare videretur, ut mutaretur antecessens Concilium, tamen propter imminens periculum jam declaratum Concilium quod prius concesserat, impediretur. Ipsos igitur Prælatos cepit Imperator efficaciter Literis suis commonere, ut ad Concilium generale celebrandum, juxta Papalem advocacy, venire nequaquam festinarent! Ex tunc igitur Prælatos, qui per terram Romanam Curiam adierunt, tam in personis, quam eorum procuratoribus impedire, & suis renuentes persuasionibus obtemperare, *hostiliter impugnare, capere, incarcerare, & torquere nec non & plures morte plerere detestanda, non cessabat Imperator.* Quod cum audiret Dominus Papa, in eundem multiplicavit maledictiones & convicia, congeffit excommunicationes, sententias innovavit. Arrestabantur igitur hinc inde Legati, quos in virtute obedientiæ præceperat Papa, omnium pater Spiritualium, ad instans Dominicæ Resurrectionis Festum Paschale ac Concilium quod salubriter præparaverat, ac procuraverat convenire: inde repagulum contradictionis, & Impedimentum Imperialis sententiæ formidabant. Hinc *Scilla*, inde *Charibdis* voraginis periculum minabatur. Vacillantium igitur corda Prælatorum, etiam singulorum, Dominus Papa solummodo tenore Epistolæ suæ sub hac forma exiliter consolabatur, hoc modo:

Litteræ Papales.

**G**REGORIUS Episcopus, servus servorum Dei, Venerabili fratri, tali Episcopo, vel tali, salutem & Apostolicam benedictionem. *Petri* navicula, matris Ecclesiæ sinus, quasi negotiorum operata fluctibus, & questionum urgentium agitata procellis, dexteram *Jesu Salvatoris* implorat. Ea quidem statibus Aquilonis impulsæ, dormire videtur Dominus, n utant discipuli, nautæ quasi naufragii verentur ventum, & eventum populi trepidant, clamat *Petrus* utinam tepefcentibus cæteris, saltem porrigerent filii opem, & operam consilii salutaris, nec ipsam fluctus involvat, nec pyrata crudelis abducatur. Porro, fœdere naturalis pactionis irrupto, fides quatitur, charitas refrigescit, tepefuit devotio, crescit & invalescit iniquitas in dominum, & proximum commissura; ex quibus fidei Christianæ profectibus evidens præstatur obstaculum, sequuntur dispendia, & plebs devota fidelium, beneficio quietis excluso, variis molestiis fatigatur. Quæ communis statura judicii Apostolicæ dignitatis auctoritas, justæ discussionis examine prudenter appendens, ut omnium generalis & una mater utilitati provideat, singulorum, manus fortium Regum videlicet, Prælatorum, Principum, & aliorum fidelium, non indigne advocare decrevit, ut multiplicatis clamoribus, dominum suscitaret dormientem, & plurimum adjuta consiliis, præmentia faciat onera leviora: expeditionis optatæ portum fœlicitèr petitura. Inter quos, te Frater Episcopo, devotum Ecclesiæ

clēsīe filium, & nobile membrum ipsius, ut venires ad matris Ecclesię gremium ad proximũ venturũ festũ Resurrectionis dominicę, literis recolimus Apostolicis convocasse. Verũ, sicut pro certo didicimus, singularis ille dudum Ecclesię filius, Apostolico proveetus & defensu auxilio, de puero tunc omni destituto suffragio, ad Imperii culmen humero materno translatus, ea non contentus injuria, qua mercede recompensans, in qua patris irrumpit solium, matris exponere pudicitiam, & vendicare Sanctuarium inde votis intemptat, astutus ad hæc in ipsa armaturā inidiis, **Prælati nuper vocatis a nobis, accessum suis terroribus interdicens, ut nullus erperet calumnię illam quam gravibus infestat molestiis,** nec in filiorum patitur solatio respirare. Cum igitur tam Sanctũ generalis utilitatis propositum sub fiducia divini favoris assumptum, humanis non debeat versutis retardari, fraternitatem vestram rogamus, monentes attente per Apostolica scripta, & districte percipiendo mandantes, \* Deum præferens homini, & difficultatibus omnibus ob meritum fidei, antè in supra-dicto termino ad sedem Apostolicam accedere non omittas: ut mater filiorum roborata præsentia, hostis adversandis obstaculo providentia divina sublato, pię intentionis exordium felici consummatione concludat. Nos enim super omnibus, quę ad tantum negotium expediunt, annuente Domino, providere curabimus, prout tibi ex parte nostra plenius exponetur. Datum *Lutram*, Idibus Octobris, Pontificatus nostri anno decimo quarto.

Facti igitur aequanimiores Prælati, ad iter inchoatum præparaverunt imperterriti, sperantes indubitanter, quod Dominus Papa; Deo favente, saltem per mare vias sibi securissimas, præparasset: *Anglici* tamen, *Francorum* consilio adquiescentes, obiterque ad loca tutiora se transferentes, utpote *Normicenses*, & quidam alii, rei exitum sub silentio cautius explorarunt.

During the Wars, and these contests between the Emperor, Pope and Bishops about this Council, the Tartars encouraged by the Christians differences, invaded *Hungary* with a great Army: Pro qua immani tribulatione, & Ecclesię damnoſa, quę inter Dominum Papam & Dominum Imperatorem orta est discordia, indicuntur jejunia & orationes, cum elemosynis largioribus diversis Regionibus; The Emperour by his Letters to the King of *England*, and other Christian Princes, signified the great danger all Christendome and Christian Religion were in, by the Tartars invasions, occasioned by the Popes implacable malice in stirring up his subjects to rebel against him, and protecting, encouraging, assisting, them in their rebellions, whereby he was much disabled, to resist and fight the Tartars: Adding, Cum voluntas (Papę) pro jure fuerit, linguę lubricum discursum non regenti, & à multiplici genere dissidii, quod attemptavit, non dedignatus est abstinere, per legatos & nuntios suos, crucem quam adversus tyrannidem *Tartarorum* vel *Saracenorum*, terram sanctam invadentium & occupantium, exercuisse debuit & decebat, jussit contra me (brachium, & Ecclesię advocatum) publicari, rebellibus nostris, graviter contra honorem nostrum & famam exultando conspirantibus. Et cum maxima nobis immineat cura, nos a domesticis & familiaribus hostibus expedire, qualiter & barbaros expellemus? And in his letters to the King of *France*, he added this Clause: ait enim, commovit vehementius, Reipublicę sedulus Procurator. *Admiramur super Francorum prudentia, quod non subtilius ceteris Papales astutias consideratis, vel non attenditis cupiditates. Proponit enim ambitio ipsius insatiabilis omnia fidelium Regna suo subicere dominatui, ab Anglozum concutata Corona sumens exemplariter consequentiam, et ut culmen Imperii suis inclinet nutibus, ausa est præsumptuoso conatu, et ausu temerario, proterbius insidiare.*

This Antichristian Pope notwithstanding the apparent danger to all Christian Princes by the Tartars invasion, and these Letters of the Emperor, proceeded impetuously in his designs against him, convening a Council to depose him notwithstanding the Emperors prohibitions, but with very ill successe to his Legates and Prelates.

Dierum ipsorum curriculo, infausto casu, dominus *Prencipinus*, nomine *Jacobus*, quandoque Legatus in *Francia*, & dominus *Otto* Cardinalis in carcere *Tulliano* Diaconus, aliquando Legatus in *Dacia*, & postea in *Anglia*, & *Gregorius* de *Romagna*, tunc ad *Jannenses* Legatus missus, ut sibi omnes obedientes ab omnibus peccatis

\* So they did who obeyed the Emperor rather than the Pope, *Rom. 13. 1. to 8. Tit. 3. 1.*

Mat. Par. Hist. Angl. 542. 543. 544. 545.

Mat. Paris Hist. Ang Edit Londini. p. 561, 562 563. Admonet Papa Prælatos, ut Specto Imperatore Concilium properent.

peccatis suis absolveret, apud *Jannam* commorabantur, de classe sibi providentes. Erant autem cum ipsis Archiepiscopi, Episcopi, Abbates quamplurimi, qui cum timerent minas Imperatoris si transfretarent, trequenter Epistolas & nuncios à Domino Papa receperunt consolatorias & admonitorias, ut non omitterent navigando ad **Concilium properare**, imo potius spretis secularibus comminationibus, Patri spirituali promptius obedirent. Facta autem fuit conventio inter eos & *Jannenses*, mediante non minima pecunia, ut ipsi *Jannenses* omnes tam Legatos quam Prælatos, cum sua sequela, indemnes et ilælos, etiam invito Imperatore, ad Romanam Curiam salvo perducerent. Et dum super his tractatum haberent diligentem & prolixum, fluctuantibus aliquibus, quid tutius, quid consultius foret agendum, significavit Dominus Papa, quod in brachio seculari auxilium efficax tam validum obviam per mare, ad ipsorum ducatum & protectionem, ipsis exeuntibus de portu, indubitanter in navali expeditione transmitteret, quod nullo modo valerent resistere manus adversantium, nec etiam ipse Imperator, quem Dominus Papa Sathanæ dederat in perditionem, utpote anathemate multiplici innodatum. Quo mandato nimis eos paterna consolatio animabit, imo adeo ut cujuslibet periculi discrimen, vel mortem amplecterentur. (But how vain and destructive this their groundlesse confidence and obedience to the Pope, proved, the sequel will demonstrate.)

Imperator petit  
a Prælati ut  
per terram ad  
Concilium pro-  
ficiscantur.

Cum autem hæc prædicta Imperatori innotuissent, intellexit evidenter, quod Dominus Papa ad defectionem ipsius sitienter anhelebat, & ad hoc tam districte Prælatos advocabat, in nullo voluntati ejus contradicuros, coepit formidare sibi vehementer, & desiderabat, ut per ipsam itinerantes, per terram venirent, ut plenius de jure, de quo confidebat, instruerentur, ne falsis suggestionibus circumvenirentur, nec aliquo modo sine tali certificatione ad Romanam curiam subito navigando transmearent. Missis igitur Legatis solennibus ad ipsos jam navigare præparatos, significavit eis modeste & humiliter, ut pacifice & omni securitate per omnes terras suæ ditioni subjectas, dummodo non per mare vel maritima, transmigrarent; scirentque certissime, quod nullus suorum ipsos offenderet itinerantes. Et si forte non crederent Imperialibus promissis, providerent sibi formam securitatis, & se eandem formam sequuturum per omnia secundum eorum dispositionem, indubitanter promittebat. Imo etiam causam suam, postquam ipsis viva voce penitus explicasset, & per omnia ipsos ad unguem instruxisset, fideliter ac fiducialiter committeret, toti Concilio judicialiter examinandam, & sententialiter determinandam, discretumque examen tot & tantorum patrum sanctorum se spondit subiturum. Et sic ipsos fore procuratores, advocatos & judices omni qua potuit instantia postulavit, persuadendo, imperando, supplicando, secundum illud Poeticum:

*Imperium, p omiffa, preces, confudit in unum.*

Conquestus est insuper graviter de impetu Papalis persecutionis indefesso, ita ut audientes fere ad lachrymas provocavit & commovit, asserens, quod Dominus Papa ipsum, nec confictum, nec confessum, pro iniquissimo hæretico, et fidei Christianæ valido ac manifesto impugnatoze fecit haberi, et multis regionibus excommunicari, et quam graviter scilicet ac potuit scandalisavit, nomenque et famam, quo nihil est damnosius, irreparabiliter denigravit, et ad defectionem ipsius nifubustoris anhelebat. Et nuper cum complacuerat & convenerat mex parti ac suæ communiter, Concilium convocari, in quo præsto parabamus causas hinc inde propalare, judicium commune subituri, ipse Papa perperam formam convocationis præloquutæ alteravit, publicos inimicos Imperii, ac Laicos & seculares personas convocando, potius ad prælia quam pacem præparatos, secundum tenorem Epistolæ Regi *Angliæ*, & aliis Principibus transmissæ: in qua retiacula abscondita & muscipulas Papalis astutiæ certius detunicavi. In qua etiam Epistola præmunivi eosdem, ne prælatos suos per meam sinerent ditionem transmeare, sicut se suaque diligebant. Addiditque Imperator, sicut alias & in dicta Epistola mandaverat, quod periculosum foret & rationi dissonum penitus, Domino Papæ manifesto adversario,



& suis consentaneis, qui potius videntur conspiratores in subversionem sacri Imperii, quam Judices æquitatis, assessoribus causam principalem, & ejus circumstantias ignorantibus, tam arduam causam inæquali foro committere.

Summopere igitur desideravit Imperator, ut per eum in pace venirent Prælati; de causa sua plenius instruendi, ut de omnibus occultis circumstantiis eos certificaret. Ipse enim nullo modo ad ipsos Prælatos personaliter poterat accedere, tum pro carentia thesauri, quem effuderat in diuturna obsidione *Faventia*, & aliis variis negotiis, quorum maximum de exercitu filii sui contra *Tartaros*, & aliis, quæ oportuit cautius continuare, tum propter *Jannenses* sibi rebelles, quibus noluit nisi in forti manu appropinquare.

Causæ cur Imperator ad Prælatos non potest accedere.

Prælati vero, Legatorum animati promissionibus et Papalibus crebro missis Epistolis consolatorijs, in quibus se promittit per mare obviam mittere juvamen festinum & efficax, noluerunt quomodolibet a proposito suo resilire. Dicebant etenim, Non est fides, adhibenda cavillatorijs dictis excommunicati. Contemptis igitur Imperatoris consiliis & petitionibus, Prælati confidentes in multitudine *Jannensium*, qui in navali certamine expediti, minas & vires Imperiales contempserunt, naves ascenderunt, præambulis *Jannensibus*, qui multiplicabant loqui sublimia, asserentes vires adversantium nullatenus sibi formidabiles, metuculosos & pusillanimes Prælatos & litteratos appellantes, & erat superbia eorum major quam potestas. Galeis igitur dispositis & ordinatis cum navibus, versus Orientem in clamore tumultuoso nautarum, & clangore buccinarum mare *Tyrrhenum* sulcaverunt.

Legati nolunt per terram ad Concilium proficisci.

Quod cum Domino Imperatori significaretur, doluit se contemptum, & sua monita cum precibus aspernari. Misit igitur ad *Henricum* filium suum, quem de consuetudine appellat naturalem, cui commiserat mare, & maritima custodienda cum navali exercitu ad impediendum transitum Prælatorum, ut ipsos jam navigantes capere non formidet, vel submergat, vel trucidet, (as they well deserved for their pride, contumacy, rebellion and Treachery)

Imperator jubet Prælatos capi.

Dictus igitur *Henricus*, paternis præceptis obediens, misit obviam eisdem *Jannensibus* Legatos & Prælatos confidenter ducentibus, viginti galeas novas & solidissimas, manu militari optime communis in prima fronte, quibus primicerius præerat *Stollus* pyratum peritissimus. Factoque congressu navali cruentissimo, *Pisanis* quibus specialiter præfuit *Henricus* cum jam dicto *Stollio*, qui per modum fulgurantis tempestatis irruit ad certamen, victi sunt *Jannenses*, captique Prælati cum Legatis, et aliqui submersi vel cæsi, scilicet Archiepiscopus de *Vesentia* & multi alii quos longum est numerare. Ex Abbatibus tamen vix *Saviniensis* ope *Johannis de Lexintuna*, militis strenuissimi & elegantis, fratris sui, ac Nuncii Regis *Anglia*, evasit liber & illæsus. De hujusmodi autem infortunato casu, per hanc Epistolam, cui communis fama perhibet testimonium, evidenter certificatur.

Legati cum Prælatibus capiuntur.

Captis igitur & præsentatis Prælatibus & Legatis cum suis *Jannensibus* Domino Imperatori, scripsit idem Imperator Regi *Anglorum*, necnon & aliis Principibus in hæc verba:

**F**REDERICUS Imperator, Regi *Anglia* salutem & sinceræ dilectionis affectum. Hilari affectione recepimus literas & nuntios vestros quos ad nostram præsentiam transmisisti, & tam ea quæ literæ continebant, quam ea quæ iidem Nuncii ex parte vestra ore tenus coram nobis referebant, audivimus & intelleximus diligenter. Et ecce ad singula quæ misistis prospere per eos, per magistrum *Walterum* de *Oera*, dilectum nostrum Notarium ac fidelem, plenarie respondemus. Cui ea quæ vobis ore tenus ex parte celsitudinis nostræ diceret, indubitanter tanquam personæ nostræ credatis. Cui etiam plenam concessimus potestatem procedendi in negotio, pro quo nuntii supradicti venerunt, & complendi illud juxta formam sibi a celsitudine nostra datam. Ad hoc, cum nostris congruadeatis successibus & in nostrorum humilitatem rebellium fiat terror & cæteris cautela subjectis, jocunda insinuatione vobis describimus, quod cum civitas *Faventia* suis diffisa meritis, & propria munitione confisa, beneficio temporis Hymalis causa fuerit nostræ rebellionis viribus præstare repagulum. Veris tamen instituto tempore hæc eadem civitate, machinarum nostrarum incurfione quassata,

Epistola Imperatoris de capitione civitatis *Faventia* & Prælatorum in mari.

muris irruentibus, & fossoribus nostris penetrantibus per meatus subterraneos intima civitatis, ut manualiter inter cives & bellatores nostros bella concurrerent, & oporteret eos pro minis corpora cominus præstare gladiis exponenda, sumpserunt sanius pro eorum salute consilium, quibus expugnatio vicinum exitum minabatur, & ad implorandam nostram misericordiam continuo clamore sæpe conversi, die Dominico, decimo quinto die Aprilis, mandatis nostris & beneplacitis se præcise manciparunt, subijcientes in nostram misericordiam civitatem, suas pariter & personas, præstitis fidelitatis debite juramentis, & illicitis juramentis, si quæ fecerunt, abjuratis. Ad quorum receptionem nostri Comes Imperii semper indivisa, & iusti arbitra moderaminis, clementia nos induxit, quæ victoris animum vicit, ut cum victis misericorditer ageremus: rati gloriosorem esse victoriam, misereri conversis, quam in eorum casu ulcisci miserabili: pitum genus vindictæ pensantes, ignoscere noxis, dum potuimus ferius vindicasse. Remissa igitur gratis offensa, licet non minima, & reis Imperialiter absolutis, civium & civitatis, statu sub nostro, & Imperii iugo, (quo nihil suavius aut dignius esse probabamur) pro rerum qualitate disposito, dum ad depopulationem vicinæ Bononiæ nostrum verteremus propositum & affectum, Prælatorum turbam, cum Prænestino Episcopo, Ottono Thuringio sancti Nicholai in carcere Tulliano Diacono Cardinali, nostris adversaturam processibus, ex diversis provinciis congregatam, contigit suo infortunio Januam pervenisse. Ubi conveniente cum eis Gregorio de Romagna, addito Legato Legatis, ut insimul ligarentur, & conspiratione cum Januensibus rebellibus nostris facta, quidam de Regno Francorum navalem exercitum copiosum congregantes, pyratas suos armari fecerunt, cum quibus ad Papam Romanam, pro majoris causa dissidii, conjuraverunt advenire. Ad quorum impediendum transitum & accessum, nostram diu ante prævisam classem convenire fecimus apud Pisas, victoriosum Galeiarum Stollum præponentes. Quos cum quibusdam nostris fidelibus, eorum præcognita motione, in latis & portubus, quos vel alto mari præterire non poterant, velut obvia, & necessario navigabilia transitu, ut eis transeuntibus potenter occurrerent, destinavimus. Et aggressus galeis nostris galeas eorum, quas præpotens Dominus, qui ex alto videt, & dimicat æquitatem dijudicans, invias vias eorum & excogitatum malitiam, insatiabilemque cupiditatem meditatus, in viribus & potentia nostra, quam effugere terra vel mari non poterant, Domino favente, Legatos ligatos simul tradidit & Prælatos. Et tribus galeis eorum submersis, ac omnibus quæ vehebantur in ipsis, cum viris qui ad duo millia æstimati sunt, sine spe recuperationis amissis, viginti & duæ galeæ, non sine magna navigantium castè, cum personis & rebus, divina sic volente providentia, victæ sunt a galeis nostris, & triumphaliter captæ. In quibus tres dicti Legati, cum Archiepiscopis, Episcopis, Abbatibus, et multis aliis Prælati, nuntis quoque Prælatorum et procuratoribus, qui ultra centum æstimantur, cum Ambassationibus civitatum rebellium Lombardiæ, qui ad præfixum ire Concilium properabant, quatuor millibus Januensium, exceptis specialibus et electis personis de Janua, quæ galeis præerant, et committatui Prælatorum pro ducendis et reducendis eisdem Januam, sicut inter eos fuerat infortunate conventum, ad manus nostras ligati perducerunt, cum Prænestino illo, qui summum contra nos sapius incitaverat odium. Qui sub latentis lupi specie, in ovina pelle & agni chlamide, Deum inclusum gerere non confidat, cujus divinum judicium non defuisse arbitramur, et sciat quia Deus nobiscum est, sedens super Thronum, et dijudicans æquitatem, qui non solum per Sacerdotium, sed per Regnum et Sacerdotium, mundi machinam statuit gubernandam. Nos igitur, suum nobis calitus Domino referante consilium, & in plana tot aspera convertente, sudores bellicos, & æstivos pulveres non vitantes, nostrum scilicet iter & intentionem omnimodam & conatus ad eum dirigamus, qui nobis & cæteris regnantibus exaltationis, & gloriæ contulit incrementum. Et nos prædictorum Principes successuum nostrorum participes & vos, præcipue fieri gratulamur, quos in omni successuræ felicitatis eventu, ex unanimitate, qua unimur, cupimus esse consortes. Datæ Faventia, &c.

Missa est igitur talis Epistola aliis Principibus quasi consolatoria, sed non omnes tenorem ipsius acceptabant, cum dicat Poeta ethicus;

*Gloria peccati non repetenda sui est.*

Iussu igitur Imperiali ducti sunt per mare cursu diuturno; per spaciū circiter trium hebdomadarum donec venirent *Neapolim in Apulia*: & in castro quod est vicinum civitati, & mare circumdatum, tutelæ certissimæ mancipantur. Sed non omnes æqua damnabat calamitas carceralis. *Præstissimæ* enim miserrima erat condicio. Et omnes jam vel morbus, vel lethæ inbaserat imbecillitas. Cum enim diu navigaverant sedentes glomeratim vincti & oppressi, cecideratque super eos æstus intolerabilis, muscis circumvolitantibus, & more scorpionum pugnentibus, fame & siti cruciati, & ad arbitrium nequissimorum nautarum imo hostilium pyratorum, lacessiti & objurgati, longum martyrium protraxerunt, quod pro obedientia (*Saxæ Pope miscalled it, but in truth for their disobedience, rebellion against the Emperor*) subierunt. Videbatur igitur carcer requies, licet requie caruisset. Tabuerunt ergo, præcipue delicatiores, & variis infirmitatibus langue- runt. Unde quidem religiosi, & multi alii, animas afflictas exhalantes ex miseria hujus mundi ad Dominum, non sine palma martyrii migraverunt. Et cito post, Domi- nus *Præstissimus*; obediens Domino Papæ, usque ad mortem a nequam sæculo transiit ad requiem.

The Imprisonment of these Prelates and Pope *Gregories*\* death soon after pre-  
vented the Councils meeting, and put a period thereunto. \* Mat. Paris: 533.

Having thus presented you with the tragical contests between Pope *Gregory* and the Emperor, from the year 1238, till 1242. I shall now return to that which more immediately relates to the Ecclesiastical affairs of *England and Ireland*.

The Pope having granted a Provision to *Roger Trinity* Clerk, within the Dio- cesse of *London*, directed to *Otto* his Legat to execute, he thereupon granted him the next Prebendary that should fall in the Church of *Saint Martyn*; which being the Kings *Free Chappell*, exempted from Episcopal Jurisdiction, the King to preserve the Rights of his Crown and privilege of his *Free Chapples*, issued this memorable Prohibition and Appeal to the Legate.

Venerabili in Christo Patri O. Dei gratia; Sancti *Nicholai* in carcere *Tulliano* di-  
acono Cardinali, & Apostolicæ sedis Legato *H.* eadem gratia Rex *Angliæ*,  
&c. salutem & sinceræ dilectionis affectum. Cum sicut audivimus *Rogerus* de sancta  
*Trinitate* Clericus, litteras Apostolicas impetraverit vobis directas, super  
quadam Provisione et in aliqua Ecclesiarum *London. Dioc.* faci-  
enda, vos dilectis nobis in Christo Decano et Capitulo Sancti *Mar-  
tini London.* Provisionem illam faciendam auctoritate qua fungitis  
demandastis Præbendam, si qua vacet, ad præsens vel cum aliqua in  
Ecclesia ipsa vacare contigerit conferendo. Cum igitur Eccle-  
sia ipsa Capella nostra specialis existat, et ad nostrum Patrona-  
tum specialiter spectare dignoscatur, in spiritualibus etiam nullam  
Diocesano subjectionem impendere teneatur, sed ab Episcopali ju-  
risdictione exempta penitus ab antiquo, Domino Papæ sit immedi-  
ate subjecta, ne præfato R. Clerico vel alii in præfata Capella no-  
stra Præbendam aliquam conferatis, quod quidem in præjudicium  
nostrum non modicum redundaret, præsentiam Apostolicam Appel-  
lamus, et ad appellationem illam faciendam, *Willielmum de R.*  
Clericum procuratorem nostrum duximus constituendum. Teste meipso apud *West.*  
25. die *Julii*. Anno 1238, Pat. 22. H. 3. m. 3. Inrus.

To prosecute this business with effect at *Rome*, he constituted a special Proctor by these his Letters Patents.

Domino



Pat. 22 H. 3.  
m. 3. intus.

**D**omino Papæ Rex, salutem. Noverit Sanctitas vestra nos dilectum Clericum nostrum Magistrum *Alex. le Seculer* quem pro negotiis nostris ad Curiam Romanam destinavimus procuratorem nostrum constituisse, ad impetrandum & contradicendum pro nobis in eadem Curia impetratis & impetrandis. Dedimus etiam eidem Magistro *Alex.* potestatem substituendi procuratorem loco suo in negotio memorato si necesse fuerit. Ratum habituri quicquid idem Magister *Alex.* vel ab eo substitutus Procurator fecerit in præmissis. In cuius rei testimonium, has Literas nostras Patentes fieri fecimus, & sunt sine termino. Teste Rege apud *Westmonasterium*, xxvij. die *Julii*.

\* Here p. 493,  
to 497.

Upon the \* forecited assault made by the Schollars of *Oxford* on the *Legate* and his Servants, the King issued this Writ to the Sheriff of *Gloucester*, to apprehend all Scholars, whether *Scots*, *Welsh-men*, *Irish*, or *English*, going from *Oxford*, guilty of that fact, to the great dishonour of his Government, and disturbance of the publick peace, (casually omitted in its proper place.)

Claus. 22 H. 3.  
m. 16. dorso.

**R**EX Vicecomiti *Gloucestræ*, salutem. Cum Venerabilis Pater, &c. nuper hospitaretur apud *Osneyam*, Clerici quidam de Universitate *Oxonie* timore Dei postposito, & spreta sedis Apostolicæ reverentia, in gravem Regiæ dignitatis læsionem in prædictum Legatum & suos irruentes, eis tam de die, quam de nocte contra pacem nostram insulcrum dederunt, quosdam de familia sua interfecerunt, & alios graviter vulneraverunt, de quo vehementer moti sumus & perturbati, tam pro contemptu & injuria Sanctæ *Romane* Ecclesiæ illata, quam pro manifesta pacis nostræ perturbatione. Et ideo tibi præcipimus firmiter injungentes in fide qua nobis tenetis, & sicut teipsum & omnia tua diligis, per totam Ballivam tuam diligenter insidiari facias, si qui Clerici venientes de *Oxon.* de quacunque natione sive *Scoti*, sive *Wallenses*, sive *Hibernienses*, sive *Anglici*, a die Veneris proxima ante festum Sancti *Marcii*, & inde recedentes occasione prædicta, per partes illas transitum facient. Et si quos tales inveneris, illos capias & salvo custodias in libera prisona, donec aliud inde præceperimus: Scire etiam facias omnibus qui Libertates habent infra Ballivam tuam, quod sicut seipfos & Libertates suas diligunt, de prædictis Clericis capiendis idem faciant infra Libertates prædictas.

The Popes Legate presuming to hold Pleas before him in *England*, not only of all Ecclesiastical, but likewise of Temporal matters, belonging to the Kings Courts, as of Fishings, Rents, Chattles and Debts; the King thereupon issued these ensuing Prohibitions to stay such suits, in a modest stile.

Claus. 22 H. 3.  
m. 20. dorso.

**L**egato Rex, salutem. Cum sicut audivimus Prior Sancti *Jerusalem Angliæ*, Thesaurarium *Eboracensis* Ecclesiæ, super quadam Piscaria sua, coram vobis trahat in causam, quæ quidem causa terminari debet in Curia nostra: Et nobis ex hoc possit præjudicium generari: Paternitatem vestram attente rogamus, quatenus cum plenam fiduciam de vobis reportemus, quod ea quæ spectant ad Coronam et dignitatem nostram velitis plenius conservare, prædictam causam non sustineatis coram vobis de cætero ventilari. Et taliter has preces nostras exaudias, quod vobis ob hoc teneri debeamus ad grates. T.

Consimiles Literas habet *Radulphus* filius *Nicholai* de catallis & debitis.  
Consimiles Literas habet Magister de *Ripar.* de debitis.

The Bishoprick of *Landaffe* becoming void, the Pope by his own Papal Authority and *Provision* conferred it on *John de Monmouth*, who was consecrated Bishop thereof by the Archbishop of *Canterbury*, after the Kings Royal assent to the *Popes Provision*, Anno 1239. (not 1296. as *Godwin* in his *Catalogue of Bishops*, p. 427. mistakes) whereupon the King issued this Writ to the Earl of *Gloucester* and *Hereford*, to restore the Temporalities of the Bishoprick to this new Bishop, he having formerly granted them to him, and *Jone* the Kings sister for their lives, during the vacancy.

R E X

**R**EX dilecto & fidei suo *Gilberto de Clare, Com. Gloucest. & Hereford.* salutem. Pat. 23 H. 3. m. 15.  
 Cum vobis & charissimæ filia nostræ *Johanna* consorti vestræ concesserimus custodiam Episcopatus *Landaven.* necnon & omnium Dominicarum & tenementorum ad Episcopatum illum spectantium, & in Dominico seu feodo vestro existentium tempore vacationis Episcopatus ejusdem. Habendum vobis & præfatæ filia nostræ ad totam vitam vestram tempore illo, *salva nobis fidelitate ipsius* quem in ejusdem loci Episcopum contigerit confirmari, prout in Literis nostris Patentibus vobis & præfatæ consorti vestræ inde confectis plenius continetur. Ac Venerabilis Pater *E. Cantuariens.* Archiepiscopus, totius *Anglia* Primas, Cathedrali Ecclesiæ *Landaven.* de Venerabili viro Magistro *Johanne de Monemuth.* auctoritate Apostolica prohibedit, et ipsum in eisdem loci præfecit Episcopum et Pastorem, sicut per Literas ejusdem Archiepiscopi Patentes nobis conitac: Nos hujusmodi Prohibitionem et præfectionem acceptantes, cepimus fidelitatem ipsius Magistri *Johannis*, & temporalia Episcopatus prædicti in manu nostra existentia, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod temporalia Episcopatus prædicti in Dominico seu feodo vestro ex concessione nostra existentia, sicut prædictum est, eidem Magistro *Johanni* sine dilatione Liberatis. Teste Rege apud *Aberconwey*, quarto die *Aprilis*.

The 12. of *August* following, the King to engage one of the Cardinals of *Rome* (who would do nothing without Bribes and Pensions) to promote his affaires there; granted him an Annual Pension of 20 l. payable at two Terms, out of his Exchequer during life, by this Patent.

**R**EX omnibus ad quos, &c. salutem. Obsequia fructuosa quæ Venerabilis Pater Dominus *J.* Titulo Sanctorum *Marcelli & Petri* Presbyter Cardinalis, nobis exhibuit dum erat in minori officio constitutus, & quæ, sicut speramus, in futur. faciet, attendentes, viginti librarum sterlingorum eidem annuam concedimus Pensionem, percipiendam quamdiu vixerit ad Scaccarium nostrum; unam, viz. medietatem ad Scaccarium nostrum Sancti *Michaelis*, & aliam medietatem ad Scaccarium nostrum Paschæ. In cujus, &c. Teste Rege apud *Westm.* xij. die *Augusti*. Pat. 23 H. 3. m. 10.

The 26. day of the same month, two of these insatiable *Romish* Cardinals procured the Kings Letters Patents to his Chief Justice, Chancellor, Treasurer, and all other Officers in *Ireland*, to assist their Chaplain in the collection of their Procurations from the Clergy thereof.

**R**EX dilectis & fidelibus suis Justiciario suo *Hibernia*, Cancellario & Thesaurario de Scaccario suo *Dublin.* Justiciariis, Vicecomitibus, & omnibus Ballivis & Ministris suis de terra *Hibernia*, ad quos præsentis Literæ pervenerint, salutem. Cum Venerabiles Pater *Beraldus Albanensis*, & *Simon Penestrensis* Episcopi, Sacrosanctæ *Romane* Ecclesiæ Cardinales, Magistrum *Johannem Bonichy* de Senis, Capellanum eorundem ad partes *Hibernia*, pro Procurationibus eorundem Cardinalium jam transmittant: Vobis mandamus, quod præfato Magistro *Johanni*, cum ad partes illas venerit ex parte Cardinalium eorundem occasione prædicta, consilium & auxilium impendatis in hac parte, quotiens ab ipso Capellano ex parte dictorum Cardinalium fueritis requisiti. In cujus rei testimonium, &c. pat. quamdiu nobis placuerit. Teste Rege apud *Westm.* xxvj. die *Augusti*. Pat. 23 H. 3. m. 10.

Per Petitionem de Consilio.

As the King promoted the Popes, Cardinals Rapines, and intollerable Extortions on the Clergy and people on the one hand, so the Pope to gratifie the King granted him a Tenth from the Clergy of *Ireland*, towards the relief of the *Holy Land*, on the other hand, in outward pretence to delude the people, which in truth the King, Pope and Cardinals shared between themselves; for the collecting whereof the King issued this Patent to all his Sheriffs, Bayliffs, and Officers in *Ireland*.

**R**EX Vicecomitibus & omnibus aliis Ballivis & fidelibus suis in *Hibernia*, ad quos, &c. salutem. Cum Summus Pontifex Venerabilem Patrem *T. Middens* Episcopum, Pat. 23 H. 3. m. 8.

Episcopum, & Magistrum *T. de Chaddeworth*, Decanum Ecclesie Sancti *Patricii Dublin*, per Literas suas Bullatas deputaverit, ad Decimam in terra predicta nobis in subsidium Terræ Sanctæ concessam, colligendam, prout in eisdem Literis plenius continetur: vobis mandamus, quod eisdem Episcopo & Decano ad eandem decimam colligendam sitis consulentes, & auxiliares, quotiens ab eisdem Episcopo & Decano vel eorum altero, ex parte nostra super hoc fueritis requisiti. In cujus, &c. quamdiu nobis placuerit duratur. Teste Rege apud *Thurrok*. vj. die *Septemb.*

Per ipsum Regem nunciante *J. de Benfede*.

There are some Writs of the like nature in the Clause Rolls of this year, which Rolls being for the present mislaid, I could not transcribe.

The Monks of *Cambridge* having apprehended an Heretick (which they had no legal authority to do) the King thereupon (by his Ecclesiastical Prerogative) issued this Precept to the Sheriff of *Cambridge*, to bring this Heretick before him at *Westminster*, at the Kings own cost, to be examined and disposed of as he should direct.

Liberate 24 H.  
3. m. 8. iatus.

**R**EX Vicecomiti *Cantabrigie*, salutem. Præcepimus tibi, quod visis Literis istis sub salvo & securo conductu venire facias coram nobis apud *Westm.* Hereticum, quem fratres prædicatores *Cantabrigie* tibi liberabunt. Et cultum quod ad hoc posueris computabitur tibi ad Scaccarium. Teste Rege apud *Westm.* ii. die *Augusti*, Anno Regni nostri xxiii.

Who this pretended Heretick was, and what his Heresies, *Matthew Paris* thus informes us,

Mat. Paris, Hist.  
Angl. p. 514.  
Quædam Hæ-  
reticæ assertio-  
nes.

Diebus illis quidam quasi honestæ vitæ ac severæ vir, habitum & gestum prætendens ordinis *Carthusiensis*, captus est apud *Cantabrigiam*, nolens intrare Ecclesiam aliquam. Super quo diliramento cum requisitus, secus quam deceret, respondisset, arctiori custodia reservabatur, ita quod post paucos dies sequentes transmissus est ad Legatum, in turri *Londinensi* recludendus. Palam enim asseruit, dicens, *Gregorius non est Papa, Non est caput Ecclesiæ. Sed aliud est caput Ecclesiæ.* Ecclesia prophanata est, nec debent in ea divina celebrari, nisi rededicata fuerit. Vasa & vestimenta ejus reconsecranda sunt: *Diabolus solutus est; Papa hereticus. Polluit Ecclesiam, imo mundum, Gregorius, qui Papa dicitur.* Et præsentibus & audientibus domino Abbate *R. de Evesham*, & magistro *N. de Finham*, magistris quoque *P. de Burdegalis*, & *H. de Sufa*, & multis aliis, dixit Legatus illi deliranti: Nonne concessa est desuper potestas Domino Papæ solvendi animas atque ligandi, ut vices beati *Petri* exequatur in terris? Et cum omnes expectarent, quid responderet, credentes judicium ab hac sua responsione dependere, ait sub interrogatione, & non sub assertione: *Quomodo possem credere, quod cuidam Symonali, et usurario, et forte majoribus facinoribus involuto, concedatur talis potestas, qualis concessa fuit beato Petro; qui immediate factus ejus Apostolus, sequutus est Dominum, non tantum incessu pedum, sed virtutum claritate?* Ad quod verbum erubuit Legatus, & ait quidam de circumfidentibus,

*Stulto rixandum non est, furno nec hiandum.*

*Resolvit labra sua in alia deliramenta*, there related. After which I finde no more proceedings against him.

The Archdeacon of *Canterbury* intending to build and erect a Church of Prebends or Canons at *Maydeston* in *Kent*, against the Kings Prohibition and Appeal, to the disinherison and prejudice of his Crown and Dignity, the King thereupon issued this memorable Writ of Prohibition to the Sheriff of *Kent*, to proclaim, and prohibit all Laymen under pain of Imprisonment, losse of life, and member nor to ayd or assist him therein, by carrying stones, timber, or working therein.

REX



**R**EX Vicecomiti *Kantis*, salutem. Quia pro certo audivimus, quod *E. Cantuar* Archid. ad exheredationem nostram, et grave præjudicium *Coro-* Clauf. 14. H. 3.  
m. 9. dorso  
næ et dignitatis nostræ, nuper accessit personaliter usque *Maydenston*, et nobis inbitis, appellantibus et prohibentibus, ibidem locum ubi Ecclesiam præbendam construere proposuit, benedixit, assignando loca in quibus construenda sunt ædificia Canonicoz: Tibi præcipimus firmiter Injungentes, in fide qua nobis teneris, quod per totam Ballivam tuam clamari facias, et firmiter supra vitam et membrum prohiberi, ne aliqua persona Laica de operatione quam dictus Archid. construere proposuit, in aliquo ligna vel lapides carriando, vel aliquod auxilium vel consilium præstando, sive operando se intromittat. Et si aliquem Laicum contra hanc Prohibitionem nostram inveneris aliquid attemptantem, corpus ipsius capias, et in præsona nostra salvo custodias, donec aliud inde tibi præceperimus. Taliter hoc præceptum nostrum executurus, ne si te in hac parte negligentem audierimus, ad te nos graviter capere debeamus tanquam præcepti nostri contemptorem. Teste Rege apud *Clarendon*, xxiiij. die *Novembris*.

Per ipsum Regem & Consilium suum.

The King out of favour to the Earl of *Flanders*, writ to his Proctors at *Rome* to assist the Earls Proctors all they could, and to dispençe, in his particular case, with his Royal Priviledge, of drawing no causes out of his Realm to Foreign Judicatures.

**R**EX *Dragoni de Barentin*, & *Willielmo Hardel*, & aliis procuratoribus suis in Curia *Romana* agentibus, salutem. Cum ad commodum & utilitatem dilecti avunculi & fidelis nostri *Th. Comit. Flandr.* tam per nos, quam per nostros laborare disponamus, vobis præsentium tenore injungimus mandantes districte, quod ejus procuratoribus ad curiam accedentibus, in hiis quæ ad ipsum Comitem pertinere videbuntur, totis viribus assistatis, & ejus negotia, quatenus per vos fieri poterit, promovere curetis; Proviso quod occasione privilegii *Anglicis* concessi, Ne ad partes transmarinas seu extra Regnum *Anglia* trahantur in causam, nihil contra ipsum Comitem nomine nostro impetretur, quo minus in causa quæ inter nobilem virum *P.* quondam Comitem *Britania*, & *S. de Monte-forti*; veretur in partibus transmarinis coram judice suo procedatur. Nos enim, pro eo quod causa illa præfatum Comitem *Flauadr.* velut eum cujus res agitur tangit; magis eligimus, quoad causam illam privilegio renunciare prædicto, cum protestatione tamen quæ ad ejus observationem in aliis causis videbitur necessaria, quam Comitem præfatum, in ipsius impedire processu. Vosigitur in hac causa nihil contra ipsum impetretis, nec quantum per vos fieri poterit impetrari permittatis. Nolumus enim si super hoc nostro nomine aliquid fuerit impetratum, quod eo ad impedimentum suæ Cause aliquis utatur. Teste apud *Clarend.* 8. die *Decembris*. Clauf. 14. H. 3.  
m. 16. intus.

The Popes Legat this year exacting the fifth part of all outlandish Clerks Benefices and Rents in *England*, to the Popes use, as well from the Kings Clerks as others, so their intolerable oppression, the King thereupon issued this memorable Prohibition to him; exempting certaine Clergy men therein named from this exaction; though he connived at this extortion from others.

**R**EX Domino Legato salutem. Cum jam ex relatu quorundam receperimus fide dignorum, quod de Clericis transmarinis tam nostris quam aliis in regno *Anglia*, beneficia et redditus habentibus quintam partem suorum reddituum et bonorum, ad opus Domini Papæ, auctoritate quarandam literarum suarum certis ad hos executoribus ex parte vestra exhibitis, nec saltem ipsorum indemnitatem provisa, districtius exigitis: Nos attendentes & in ani- Clauf. 14. H. 3.  
m. 19. dorso.

mo saepius revolventes, quod hi qui nostris vacant obsequiis, intolerabiles us juxta regni consuetudinem fatigantur expensis, propter quod pen-  
**itis rerum circumstantiis**, ipsorum foret immunitati ratione multiplici provi-  
 dendum dilectionem vestram presentium duximus tenore rogandam, quatenus ho-  
 nori vestro qui satis Apostolica sedi convenire creditur, sic in hac parte prospicere  
 curetis, quod dilectos nobis magistrum *Walterum de Dya*, *Guydonem de Roscillum*,  
 magistrum *Johannem de Dya*, magistrum *de Estoyland*, *H. Archid. Wint. L. Archid.*  
*Surr. Johannem de la Herce*, *Henr. de Bernexal*, *I. de Steyland*, *Petrum Chaceport*,  
*Bertardum de Valentia*, *Emericum de Roches*, magistrum *Willam le Brun*, *W. le*  
*Pless*, *Selmo de Crest*, magistrum *Ante*, & *Willam de Poypia* Clericos nostros, pra-  
 statione quintae memoratae conservetis immunes. Cum enim Dominus Papa nobis  
 super hoc, prout praedecessorum nostrorum temporibus fieri consuevit, hactenus  
 scripserit, non sustinebimus, quod praefati Clerici nostri super exacti-  
 one praedicta, in aliquo graventur; immo eisdem districtius inhibui-  
 mus, ne de bonis suis aut redditibus pro portione memorata,  
 alicui respondere praesumant. Nam etsi id quod in hac parte apud  
 alios agitur quasi dissimulando pertransimus; istos tamen penitus  
 esse volumus immunes. Addici etiam petimus supplicationibus  
 praemissis, ut si quae compulsionem circa eosdem per executores  
 praedictos in locis exercentur diversis, ipsos penitus ad nostram fa-  
 ciatis petitionem relaxari. Scituri pro certo, quod sustinere nullo  
 modo volumus, quod praefatae pecuniae Summa ab eisdem per  
 aliquos extorqueatur. Teste Rege apud *Westmonasterium* novemdecem die  
*Februarii*.

The Prior of *Rupe*, by Authority from the Pope exacting from the Clerkes  
 of the Churches in *England*, the advowsons whereof belonged to the Monks of  
*Cluney*, the tenth of their goods and rents for three years together, the  
 King thereupon issued this notable Prohibition to him, inhibiting the Collection  
 the eof, or any other Tax, to carry monyes out of the Realm.

Claus. 14. H. 3.  
 m. 26. intus.

**R**EX Abbati & Priori de *Rupe*, salutem. Accepimus ex relatu quorundam,  
 quod vos autoritate cujusdam concessionis Abbati & Monachis de *Cluniac*,  
 per Dominum Papam factae, a rectoribus Ecclesiarum de sua atque Prioratu suo-  
 rum advocacione existentium, **decimam bonorum et reddituum suorum de tribus**  
**annis** proxime sequentibus, exigitis; ipsos Rectores ad solutionem decimae pra-  
 dictae districte compellendo. Quia vero id absque indebito multorum gravamine  
 sustineri non posset, veluti, cum decedentium Rectorum Ecclesiae ad ipsos ultra  
 tempus certum secundum diversarum partium constituta non pertingunt, si pro  
 tribus annis responderet Rector, jam superstes, ipso forte citra lapsum primi anni de-  
 cedente, pro successore suo videretur indebite gravari, & ex altera parte cum ipsi  
 Priores quoad jura suorum Patronorum, qui de nostra Jurisdictione consistunt  
 quasi pro secularibus habeantur personis, & a nobis proculdubio in hiis debeant  
 tueri. Et praeterea, cum a Domino Papa super hoc nequaquam fu-  
 erimus requisiti, nec moris sit, aut esse consueverit in Regno *Angliae*  
 quod sine Conscientia et voluntate Principum, possent hujusmodi  
 talliae vel collectae de Ecclesiarum Rectoribus extorqueri; Nolumus  
 quod ad collectam pecuniae extra regnum nostrum trahendae autho-  
 ritate praedicta per vos procedatur; Immo districte prohibemus, ne ab a-  
 liquibus Ecclesiarum rectoribus, de regno nostro tallias aut collectas  
 praedictas, seu consimiles exigere vel extorquere praesumatis, quous-  
 que super hoc cum Episcopis *Angliae*, et aliis Magnatibus tam Cleri-  
 cis quam Laicis, tractatum habuerimus, et vobis aliud super eo-  
 dem significandum duxerimus. Teste Rege apud *Westmonasterium* 21. die  
*Februarii*.

How greivous the Popes exactions, Injustice and proceedings were both to the  
 Bishops and Clergy as well as others, these passages concerning *Edmund* Archbishop  
 of

of *Canterbury* (Canonized soon after for a Saint at *Rome*) will in part demonstrate; though what he requested did somewhat impair the Kings prerogative.

Eodem tempore, Archiepiscopus *Canthuariensis Edmundus*, (having gratified the Pope and his Legat in consenting to the Ayde demanded by them, which he at first opposed) credens & confidenter sperans, habere in Domino Papa tale adjutorium, vel saltem aliquod, quale invenerat in pax memoriae Papa *Alexandro* beatus *Thomas* Martyr, ejusdem Archiepiscopi prædecessor: coepit conqueri lachrymabiliter per Epistolas lugubres, & nuncios solennes, quibus credebatur cor Papale lapideum in carneum convertere, quatenus illam detestabilem, & damnosam consuetudinem Ecclesiae aboleret; qua Reges, imo Tyranni, & Ecclesiae penitus inimici & rebelles, Ecclesias Cathedrales & conventuales suo pastore viduatas, non sinerent respirare, & eisdem incongruis pastoribus libere & canonice provideri; nec impediret Rex, motu suo plus voluntario quam rationabili earum electiones, per suos cavillatores, quos ad hoc detinuit conductitios. Quarum si aliqua talis Ecclesia suo pastore viduaretur, vacans per sex menses, per Archiepiscopum loci eidem competenter provideretur. Cumque se ex fallaci promissione curiae *Romanae* certissime speraret *Edmundus* alter fieri *Thomas*, cujus \* certamine glorioso \* malae consuetudines *Angliae* sunt deletae, *Gregorium* Papam induisse *Alexandrum*, beati *Thomas* coexulis, & coadiutoris, inventus est Papa *Gregorius* subito timidus ut homo, & ad Regis *Angliae* mandatum, qui hoc asserbat, esse contra suam Regiam dignitatem, totum illud pium propositum, super quo Archiepiscopus etiam literas Papales, non sine magnae pecuniae effusione, obtinuerat, in irritum revocavit. Quo competro, Rex solito Tyrannior effectus, & procacius, electionem *Bonifacii*, contra libertatem Ecclesiae *Wintoniensis* procuravit, alias licet rite factas, & pie celebratas efficacius impediendo.

Which \* Matthew Westminister thus relates. Ipso eodem anno, Archiepiscopus *Canthuar. Edmundus* non minima effusa pecunia, quoddam obtinuit privilegium tam regno quam sacerdotio gratissimum; scilicet, Ut si Ecclesia Cathedralis per menses sex vacaret, viduata pastore, per Archiepiscopum Diocesenum eidem provideretur. Sed quia videbatur hoc in præjudicium regiae dignitatis, et iacturae redundare, cassatum est idem privilegium, pecunia iterum interveniente. Unde Archiepiscopus, cum vidisset sic justitiam manifeste, vacillare & tot labores suos annullari, in solabiter doluit, nolsensque accipere consolationem, ex illo tempore cogitavit spontaneus exulare.

This Archbishop to induce the Pope to continue this Papal priviledge he had with much mony and paines obtained, to the prejudice of the Kings Prerogative, condescended to the Popes intolerable Tax, against his judgment and Conscience; to wit, quinta partis redditum; paying the Popes exactors 800. markes, antequam violenter extorquerentur: quod videntes alii Pralati Angliae, in similem ruinam sunt prolapsi.

After which, cum Dominus Archiepiscopus *Canthuariensis Edmundus*, qui jam dictae exactioni detestandae spontaneus vel inbitus, se diatim magis conculcari, et bonis suis temporalibus destitutum, libertatibus suis spoliari, affectus est tedio, quod videret, et videret mala super terram, Increpansque Regem de promissione, nil nisi dilaciones reportavit. Variis ergo laecissus injuriis, exulans, transit in *Franciam*, & castigata familia, apud *Pontiniacum*, ubi prædecessor ejus beatus *Thomas* exul commoratus est, orationibus & jejuniis vacans assidue, commoratus est.

Dum igitur fortunalis rota sic mundanum cursum volubiliter exagitaret, *Edmundus Canthuariensis* Archiepiscopus, qui spontaneum in transmarinis partibus exilium subierat, contabuit tam corpore quam animo; & ducens ab alto fustigia; iterabat: O quam melius esse mori, quam videre mala gentis suae & sanctorum super terram. Quos enim ipse ligaverat, Legatus contra suam dignitatem malo grato suo absolvit, & e converso. Optans igitur dissolvi, & esse cum Christo, orabat; dicens: Heu mihi, quia incolatus meus prolongatus est. Jam satis est; imo nimium, quod omnia vidi volvi in præcipitium & ruinam: tolle animam meam; Domine Deus meus. Commoratus est igitur dictus Archipræsul per aliquot dies apud *Pontiniacum*, ubi beatus *Thomas Martyr*, prædecessor ejus exul commorabatur. Ubi die & nocte in lachrymis & jejuniis pro statu Ecclesiae *Anglicanae* periclitantis, preces Deo & beato *Thomas* obtulit indefessus. Exhaustus igitur ab-

Anno Dom.  
1240.  
Mat. Paris, Hist.  
Angl. p. 509.

\* Proditione  
ingloriosa ra-  
ther.  
\* Bonar.

\* Flores Histor.  
pars 2.  
Anno 1240 p.  
154.

Mat. Paris, Hist.  
Angl. p. 509.

Mat. Paris, Hist.  
Angl. p. 514.

Anno 1240.  
Mat. Paris, Hist.  
p. 526. 527.  
Mat. Parker, &  
Godwin in his  
life.



stinencia, & dolore maceratus exinanito corpore, delibato & debilitato, coepit ibidem graviter & infirmari. Et consilio fretus medicorum, apud *Soyssy*, gratia melioris aeris hauriendi, se fecit transportari. Ubi per alicujus temporis spatium morbo languens dysenterico, vinculis carnis absolutus, valedicens nequam saeculo, universae carnis semitas est ingressus. Cujus anima exilium saeculare pro patria coelesti feliciter commutavit. Vere enim exul, & solo corpore in hac peregrinatione commoratus, undique causis emergentibus languit laceratus. Rebelles etiam, quos ipse judicialiter excommunicavit, Legatus procaciter & irreverenter absolvere non omisit, multa alia quae sua non erant, in praedictum ipsius Archiepiscopi totius *Angliae* primatis, de consensu vel permissione Regis, temere & enormiter praesumendo. Sed haec pestis omnes *Angliae* Praelatos truculenter agitavit. Unde quidam Satyrus fatis Satyrice Regem & Legatum dum ad invicem jocosae confabularentur, & in omnibus agendis sese coadjutores fore contra omnes compromitterent, reprehendit, dicens; *Eia, eia, nunc bene novi, quod ex quo pastor & lupus foedus inierint concordia, ovibus imminet strages truculenta.*

Punus Edmundi  
di Cantuariensis  
Archiepiscopi.

Transiit igitur ex hoc mundo dictus Archipræful *Edmundus*, decimo sexto Calend. Decemb. infra scilicet octavas beati *Martini*, ipsi Confessori Confessor in multis assimulatus, absolutus de Conventu *Cantuariensi* Monachis poenitentibus. Obiit autem apud *Soyssy* domum Canonicorum Regularium. *The manner and place of his funeral is there described at large, which I pretermis.* Dum enim adhuc viveret, videns se de hoc mundo cito migraturum, causam suam Deo & *B. Thoma* commendando, (qui ibidem ob similem causam exulans, invenit refugium) *Pontiniacensi* Ecclesiae corpus suum legavit. Contigit autem inter itinerandum dum sacrum corpus portaretur, propter famam Sanctitatis ipsius, ut illuc confluerunt ægotantes, sanitatem a Christo ipsius precibus fideliter postulantes. Et factum est quod eundem una die ter dignatus est Dominus manifeste, meritis ipsius sancti exigentibus, miraculis præclaris & titulo Sanctitatis insignire. Pro quibus solenniter hymnus Angelorum, scilicet, *Te Deum laudamus*, ter veneranter & devote cantabatur. Meruit igitur *Pontiniacum* corpore Confessoris, quod cum tumularetur, inventum est vermiculus & cilicio rudi corosum, & genua ob frequentiam genuflexionum callosa, feliciter venustari, quod fuerat aliquando beato *Thoma* tuitionis refugium & asylum. Et hoc idem Martyr *Thomam* aperte prædixerat. His Miracles and Canonizations are at large recorded by \**Mat.*

\* Hist. p. 696.

*Pope Gregory* (before his death) to carry on his Wars and designs against the Emperor *Frederick*, and throw him from the Empire, *Anno* 1240. intended to by way of *Provision* to confer all the Benefices in *England* (especially of the Clergy and religious persons to the sonnes of *Romans* and other foreigners, upon condition to assist him against the Emperor) sending his Bull to three Bishops to confer no lesse then three hundred of the next Benefices that fell voyd within their Diocesse, on these aliens.

Mat. Paris, Hist.  
Angl. p. 514.

Circa illa tempora, facta est iniquissima conventio inter Dominum Papam et *Romanos*, ut dicebatur; ut scilicet Papa quotquot essent in *Anglia* beneficia conferenda, præcipue religiosorum, *Romanorum* filiis vel consanguineis ad nutum eorum solum distribuenda. Ea tamen conditione, ut unanimiter in Imperatorem hostiliter insurgerent, pro posse suo eundem a Culmine Imperiali non segnitè præcipitarent, titulos antiquæ strenuitatis sibi taliter adquirentes. Unde infra paucos dies, postea misit Dominus Papa sacra præcepta sua Domino *Cantuari* Archiepis, *Edmundo*, et *Lincol.* et *Sarisbury.* Episcopis, ut trecentis *Romanis* in primis beneficiis vacantibus providerent, scientes se suspensos a beneficiorum collatione, donec tot competenter providerentur. Unde stupor magnus coram hæc audientium occupavit, timebaturque quod in abyssum desperationis, talia audens mergeretur. A very daring and dangerous Usurpation on the Kings Prerogative, the Churches Priviledges and Patrons rights, the King the next year issuing out Writs to the Archbishops and Bishops of sundry Diocesses (by way of opposition) to inquire how many aliens were promoted to Benefices or Prebendaries, with their values and names, of which more in due place.

Die

Die Sancti Bartholomaei electus est in Episcopum *Herefordensem* Magister *Petrus de Egeblanke*, qui aliquando familiaris clericus fuit; & procurator expensarum *Willielmi* electi *Valentini* natione *Provincialis*. Et post parvum temporis interval- lum, cum magno honore est a Rege receptus; & confirmatus sine aliqua contra- dictione vel difficultate. Alius enim quidam Canonicus *Lichfeldensis*, vir per omnia commendabilis, electus, videns dies malos imminere, & Regem nullum fere nisi alienigenam acceptare, cessit: & regimen Ecclesiae Deo & Canonicis fratribus suis commisit disponendum.

Mat. Paris, Hist.  
Angl. p. 119.

Not long after, die Dominica proxima ante Natal. Domini; consecratus est magister *Petrus de Egeblanke* in Episcopum *Herefordensem*, praesente & applaudente Rege & Nobilium multitudine, in Ecclesia Sancti Pauli Lond. ni. Ubi etiam Monachi *Cantuarienses* pro jure suo Ecclesiae coram Legato ibid. praesente & Archiepiscopo *Eboracensi*, & aliis Praelatis & Magnatibus reclamaverunt.

Anno 1241.  
Mat. Paris, Hist.  
Angl. p. 531.

Eisdem diebus Monachi *Dunelmenses* Roma ad confirmandam electionem suam commorantes; in suo negotio consummando impediente Rege, nimis damnifica- bantur, ita ut suspensio negotio affecti cordio, quasi dolore contabuerunt. Decubu- erunt igitur infirmati; juxta verbum *Salomonis*, dicentis, *Spiritus tristis exsiccat ossa*. Et mortui sunt qui ibidem commorabantur quatuor, qui electi de Conventu discretiores habebantur, cum quibusdam in jure peritis clericis & ministris, ad consolationem eisdem assignatis, & sic periit pars Conventus potissima, utrum morbo eventuali, vel spiritu tristitiae, vel peste, vel potione lethifera, ignora- tur. Quod cum electus scilicet Prior *Dunelmensis*, cognovisset, ab alto ducens sus- spiria abhorruit, licet Rex principalis causa fuisset, qui non permittit Ecclesiis viduas ordinari, quod ipse videretur tanti mali occasio, cessit spontaneus: asserens se nunquam statum pristinae laetitiae vel alacritatis recepturum. Monachi vero, qui- bus eligendi lib- ra potestas relinquebatur, Regem, ut moris est, adierunt, ut con- cederet eis iustam eligendi facultatem. Rex autem eis petita concedens, in- stantissime ipsos rogavit juxta illud Poeticum,

Ibidem p. 53.

*Imperium, promissa, preces, confudit in unum.*

Ut magistrum *Petrum de Egeblanke*, electionem *Herefordensem*, natione *Provinci- alem*, vel *Beneficium* avunculum Reginae, sibi postularent vel eligerent, quorum mores & scientiam penitus ignorabant; sciebant tamen utrumque alienae fuisse na- tionis, & tantae insufficientem dignitati. Nec indiget *Anglia* extra fines suos in remotis regionibus personas regimini Ecclesiarum idoneas mendicare; quae solet ali- is tales sapius ministrare.

After some time of consideration, Monachi *Dunelmenses*, post multos labores in- utiles, & sumptuosarum expensarum effusiones multiplices, cedente Priore *Dunel- mensi* praelecto, & sic ejusdem electione cassata, elegerunt unanimiter, invocata Spi- ritus Sancti gratia, Magistrum *Nicholaum de Fernham*, virum moribus & scientia com- mendabilem, in Episcopum & Pastorem animarum suarum. Rexerat autem ipse dictus *Nicholaus* in artibus Parisiis per plures annos. Deinde de arte Medicinæ *Bo- nonia*, in qua claruit graciosus & peritus excellenter. Hic etiam postquam in Dia- lectica & arte Physicali & naturis ad plenum eruditus, ad Medicinam se postea confe- rens, spirituales videlicet Theologiam, ipsa scientia & librorum copia se adeo re- stauravit, ut lecturiens ad Cathedram ascendendam sufficeret Magistralem. Ipsum igitur quasi expertum, & scientia multipliciter & moribus commendabilibus insigni- tum, peritorum consilio Rex & Regina ad suam vocaverunt animarum & corporum custodiam & consilium familiare, hoc consulentibus & procurantibus Ottone tunc Legato, & Episcopo *Carlisleensi*, & aliis secretis Regis consiliariis. Ubi eum pro- spere & prudenter se haberet, ad dicti Pontificatus dignitatem electus non adque- vit. Videbatur enim ei inhonestum, illi consentire electioni, cum paulo ante, quan- do in Episcopum *Coventrensem* eligeretur, renuntiavit, nolens quomodolibet consen- tire. Igitur, ut obstrueretur os loquentium iniqua, qui forte dicerent, Ecce hic Hypocrita, pauperi Episcopatu renuntiavit, expectans uberiores, summo conamine reluctabatur. Donec Episcopus *Lincolniensis* R. eum super hoc graviter redar- guens, efficaciter ipsum ad hoc persuasit, ut consentiret, hoc modo: Ecce Monachi *Dunelmenses*, & eorum Ecclesia destituta pastore, lachrymis obortis solatium flagi- tant pastorale, nec consentis, cum Canonice eligaris? Adjuro per asperionem sangui- nis

Anno 1241.  
Mat. Paris Hist.  
Angl. p. 531.  
Electio Nicholai  
de Fernham, in  
Episcopum Dun-  
elmensem.

nis Jesu Christi, ut hoc onus subeas & honorem: quia Rex nullo modo, nisi manifeste desperet, vestram reprobabit electionem. Si autem non consentias, Rex tibi apponet sua machinatione aliquem alienigenam et degenerem, nec non et imperitum, in subversionem Ecclesiasticæ dignitatis, & periculum totius Regni, cum sit *Dunelmensis* Episcopatus in confinio Regnorum *Anglia & Scotia*, & sint Castra *Dunelmensis*, scilicet *Norham & Dunelmum*, *Anglia* ex parte illa repugnacula contra omnium inimicorum insultus. Quod cum audisset dictus magister *Nicholani*, ab imo trahens suspiria, ait; Amplector virtutem obedientiæ. In dioecesi vestra mea habui ex gratia vestra quæ obtinui beneficia; paternis igitur vestris monitis obtempero. Monachi igitur *Dunelmenses* gaudentes eum Regi præsentabunt, tanquam suum Electum. Rex autem ejus electionem gratanter acceptans, cum in electo vel electione nihil posset rationabiliter reprehendere, suscepit electum sine moræ dispendio. Qui cito postea sollicitus est confirmatus.

Ibidem p. 523.  
and 524.

Imminentibus autem diebus illis procurante Regis ira vindice, privatus est magister *Simon Normannus* (qui aliquot annis præterlapsis Regis summus extitit Consiliarius, Regique sigilli bajulus) ab omni præterquam uno, autoritate Papali, beneficio: Archidiaconatu *Norwicensi* viriliter præcipitatus. Et quia dispensationem impetraverat plura beneficia obtinendi, obtinere meruit, ne nimis in eum manum aggravare Papa videretur, redditum suum usque centum marcas annuas, licet nullus pro ipso intercessor existeret, arctando limitavit. Factus igitur opprobrium notis suis, iratus viarum suarum sic collegit, secundum illud Poeticum:

Jam ad culmina rerum  
Injustos crevisse queror, tolluntur in alium,  
Et lapsu graviore ruant.

Hic est ille qui iniqua consilia & Regno nociva dederat, qui Legatum in *Anglia* morari fecit succinctum ad iter *Transalpinum*, qui statutus coram Papa, interrogante ab eo, cur Rex *Anglia* omnes suos naturales homines non diligens, alienos ad se vocaverit? respondit, Non est hodie aliquis *Anglicus* in *Anglia* probatus fidelis cui Rex possit secure credere: Quod verbum plenum ingratitude rapuit de ore polluto Magister *Robertus de Sumercote*, Cardinalis, *Anglicus* natione, ipsum vehementer super hoc reprehendens. And now you see how justly this unnatural viper, and flatterer, of the Pope, Legate, King, was rewarded by them in the conclusion.

Mat. Par. Hist.  
Angl. p. 519.  
Consecratur A-  
delmus, in Ar-  
chiepiscopum  
Armachanum.  
Dedicatio Tem-  
pli Sancti Pauli  
Londinensis.

Eodem anno, scilicet die Sancti *Heironymi* magister *Andelmus*, natione *Colonienfis*, vir moribus & literatura commendabilis, in Archiepiscopum *Armachanum* (quæ Ecclesia Metropolis est totius *Hibernia*) apud *Wistmonasterium*, præsentem Rege & Legato, & quamplurimis Episcopis, *Wigornienfis* ministerium peragente, solenniter est consecratus.

Die vero Sancti *Remigij* dedicata est Ecclesia Sancti *Pauli Londini*, ab Episcopo ejusdem loci *Rogero*, præsentem Rege & multis Episcopis & magnatibus: qui omnes ea die convivium cum ipso Episcopo & Canonicis lætenter celebrarunt. Ad quam venientibus, & devote ibidem orantibus, concessa est venia quatuordecim annorum. Quæ omnia Legatus & omnes Episcopi præsentem confirmaverunt.

But to return from these elections and consecrations of Bishops and Churches to the Popes Exactions. Pope *Gregory* to carry on his Wars against the Emperor, oppressed the *English* Clergy and Religious houses (as well as the *French*,) with new, unheard of, and most intollerable Exactions, thus recorded to posterity.

Mat. Paris Hist.  
Angl. p. 515,  
516, 517, 518.  
Nimis detestan-  
da exactio Pa-  
palis pecuniarum.

Per eosdem dies, venit in *Angliam* nova quædam pecuniarum exactio, omnibus sæculis inaudita et execrabilis. Misit enim Papa; Pater noster Sanctus, quendam exactorem in *Angliam*, *Petrum Rubenum*, qui excogitata muscipulatione infinitam pecuniam a miseris *Anglicis* eductus erat emungere. Intravit enim Religiosorum Capitula, cogens & seducens eos ad pecuniam promittendam, & promissam persolvendam, exemplo aliorum Prælatorum, quos mentitis asserbat gratanter persolvisse: dixit enim, ille Episcopus, & ille Abbas, & ille, jam libens satisfecit, quidnam vos ignaviter tam moramini, ut grates cum muneribus amittatis? Fecit etiam prædictus Impostor jurare, ut hoc genus pecuniarum extor-



extorquendi nulli hominum infra dimidium annum facerent manifestum, quasi eliciens hoc ex singulorum primitiva professione, cum tantum de honestis sit consilium Papale celandum. Hoc faciendo more prædonum domesticorum, qui fidem ab exspoliatis extorquent, ut nulli prodant nomina spoliantium. **Sed etiam si homines silerent lapides Ecclesiarum contra graſſatores clamorem leuarent.** Nec potuit hoc maleficio latere sub tenebris quomodo etenim possent Prælati, a suis & sibi subjectis pecuniam exigere, nisi causa exactionis exprimeretur?

This Machiavlian policy of this *Romish* Impostor and Tax-master, with his Exactions proving very grievous to the Clergy and Religious persons of the Realm; Thereupon, Venerunt igitur Abbates vultu flebili & capite demisso ad Regem suarum patronum Ecclesiarum, dicentes: Domine Rex, sugillamur, nec licet nobis clamitare: jugulamur, nec possumus ejulare. Jungitur nobis à Domino Papa impossibilitas, & exactio toti mundo detestabilis. **Baronias a vobis tenemus, nec possumus eas depauperare sine vestri præjudicio; nec possumus vobis quæ nobis incumbunt pro illis, respondere, et Papæ nos incessanter torquenti satisfacere.** Sic enim, & sic rediua & semper nova, & inexpectata oritur nobis illata angaria a Romanis excogitata, quæ nos vel ad modicum non patitur respirare; ad asylum vestri Consilii, et ad sinum vestri patrocinii recurrimus, super his desolationibus consilium et auxilium postulantes. Et qui loquebantur hæc, fuerunt Dominus Abbas de *Edmundo*, & Dominus Abbas de *Beke*. Quos Rex, cum hæc audiret, torvo intuentis aspectu, tumultuosa vociferatione perterrens, clamavit ad Legatum, qui tunc forte præsens extitit: Ecce Domine mi Legate, isti miseri seductores, pendentes secreta Papalia, obloquuntur, voluntati vestræ non adquiescentes: facite de ipsis quod vobis placet. Ecce accommo unum de melioribus castris meis, ut eos in eo carcerali custodiæ mancipetis. Quod cum audissent Abbates, supra quam dici possit confusione perculsi, recesserunt, Legato pro voto satisfacturi. Aliqui tamen, sed pauci, non adhuc vacillantes, nolentes adhuc colla supponere tam odibilis conditionis servituti, steterunt; requisita solvere renuentes, & subterfugia per inducias sibi vix requirebant.

Cumque similia facere credebatur Legatus, ipsi *Petro Rubeo* associatus, Episcopis apud *Norhamtonam* propter hoc vocatis, edocti Abbatum exemplo, responderunt, habemus Archidiaconos nobis subjectos, qui norunt beneficiarum sibi subjectorum facultates, nos autem Ignoramus. Omnes tangit hoc negotium, omnes igitur sunt conveniendi, sine ipsis nec decet nec expedit respondere. Datus est igitur eis dies responſionis, in octavis Sancti *Johannis Baptiste*, scilicet nativitatibus. Quo die cum prædicti convenissent, coram Legato & ejus complicitibus, noluerunt erecta cervice prædictam exactionem tam impudenter contradicendo negare: sed modesta responsione has exceptiones caute contradicendo rationabiliter proposuerunt.

Mar. Westm. p. 516, 517.  
Conventus Episcoporum apud Norhamtonam ob consimilem causam.

Dicunt, quod contribuere non debent, tum quia contributio fieret contra eum qui contradixit cum Principe suo, tum quia fieret ad effusionem sanguinis Christiani: quod patet ex forma scripti Apostolici, in quo continetur, *ad debellandum Imperatorem*. Tum quia fieret contra libertatem Ecclesiæ, quod patet ex forma ejusdem scripti ubi dicitur, Contradicentes Ecclesiastica censura compescentes; ecce servitus & compulsio. Tum, quia alias dederunt decimas Domino Papæ, sub hac protestatione, ne de cætero consimilis fieret exactio; multo fortius, nec nunc quinta pars est exigenda. Tum, quia timeri possit; ne ad consuetudinem traheretur, cum binus actus inducat consuetudinem, ut est in codice: De Episcopali audientia. Lege nemo. Tum, quia cum necesse habeant continue diversa negotia in curia *Romana* expedire; ad quam nisi per terram Imperatoris patet accessus, timendum esset, ne Imperator eorum captionem procuraret; ac ipsos certos de pœna graviore, carcerali custodiæ manciparet. Tum, quia cum Rex multos habeat inimicos, contra quos onus belli expectat sustinere, **timens gravioza, non esset tutum terram magis depauperare**, præsertim cum vacuetur pro magna parte terra nobilibus in negotium Crucis proficiscentibus, & multum pecuniæ ad viatica secum asportantibus. Tum, quia hoc verteretur in patronorum Ecclesiarum præjudicium; maxime cum non constet ipsos d. t. contributioni consentire. **Tum, quia genera-**

Exceptiones Episcoporum contra exactiones Legati.

ita

**lis status** Ecclesiæ, ut dicitur, periclitabatur, propter quod generalis deberet fieri consultatio; ut sic, si esset necesse generalis fieret contributio, quod non est in casu isto; fama enim percrebuit, quod convocabitur Concilium, ubi talia sunt determinanda, necesse enim est sic fieri, **ut tollatur scandalum generale**. Cum autem hæc Legatus & socii sui audissent, tacite confusionem suam dissimulabant, nata temporis opportunitate ad hanc vel similem exactionem surrecturi.

Legatus congregat rectores Ecclesiarum in Bercshyre.

Responsiones prædictorum rectorum super contributione.

Sperantes autem adhuc Legatus & complices sui, alios quosdam ad suam inclinare voluntatem ut contribuerent, videlicet Rectores Ecclesiarum de *Bercshyre*, & quosdam alios, congregaverunt eos, convenientes eosdem multis sermocinationibus, minas minis addentes, & promissa promissis cumulantes. Quibus constanter responderunt, quod a forma responsionis noluerunt recedere, rationibus eorum fulti; quibus tamen alias, licet illæ sufficiant, annectimus rationes.

Dicunt omnes, & dicunt singuli rectores Ecclesiarum de *Bercshyre*, **quod contra Imperatorem non est contribuendum, ut contra Hæreticum, cum non sit damnatus iudicio Ecclesiæ, vel convictus, licet excommunicatus**, nec pro eo quod occupat vel impugnat patrimonium Ecclesiæ *Romana*; Ecclesia enim non utitur brachio seculari contra hæreticos. Item, sicut ecclesia *Romana* suum habet proprium patrimonium, cujus administratio pertinet ad Dominum Papam; similiter & aliæ Ecclesiæ suum, ex largitione & concessione Regum, Principum & aliorum Magnatum fidelium, quod in nullo est censuale vel tributarium Ecclesiæ *Romana*; unde non debent Prælati compelli de patrimonio suarum Ecclesiarum contribuere. Item, licet argumento Legis omnia dicantur esse Principis, non tamen dominio & proprietate, sed cura & sollicitudine: similiter Ecclesiæ spectant ad Dominum Papa cura & sollicitudine, non dominio & proprietate; unde dicunt, quod non debent ad contribuendum compelli. Item, cum dicat Veritas, *Tu es Petrus, & super hanc petram adificabo Ecclesiam meam*, reservavit sibi proprietatem, committendo curam, sicut patet ex verbis Evangelii sequentibus: *Quodcumque ligaveris super terram, erit ligatum & in caelis; quodcumque sol.* &c. Non quodcumque exegeris super terram, erit exactum & in caelis; unde dicunt, quod ad contributionem non possunt nec debent secundum Dominum & iustitiam compelli. Item, cum ex autoritatibus Patrum Sanctorum fructus Ecclesiarum in certos usus, puta Ecclesiæ ministrorum & pauperum, sint deputati, non debent in alios usus converti nisi Autoritate Ecclesiæ universalis: unde de bonis Ecclesiæ non est contribuendum ad pugnandum, maxime contra *Christianos*. Item, cum Clericis vix sufficiant proventus Ecclesiarum suarum ad victus quotidianos, tum propter earum tenuitatem, tum quia nonnunquam fames in regione ingruit messe deficiente, tum quia tanta sit multitudo pauperum & adventantium, quorum mori partem vidimus pro defectu alimentorum, tum quia nullus potest nisi unicum beneficium obtinere: unde pauperiores & vix sibi & pauperibus sufficiunt, non debent ad talem contributionem compelli. Item licet esset bonum contribuere, omitti tamen deberet & expediret propter scandalum jam suscitatum, & per orbem ventilatum, contra Ecclesiam *Romanam*: quia dicitur publice alias factæ fuerunt huiusmodi exactiones, & clerici enormiter depauperati sunt, & statim exacta & extorta pecunia, composuerunt Papa & Imperator, nec est quadrans restitutus: imo si qua residua fuissent post compositionem & reddenda, graviter extorquebantur. Et dicit Canon: quod licet pro scandalo vitando peccatum mortale admitti non debet, bonum tamen quandoque omitti debet, ut scandalum vitetur: unde non debemus contribuere. Item, si contribuerent contra Imperatorem, non solum cruciatus corporis, sed mortis periculum immineret sedi Apostolicæ pro Iustitiæ impetratione & peregrinantibus de hac regione ad Terram sanctam propter terræ liberationem: unde &c. Item, **binus actus inducit consuetudinem; unde cum alias facta fuerit huiusmodi contributio, si modo fieret, verteretur in consuetudinem; unde, &c.** Item exhereditatio Principis *Angliæ* & Magnatum terræ, considerata potestate Imperatoris, & debilitate & paupertate Regni *Angliæ*, ex contributione huiusmodi immineret manifesta, unde contribuere non expedit, nec debemus. Item, cum Rex *Angliæ* & Magnates, tam in jure hæreditario, quam bona & appropriata consuetudine habent jus patronatus Ecclesiarum *Angliæ*, & rectores, ad eorum præsentationem instituti nolunt, sicut nec debent, nec possunt, in aliquam contributionem consentire inconsultis patronis, quia sic possit ex Ecclesiis suis præjudicium generari, cum eadem Ecclesiæ sint per eosdem patronos terrarum ac reddituum propter hoc specialiter collationibus dotatæ aut ditatæ, ut rectores earum suscipiant

piant hospites, tam divitum quam pauperum sustinentes hospitalitatem, tam Laicorum quam Clericorum, secundum suas facultates locorum exigente consuetudine; a quibus si procedat talis exactio, oportet cessare, & ita patroni suo jure & intentione hac causa donandi, fraudati erunt, & sic donata repetere, vel saltem alia quærent gravamina, nec iterum Ecclesias de suis bonis fundabunt vel conferent beneficia. *Item*, cum istud petatur contra talem qui fœdus inivit cum Principe nostro, præsertim per matrimonium, non debemus eo inconsulto contra eum contribuere. *Item*, quod cum nuper alias in pristina contributione in casu consimili promissum esset præbentibus auctoritate istius ejusdemque Papæ, **quod de cætero non fieret hujusmodi exactio**, de dicto gravamine adhuc sentientes se gravatos, non debent contribuere, quia timent quod ex frequenti contributione in servilem & inusitaram trahantur consuetudinem, præsertim cum multi plerisque regionibus, nec adhuc *Franci* non consentiant contributionem. Nec est manifestum vel notorium, aliquod emolumentum per hujusmodi extorsiones Ecclesiæ contigisse, utinam non ad detrimentum roborantur, utique & ditantur exinde hostes Ecclesiæ, & ex validis fiunt validiores, & durum est nobis armis propriis perimi, quare non est contribuendum. *Item*, cum omnes, vel fere omnes, voto Crucis sint affecti, ad quæ vota, vel per se, vel per alios competentes solvenda admonitionem Papalem receperunt; & huic tam arduo & utili negotio simul & semel etiam huic contributioni nequeunt satisfacere. *Item*, cum privilegio crucesignatorum sint muniti, quibus & fructus & obventiones reddituum suorum sibi integre triennio conceduntur, ad hoc non debent contribuere. *Item*, cum plures sint per literas Papales affecti ut de Decimis Ecclesiarum suarum, quæ ad jus patronatus Monachorum *Cluniacensis* Ordinis spectare noscuntur, vel in quibus ipsi Monachi aliquod temporale vel spirituale jus habent, usque ad terminum eis respondeant: unde non debent contribuere. *Item*, cum Dominus noster Rex *Angliæ* undique habeat hostes capitales ei, ut dicitur, nocere præparatos, ac Regnum sit destitutum consilii & auxilio proborum, in brevi peregre proficisci disponentium, maximam pecuniæ summam qui secum deportabunt, nec esset tutum in tantum depauperare Ecclesias & regnum, quod ad tuitionem Reipublicæ non sufficeret, timendum foret pro certo de irrestiturabili regni exterminio. *Item*, cum olim essent ditiores Clerici *Anglicanæ* nationis quando videlicet omnes habuerant, vel major pars habuerit plura beneficia sine dispensatione, ac nunquam ab ipsis talis exactio fuit; licet per Imperatores tyrannos tunc temporis multi Patres Sanctissimi exilio relegati, in se & in membris suis ac facultatibus Ecclesiæ durissima paterentur: unde non debemus contribuere. *Item*, in regno *Francia* multæ Decimæ militibus ab Apostolicis Patribus concessæ credantur, ut ipsi Romanam Ecclesiam tueantur, nec constat ab eis debitum suffragium esse negatum, nec etiam constat eorum suffragium Exercitui Domini Papæ fuisse adhuc contributum, quare non debemus contribuere.

Legatus igitur & sui complices, comperientes constantiam eorum tot fultam validis rationibus, nec se posse, ipsos simul coherentes frangere, cogitaverunt schisma inter eos & divisiones procurare. Adiit ergo Legatus Regem, & ipsum cito enervatum sibi inclinavit. Adierunt & complices ejus tam Episcopos quam eorum Archidiaconos, præcipue tamen Magistrum *Alanum de Beles*, Archidiaconum *Sudburie*, aliis prius constantiorem, & quosdam alios ambitiosos, ad altiores dignitates aspirantes, ad jutorium eis efficax pollicentes, ut dictæ Universitati non consentirent, & sic divisus illis prævaluit pars adversa.

The Popes Legate extorting Procurations in money from the Monks of the *Cistercian Order*, out of insatiable covetousnesse; thereupon the Monks procured a kind of Prohibition from the Pope to inhibit such Procurations.

Ipsaque anno, Legatus, ut pecuniæ plus emungeret, apposuit & manum, ut a Monachis *Cisterciensis* ordinis suæ avaritiæ satisfaceret, **procuraciones instantè exigendo. Sed ipsi viriliter contradicendo, Curiam Romanam privilegiiis suis innitentes, ut contra hanc improbositatem impetrarent, adierunt**; Literas eidem Legato sub hac forma reportantes.

Legatus dissidium suscitavit inter prædictos rectores.

Mar. Par's Hist. Angl. p. 527. Legatus conatur pecuniam a Monachis *Cisterciensis* ordinis emungere.

**G**REGORIUS Episcopus, &c. Legato *Ottoni*, &c. Licet tibi, si bene meminimus, nuper direxerimus scripta nostra, ut liceat tibi de Monasteriis *Cisterciensis* ordinis procuraciones exigere moderatas, indulgentia concessa eidem ordini non obstante. Quia tamen non est intentionis nostræ, nec credimus esse tuæ, ut contra

Litteræ Papales



ipforum indulgentiam **procuraciones** ab **his** pecuniariis exigantur, mandamus, quatenus cibis regularibus contentus, absque usu carniū, cum eos accesseris, prout in prædicta indulgentia continetur, **procuraciones pecuniarias occasione Literarum hu, ulmodi non patiaris** exigi ad eisdem.

\* Mat. Paris p.  
527.

Otto the Popes Legate, having long oppressed, pillaged the Realm and Church of England, was sent for the third time to Rome by the Pope, to be present in his intended Council against the Emperor, to advise him in his straits; whereupon the King not willing to detain him any longer in England, to avoyd the just censure and displeasure of the Emperor, who had married his sister, \* *Legatum & Prælatus Angliæ* (summoned to the Council) *Papalibus mandatis obediētes, licet cum magno periculo, ad transalpinandum se, instantibus diebus natalibus præparabant.* Whereupon the King to ingratiate and oblige the Legate as well to promote his affaires at Rome, as in England, before his departure hence, Knighted and conferred an Annual Pension on his Nephew, feasted the Legate publicly at Westminster, and placed him at the feast in his own Royal Throne, to the great offence of his Nobles and Subjects, thus related by Matthew Paris.

Anno 1247.  
Mat. Paris Hist.  
Angl. p. 530.  
Rex Legatum  
in Regali sede  
collocat.

Henricus Rex tenuit Curiam suam apud Westmonasterium, ubi Magnates Regni quamplurimi festa cum eo Natalitia celebrarunt. Die igitur Natalis Domini, ad instantiam Legati, cui Rex summopere placere studuit, cinctus est ab ipso Rege balteo militari nepos ipsius Legati, nomine *Advocatus*, eidemque reddito contulit Rex triginta librarum properanter, quem idem tyro statim vendidit, sciens se in proximo cum Domino suo recessurum. Et eodem die Rex quendam *Provinciālem* cingulo simili solemniter insignivit, & redditu ditavit opulento. Finitis itaque in Ecclesia solemnibus, Rex in ampliori Regia Westmonasterii pransurus, Legatum, quem ad prandium invitaverat, in eminentiori loco mensæ, scilicet in Regali sede, quæ in medio mensæ est, non sine multorum obliquantibus oculis, collocavit. Ipso nempe Rege a dextris ipsius, *Eboracensi* vero Archiepiscopo a sinistris ejus sessionem accipientibus, confederunt consequenter tam Prælati quam ceteri Magnates, secundum ordinem suæ dignitatis ac potestatis, Rege sic volente, et convivas disponente. Quarto vero die Dominicæ Nativitatis, Legatus a Domino Papa irrefragabiliter ad Romanam Curiam revocatus, accersitis Angliæ Prælatibus valedicens, versus mare iter arripuit transalpinum. Quem cum strepitu tubarum suarum, & innumerabili multitudine Nobilium concomitantem, pompose nimis usque ad maris Rex duxit confinia: Et tandem cum ab invicem separandi, hinc Rex, hinc Legatus recesserunt, profunda traxerunt suspiria, quod tam cito disjungerentur: licet *sæpeditus Legatus in Regno Angliæ irreparabile damnum Ecclesiæ, moram jam traxisset triennale.*

Dicessio Otto-  
nis Legati ex  
Anglia.

Igitur in crastino Epiphaniæ, apud Doveram Legatus navem ascendens, post Regales amplexus & oscula, Legationis deposuit insignia, & transfretans, apporriatam Angliam a tergo salutavit, nullo præter Regem, et quos idem Legatus bonis Regni saginaverat, de recessu suo condolente. Nec remansit eadem hora, (ut veraciter dicebatur) in Angliā tantum pecuniæ, (exceptis sanctorum vasibus et ornamentis Ecclesiarum) quantum a Regno jam extorserat Anglicano. Præbendas autem, Ecclesias, et varios redditus optimos plus quam trecentos, (a very great number in three years space only) ad suam vel Papæ contulerat voluntatem. Unde Regnum quasi vinea exposita omni transeunti, quam exterminavit aper de sylva, miserabiliter languit desolatum. Reliquit autem dictus Legatus Ecclesiam Cantuariensem, quæ est inter omnes Angliæ Ecclesias nobilissima, nimis perturbatam, et in viduitate languentem, cum multis aliis Cathedralibus et Conventualibus Ecclesiis, omni solatio destitutis. Nec ulla infirma terræ solidaverat, ut manifesto argumento monstraretur, quod non missus erat ad oves quæ perierant, protegendas, sed ad pecuniam, quam inbenerat, vindicandam. (The chief end of the Popes sending abroad his Legates, into foreign Christian Realms.) Idcirco me-  
ritis

ritis multipliciter exigentibus, Domino flagellante, per Imperatorem præparantem muscipulas, illa præda meruit spoliari. factus præda de prædatorè, secundum illud Propheticum: \* *Va qui prædaris, nonne tu prædaberis?* A iust judgement of God upon this *Roman Harpy*. \* Isa. 33. 1.

Eodem tempore, permittente vel procurante Papa Gregorio, adeo invaluit Romanæ Ecclesiæ insatiabilis cupiditas, confundens fasque nefasque, quod deposito rubore, velut meretrix vulgaris et effrons, omnibus venalis et exposita, usuram pro parvo, Simoniam pro nullo inconvenienti reputavit, ita ut alias affines provincias, imo etiam puritatem Angliæ, sua contagione maculavit. Et si multa, quæ se offerunt, exempla abundant, unum duxi, ut pateat quam iuste, et si serò, excanduit ira Dei in dicta Curia, breviter memorandum.

Dominus Papa Gregorius, cuidam suo cupiens speciali subvenire, missis in Angliam literis, quosdam super Ecclesiis dignoscitur sic aggravare. Missum est tunc temporis Abbati & Conventui de Burgo, mandatum Apostolicum cum precibus armatis, & monitis terrificis, ut redditum alicujus Ecclesiæ, cujus patronatus ad eos spectabat, quæ annuatim Centum ad minus valeret marcas, Papæ conferrent. Et si in duplo plus valeret, bene ei complaceret: concederet autem Dominus Papa ipsis illam Ecclesiam tenendam ab eo ad firmam annuam; ita scilicet, ut pro ea annuatim Centum Marcas solverent Domino Papæ, omne residuum in proprios usus convertentes. Et ut memoratos Abbatem & Conventum ad consensum huiusmodi Provisionis (imo potius permissioe pactionis, et Symoniæ et occultæ fraudis) quasi proprio usui necessaria, inde facilius Dominus Papa inclinaret, scripsit quibusdam Clericis transalpinis, in Angliæ optime beneficiatis, ut ipsos super hoc efficaciter admonerent, deinde compellerent, concessa eis potestate. Ipsi igitur Papalibus parentes iussionibus, venerunt Burgo, vocatisq; Monachis dixerunt, Ecce fratres & amici imminet vobis ad manum magnum Papale beneficium. Postulat enim a vobis, quod vos deberetis flexis genibus & iunctis manibus ab ipso humillime postulare. Et cum cuncta seriatim quæ peteret Papa explicassent, sponsonderunt ipsi, quod quasi fidei iussores, & fideles executores, omnia hæc fideliter ex parte Papæ consummarent, dummodo petita clam, quasi sine scandalo, concederent postulata, facientes de necessitate virtutem. Ipsi autem responderunt, *Se sine Regis permissione hoc facere non posse, qui Patronus est et fundator ejus, et multarum in hac regione Ecclesiarum.* At ipsi clanculo hæc fieri flagitabant, similia in aliis Ecclesiis facturos se sperantes, & ab illa concessione fumescentes exempli consequentiam. Monachi autem nolentes fallacibus circumveniri sermocinationibus, inducias petierunt, donec Abbas eorum, qui tunc absens erat, domum rediens, assensum, si videret expedire, huic præberet postulationi. Miserunt igitur ad Abbatem suum, huius rei seriem eidem explicantes; Abbas autem per quendam fidelem, & prudentem Clericum suum *Willielmum de Burgo*, Regem & ejus super hoc consilium est affatus, intimans pericula quæ inde emergere potuerunt. At Rex compertiens huiusmodi factum Ecclesiæ illius, et consimili modo aliarum esse detrimentum, cum ipse sit earum defensor, patronus et gubernator, laqueos absconditos, et Romanæ Curia detestans avaritiam, prohibuit districtius, ne tam enormè factum amplius etiam aera macularet.

Moreover, the Pope under pretext of the Crossado against the *Saracens*, cheated the people of their monies, and the Holy Land of their vowed assistance. Circa dies illos, ut quasi mille argumentis misera terra *Anglicana* suis bonis viduata spoliaretur, fratres Prædicatores & Minores, autentico Domini Papæ communiti, in prædicatione sua plenam peccatorum remissionem concesserunt omnibus Crucesignandis pro Terræ sanctæ liberatione. Et statim vel in Crastino, vel tertia die postquam multos devotos signaverant, ea conditione a crucis voto eos absoluebant, ut quantum suppetebat facultas, pecuniæ suæ portionem in subsidium Terræ sanctæ conferrent largiorem. Et ut ad hoc *Anglicos* inclinarent pronius ac promptius, ipsam pecuniam asserebant Comiti *Richardo* deferendam, chartam ipsius super hoc certius ostendentes. Insuper a senibus & valetudinariis, mulieribus, imbecillis, & parvulis, crucem accipientibus, vel accipere proponentibus, tantundem indulgentiæ, accepta prius ab eisdem pecunia, concesserunt, ostendentes super hoc

Mar. Paris Hist. Angl. p. 535, 536. Curia Romana similis meretrici.

Papa petit reditum centum Marcarum a Monachis de Burgo.

Mar. Paris Hist. Angl. p. 546. Votum Crucis pecunia data solvitur.

Comitis *Richardi* scriptum testimoniale, a *Romana* curia impetratum. Et hoc genere emungendi loculos est infinita pecunia propter favorem Comitiss adq̃sita. Quis autem custos aut fidelis dispensator inde fuerit, hic jam quæritur, nam nescitur.

Moreover after the oppressing Legates departure out of *England* when the English expected ease from their more then *Egyptian* Papal Taxmasters, their bricks were doubled rather then diminished, by new Exactors.

Mat. Paris. p.  
547. Duo Papa-  
les clerici pecu-  
niam per totam  
*Angliam* in usu  
Papæ exigunt.

Labentibus autem dierum illorum curriculis, & ludente fortuna in mortalium mutabilitate, non adhuc cessavit avaritia Romanorum insatiabilis. Quia post recessum Legati remanserunt in *Anglia* duo Papales Clerici, quasi vices Legati supplettes, exactores indefessi, scilicet *Petrus* cognomento *Rubens*, & *Petrus de Supino*, autenticum Papale retinentes Procurationes erigendi, interdicendi, excommunicandi, et pecuniam variis modis a misera Ecclesia *Anglicana* extorquendi: ut talibus rapinis Ecclesia *Romana*, secundum assertionem eorum, quæ damnificabatur multiformiter, respiraret. Scripsit igitur imperiose prædictus *Petrus Rubens*, qui se alteri præterebat, habens se per modum Legati, epistolas suas & literas autenticas illi Abbati, vel illi Priori, cujus titulus talis præponebatur, Magister *P. Rubens*, domini Papa familiaris & consanguineus, salutem, &c. Et sub tali titulo Procurationes, et collectas varias erigebat et extorq̃it. Præterea, socius suus *Petrus de Supino* in *Hyberniam*, permittente Rege, ex parte Papæ veniens, & autenticum ejusdem deferens, a Prælati *Hybernia* omnibus, brachio adjutus sæculari, cum magna tyrannide collegit. Unde quidam suspensi *Londinum* ad eundem *Petrum* venerunt, secundum voluntatem ejus satisfacturi. Rediens igitur ab *Hybernia* idem *Petrus* in Autumno sequenti, & *Romam* tendens, mille & quingentas marcas secum clitellis refertis asportavit.

Mat. Paris. p.  
554. 555.

Per idem tempus *Petrus de Supino*, clericus Domini Papæ, instantissime ex tota *Hybernia* pecuniam, scilicet vicesimam, per autenticum Papale extorquens collegit, indeque absque diversis donativis, mille quingentas marcas reportavit. Magister quoque *Petrus Rubens*, cujus titulus fuit, Domini Papæ familiaris & consanguineus, ex partibus *Anglia* Borealibus, & missis nunciis per *Scotiam*, autentico Papali similiter communitus, pecuniam diligentissime ac festinanter studuit adu-  
nando duplicare. Et sic subito refertus clitellis sub conductu Monachorum *Cantuariensis*, apud *Doveram* clanculo mare transierunt. Audierant enim per cursores suos expeditissimos, quod Dominus Papa irremediabiliter ægrotaret, ita ut jam vel obierat, vel foret in proximo moriturus. Repentinam igitur & clandestinam cum præda sua fugam, tam per mare quam per terram inierunt, quia timebant, ne Rex certificatus de morte Papæ, pecuniam totam quam collegerant, prudenter retinisset, consilium habiturus, quid inde faceret, cum alius Papa succederet. Et cum vix *Franciam* ingressi fuissent, ecce magister *Walterus de Oca*, nuncius Imperialis, deferens literas Domini sui de credentia ad Regem festinanter, sed tamen nimis sero, mandata de statu Curie *Romane* veniens nunciavit, persuadens, quod si adhuc tales in *Anglia* invenirentur, tam prædam quam prædones retineret. Sed cum didicisset, quod elapsi erant, increpans Regis ignaviam, iratus statim recessit, dolens quod frustra advenisset. Ipsos igitur e vestigio diligens investigator insequabatur, ut eorum quasi vulpecularum *Mæandros* prudenter perscrutando, Domino suo Imperatori viarum suarum diverticula nunciaret. Who met with most of their spoyles converted to the Emperors use.

Pope Gregory having the year before, sent a Bull to the Archbishop of *Canterbury*, and Bishops of *Sarum* and *Lincoln*, to provide by his Papal Provisions no lesse then 300. Benefices which should first fall voyd with in their Diocesse, for *Romans*, *Italians*, and other aliens, to the Kingdomes and Churches great prejudice: the King thereupon issued these ensuing Writs to the Archbishops, Bishops, Officials and other Ecclesiastical officers under writen, to return him a particular of all the Ecclesiastical Benefices, Prebendaries and their respective values, with the names of the persons on whom they were conferred. And likewise to inquire, what sums of money had been levied for the Popes use, what arrears were yet unpaid thereof, and to secure them.



**R**EX Venerabili in Christo Patri W. Eborum Archiepiscopo, salutem. Mandamus vobis firmiter injungentes in fide qua nobis tenemini, quatenus per litteras vestras sine moræ dispendio nobis significetis, quæ, et quanta beneficia Clerici Romani, et alii, tam Anglici quam ultramarini habeant in Diocesi vestra ex collatione, vel provisione Summi Pontificis, vel Legati, vel alterius provisionis Auctoritate sedis Apostolicæ, scilicet tam Ecclesiastica quam alia beneficia præbendalia, nominatim etiam prædictorum Clericorum nobis scire faciatis. Teste Rege apud Merleberg. 12. die Junii.

Claus. 27 H. 3.  
m. 8. dorso.

Eodem modo scribitur R. Linc. R. Lond. W. Carl. H. Elyen. R. Roff. P. Hereff. N. Dunholm. R. Sar. H. Coventr. & Lichf. Archid. Cantuar. Offic. Exon. & Offic. Episco. Winton.

After which he issued this ensuing Writ:

**R**EX Venerabili in Christo Patri W. eadem gratia Eborum Archiepiscopo Anglie primati, salutem. Paternitatem vestram rogamus, quatenus in singulis Archidiaconatibus vestris diligenter inquiri faciatis, quot, et quæ beneficia Clerici Romani, sive Italici habeant in Diocesi vestra. Quæ etiam beneficia collata fuerunt quibuscunque Clericis, undecunque fuerint ordinati, per Provisionem factam auctoritate Apostolica, sive beneficia illa consistant in Præbendis, sive Ecclesiis Parochialibus, et tam de nominibus eorundem beneficiorum, et de eorum valore, quam de nominibus prædictorum Clericorum nos certificare velitis, infra Octab. Sancti Martini. Anno &c. 26. Inquiri etiam faciatis, quantum pecunie concessum fuerit Domino Papæ in Diocesi vestra in contributione super facta in regno nostro, tam a viris Religiosis, quam ab aliis personis Ecclesiasticis, et quid, et quantum fuerit inde solutum, et quantum inde restat solvendum et a quibus. Et id quod adhuc restat solvendum de pecunia prædicta, salvo colligi in singulis Archidiaconatibus vestris et custodiri faciatis, donec nos inde certificaveritis. Talem igitur & tam diligentem inquisitionem de prædictis fieri demandetis, quod inde ad prædictum terminum certificari possimus, & quod inde vobis ad gratias teneamus speciales. Teste Rege apud Westmonasterium 27. die Octobris.

Claus. 25 H. 3.  
m. 1. dorso.  
De inquisitione faciendâ.

What list or certificates were returned by vertue of these Writs, I have not yet found amongst the Records in the White Tower or elsewhere.

The Pope having sent *Peter Rubes* his forementioned Agent into England to spoyle the oppressed English Clergy of the small remainder of Treasure, his Legat *Oria* had left them, he presumed to Tax the Clerks attending upon the King, and to grant Provisions of Prebends and Churches during their vacancy, to the prejudice of the King and his Crown, whereupon the King issued these ensuing memorable Writs, extant in the Clause Rols of this year.

**R**EX Magistro *Petro Rubes*, salutem. Satis vobis expressimus tam literatorie quam viva voce, quod omnes Clericos in obsequio nostro specialiter commorantes a contributione facienda ad Subsidium Domini Papæ, esse volumus immunes. Quapropter vobis mandamus, quatenus ad contributionem illam a redditibus *Petri de Wackering*, nichil exigatis, nec aliquid inde capere præsumatis, & si quid inde ceperitis, id ei sine moræ dispendio restitui faciatis. Teste Rege apud Westmonasterium, &c.

Claus. 25 H. 3.  
m. 12. dorso.

**R**EX Archidiacono *Huntingdon*, salutem. Cum magistro *Petro Rubes* Procuratori Domini Papæ dederimus in mandatis expresse, quod ad contributionem ad opus Domini Papæ factam, sive faciendam, a Clericis obsequio nostro fideliter vacantibus nichil erigat, vel aliquo modo extorqueere præsumat. Vobis mandamus firmiter injungentes, ne a magistro

Ibidem m. 14.  
dorso.

Nicholas

*Nicholas de Farnham* in Archidiaconatu vestro beneficium obtinente, occasione prædicta aliquid exigatis, vel ad hoc faciendum aliquatenus compellatis, sine dilatione restituentes eidem si quid de beneficio ipsius receperitis ad contributionem prædictam, et cohercionem, si quam propter hoc fecistis, penitus relaxando. Et sic hoc mandatum nostrum adimplere curetis, quod nos non oporteat ad hoc aliter interponere partes nostras. Teste meipso apud *Merleberg*. xxvii. die *Januarii*.

Claus. 25. H. 3.  
m. 15. dorso.

\* Vos nobis.

**R**EX magistro *Petro Rubeo* salutem, non credebamus de vobis, quod gratiam nostram ad opus Domini Papæ vobis impensam velletis per ingratitudinem compensare, immo potius ipsam grater admittere, & \* nos vobis grates opportuno tempore exhibere. Cum igitur alias significaverimus vobis expresse, quod Clericos obsequio nostro vacantes a contributione facta seu facienda ad opus Domini Papæ immunes esse volumus, vos ipsos nichilominus, ad contribuendum, demandatis compelli, nobis ipsis nullatenus in hac parte deferentes. Super quo miramur plurimum et movemur. Adhuc vobis mandantes et rogantes attente, quatenus nec magistrum *Nicholaum de Fernham*, nec alium nobis specialiter obsequentem ad prædictam contributionem faciendam compelli aliquatenus faciatis, et procuratoribus dictorum Clericorum, si quid ab ipsorum redditibus receptum fuerit occasione prædicta, sine dilatione restitui facientes. Scituri, quod singulis Archidiaconis, ipsorum dedimus in mandatis, quod nichil ab eis exigant vel recipiant ad contributionem prædictam, si quid ad hoc receperint restituendo.

Ibid. m. 17.

**R**EX magistro *Petro Rubeo*, salutem. Certum & indubitatum habere potestis, quod nunquam fuit intentionis nostræ, quod Clerici obsequio nostro specialiter intendentes, neque alienigenæ neque indigenæ, aliquid contribuerent ad subsidium Domino Papæ præstandum. Et cum alias vobis significaverimus, quod ad quintam præstandam ad subsidium memoratum nullatenus sustinere vellemus, quod Clerici obsequio nostro vacantes contributionem aliquam facerent, in hac parte specialius a contributione minorum immunes esse volumus Clericos supradictos. Quapropter dilectioni vestræ mandamus, attente rogantes, quatenus ordinariis locorum in mandatis dare velitis, quatenus a Clericis obsequio nostro vacantibus, nihil exigant ad contributionem prædictam vel extorquere præsumant. Et si quid jam ad hoc captum fuerit ab eisdem, id eis sine mora dispendio restitui faciatis, nobis significantes, quid super hoc duxeritis faciendum. Teste Rege apud *Windeles*. Decimo die *Januarii*.

Pat. 25. H. 3. m.  
6. intus.  
De Prohibitione  
Contributionis  
ad opus Domini  
Papæ factæ.

**R**EX dilecto sibi in Christo Archidiacono *Glouc.* salutem. Significamus & etiam viva voce exposuimus magistro *P. Rubeo*, Nuncio Domini Papæ, quod non est intentionis nostræ, nec etiam volumus aliquatenus sustinere, quod vel viros Religiosos vel Clericum aliquem ad contributionem faciendam ad opus Domini Papæ compellat. Et ideo vobis Mandamus inhibentes districte, ne ad mandatum ipsius magistri Petri, vel suorum, viros Religiosos seu Clericos, ad contributionem prædictam faciendam aliqua Censura Ecclesiastica compellatis. Scituri, quod si secus egeritis, nos contra vos tanquam perturbatores pacis Ecclesiasticæ, quam conservare tenemur, modis quibus expedire viderimus, procedemus. Teste Rege apud *Glouc.* xi. die *Junii*.

REX

**R**EX Decano & Capitulo Sancti Pauli London. salutem. Cum Ecclesia vestra protectioni Dei et nostrae vacante sede specialiter sit commissa, nullatenus sustinere possumus nec debemus, quod sub praedicta protectione Iuri et libertati ejusdem Ecclesiae in aliquo derogetur. Cum igitur, sicut audivimus, magister P. de Depham. per Petrum de Arch. sicut dicitur datum a sede Apostolica provisorum, nisi eidem assignaveritis stallum in Choro, et locum in capitulo, sede vacante procuraverit, Ecclesiam vestram suspendi. Quia hujusmodi assignatio si ipsam absque consensu nostro fieri contingeret, Vobis firmiter inhibemus ne praefato magistro P. sive alicui alii hujusmodi assignationem vacante sede aliquatenus assignetis. Teste Rege apud Westmonasterium 12. die Octobris.

Par. 16. H. 3. m.  
6. Pro Ecclesia  
Sancti Pauli  
London.

Et prohibitum est magistro Petro de Arch. ne alicujus auctoritate praefatam Ecclesiam suspendere, vel in eadem sede vacante contra dignitatem Regiam aliquis praesumat attemptare.

Et prohibitum est magistro Petro de Depham. ne in hujusmodi Procuratione contra dignitatem Regiam aliquatenus prosequi praesumat.

If any Religious person did cast off the habit of his order, and become a Layman, or wander abroad out of his Monastery without consent of his Abbot or general of his Order, the King upon complaint, by his Ecclesiastical prerogative; usually issued forth his Writs to apprehend them as Apostates, and deliver them over to their Superiors, to be condignly punished; witnesse this ensuing Writ.

**R**EX Wilhelmo de Wescy, & omnibus aliis fidelibus salutem. Quia datum est nobis intelligi, quod quidam frater Siwardus, qui aliquando professus ordine fratrum Praedicatorum, in Scandalum ipsius ordinis recessit a domo ipsorum fratrum de Berewicke, et tanquam Apostata Laicorum obsequio et aliorum, contra honestatem suae Religionis non erubescit adherere: Vobis mandamus rogantes, quatenus nullus vestrum de cetero, ipsum in obsequio vestro retinere praesumat, nec impediat, quin fratres ejusdem ordinis, insistentes ad ipsum Siwardum de errore suo revocandum, cum ipsum invenerint secundum exigentiam ordinis sui arrestare possint, et tractare. Scituri quod sine indignatione nostra praedictum Siwardum in obsequio vestro retinere vel alias contra ordinem praedictum fovere aut manuteneri non possitis. Teste, &c.

Par. 25. H. 3. m.  
8. dorso.

Moreover, such was the extent of the Kings prerogative in Ecclesiastical affairs, that if any dead person was buried in any Place or Church, contrary to his declaration in his last will or Testament, bequeathing his corps to be interred in some other Church, the King upon information thereof issued forth Writs, to take up his body and translate it to be interred in the place designed by his will: witnesse this memorable Writ, in the case of *Alcanora* his own Kinswoman, buried by his own command, in the Priory of St. James in Bristol, contrary to her testament, to be removed, and interred in the Nunnery of Ambresbury.

**R**EX dilectis sibi in Christo Priori & conventui Sancti Jacobi Bristol, salutem. Quia pro certo didicimus, quod *Alienora* quondam consanguinea nostra, quam in domo vestra fecimus sepeliri, in ultima voluntate sua corpus suum legavit Domui de Ambresbury. ibidem tradendum sepulturae; Nec decet quoad sepulturam Corporis sui, nec in aliis, de quibus Testamentum condidit, aliter ordinare quam disposuit; vobis mandamus, quod cum

Par. 25. H. 3. m.  
intus.

Provisio



*Prærogativa* de Ambresbury, pro corpore illo transferendo ad domum suam ad vos venerit, vel aliquos de suis miserit, corpus illud amoveri, et ad domum suam deferri sine impedimento permittatis. Nos lumus enim quod alibi sepeliatur quam in vita sua fieri disposuit. In cujus &c. Teste Rege apud *Westmonasterium* 20. die *Octobris*.

*Edmund* Archbishop of *Canterbury* deceasing, and making executors to dispose of his goods according to his last will and testament, the King upon his Executors petition issued forth this Writ to the Guardians of the Archbishoprick, to deliver all the goods belonging of right to the Archbishops executors, to and call all his Bayliffs to account for the better execution of his Will.

Claus. 26. H. 3.  
m. 3. intus.  
parte prima.  
Pro Executoribus  
Testamento  
E. quondam  
Cant. Archiepif.  
co. 9.

**R**EX Custodibus Archiepiscopatus *Cant.* salutem. *Præcipimus* vobis quod omnia bona quæ supersunt *foelicis memorie E. quondam Cant. Archiepiscopi*, habere faciatis *Executozibus Testamenti facien-* dum. Et omnia bona quæ fuerunt ipsius *Archiepiscopi* et cesserunt in usus nostros, reddi faciatis *eisdem Executozibus* de exitibus ejusdem *Archiepiscopatus* ad executionem præfatam faciendam. Ita quod occasione nostri nichil deperiet dicto Testamento, retentis tantum ad opus nostrum carucis manerioz ejusdem *Archiepiscopatus*, pro rationabili præcio, de quo præcio *fozis* faciatis *executozibus* prædictis, diligenter etiam fieri faciatis Inquisitionem in præsentia præfatorum *executoz*, si qui aliquid habuerunt de bonis ipsius *Archiepiscopi*; et si quos inveneritis, qui bona aliqua de suis habuerunt, per inquisitionem illam, illos distringatis ab bona illa sine dilatione reddenda præfatis *executozibus*. Distringi etiam faciatis omnes *Ballivos* et *præpositos*, de tempore ipsius *Archiepiscopi*, ut præfatis *Executozibus* de tempore suo rationabilem compotum reddant, ut eis inde sine dilatione satisfaciant. Teste meipso apud *Wintoniam* primo die *Maii* Anno regni nostri 26.

The Bishop of *Worcester*, and other Delegates of the Pope by vertue of his Bulls and commission, holding Plea of a Prebendary in the Church of *Lincoln*, whereof the King was Patron, and right of visitation and Procurations, wherein the right of Patronage determinable only in the Kings temporal Court, was like to come in question, to the prejudice of the Kings Crown and Right; thereupon the King issued these two memorable Inhibitions to the Popes Delegates, not to proceed therein, in the first whereof his Supream care and protection of the Church, by divine institution, with his Bishops obligation to him upon this account, are thus expressed.

Claus. 26. H. 3.  
m. 7.

**R**EX *W. Wigorn.* Episcopo, salutem. Cum Nos constituerit Altissimus *Ecclesie Defensor*, quam sua gratia suffragante defendere volumus et debemus, dignum esse judicium arbitramur, ut *Prælati Ecclesie* grata nobis vicissitudine respondeant, tempore opportuno defendendo, conservando jura et Libertates Regie dignitatis. Sane cum vobis et conjudicibus vestris super contentione quadam orta inter venerabilem Patrem *R. Episcopum Linc.* et *Decanum* et *Capitulum* ejusdem *Ecclesie*, Causa a sede apostolica sit commissa, quæ sine magno præjudicio dignitatis nostræ in foro *Ecclesiastico* non poterit ventilari, præsertim cum libertates *præbendarum Ecclesiarum Cathedralium*, quarum ad nos pertinet patronatus, deduci non possint in judicium sine nobis, et præfatus *Episcopus Linc.* visitatores et procuratores erigat in *præbendis Eccle-* siæ

ſiæ memoratæ, non ſine noſtri iuris injuria, et Regiæ dignitatis præjudicio manifeſto, paternitati veſtræ mandamus, Inhibentes, ne in cauſa prædicta aliquatenus procedatis, donec de conſilio noſtro probum fuerit et diſcuſſum, utrum in cauſa prædicta, necne, poſſitis procedere abſque injuria noſtra et læſione Regiæ dignitatis. Teſte Rege apud Caſtelacr. 22. die Martii.

**R**EX magiſtro R. de Kirk. & H. de Ho. & aliis principalium delegatis, ſi affuerint, ſalutem. A memoria noſtra non excidit, nec a veſtra credimus excidiſſe, qualiter alius vobis litteras noſtras direximus, inhibentes ne in cauſa quæ vertitur coram vobis authoritate Apoſtolica inter R. Lincoln. Episcopum et Decanum et Capitulum ſuper viſitatione et procuratore quas præſatus Epif. erigit in Præbendis Linc. Eccleſiæ in præjudicium regiæ dignitatis, proceſſum aliquem haberetis. Adhuc autem iterato vobis duximus inhibendum, ne in eadem cauſa aliquatenus procedere præſumatis: Scituri pro certo, quod ſi ſecus ageritis cum injuriam regiæ dignitatis non poſſimus æquanimiter ſuſtinere, nos contra vos cum ſuſtinatione Regiæ procedamus. Teſte ut ſupra. A memorable evidence and expreſſion of the Kings Sovereign regal Eccleſiaſtical Jurisdiction.

King Henry being to take a royal voyage beyond the Seas againſt the French, thereupon iſſued this Writ to the Archdeacon of Canterbury (the See being then voyd) to cauſe prayers to be made to the moſt High, throughout his Archdeaconry, for himſelf, his Queen, children, the prosperous ſucceſſe of his affaires, and ſafere-turn home, in forme enſuing.

**R**EX Archid. Cantuar. ſalutem. Cum Auctore Domino in proximo ſumus tranſſetaturi, et certam geramus fiduciam, quod mediantibus precibus fidelium, iter et Actus noſtros proſperari vellet Altiffimus; dilectionem veſtram rogamus attentius, quatenus per totum Archidiaconatum veſtrum, pro nobis et Regina noſtra labiozum victimas Altiffimo faciatis offerri, ut de miſericordia ſua pro poſitum noſtrum feliciter adimplere valeamus, ad propria cum proſperitate reverti, et etiam pro liberis noſtris Orationes fieri faciatis, quod Dominus ipſos conſeruet incolumes. Teſte Rege apud Caſtelacr. 27. die Martii.

The Archdeacon of Derby petitioning the King, that ſome Clergymen imprifoned for the death of a man, might be delivered to his cuſtody, according to Eccleſiaſtical Liberty; thereupon the King iſſued this Writ to the Sheriff of Nottingham and Derby, to deliver them to him before the Coroner, upon ſecurity given for their apperance before the Kings Juſtices at the next Aſſiſes, or in the Kings Bench, when he ſhould require it, there to ſtand to their trial, if any would proſecute againſt them.

**A**RCHID. Derbi Regi humiliter ſupplicavit, per Litteras ſuas Patentes, quod Simonem Rectorem Eccleſiæ de Truſſel. Hugonem de Derb. Capellanium, & Rogerum de Truſſel, acolitum, captos & detentos in priſona Regis Nottingham, pro morte hominis ſecundum Libertatem Eccleſiaſticam, ei liberari faceret.

Et Mandatum eſt Vic. Nottinghamia & Derbi, quod in pleno Com. ſuo coram Coronatoribus Regis, præſatos priſones eidem Archid. faceret liberari: Ita quod eos habeat coram Juſticiariis Domini Regis ad primam Aſſiſam, cum in partes illas venerint, vel coram Rege quando præceperit, ad ſtandum recto, ſi quis verſus eos loqui voluerit. Teſte W. Eborum Archiepiſcopo apud Weſtmonaſterium ſecundo die Octobris.

There being a Council of Biſhops and other Prelates appointed to be held at Oxford, in the 26. year of Henry the third, the King ſuſpecting, that ſome things would be propounded and attempted therein againſt his Crown and Dignity; appoint-

ed his special Proctor to sit therein, and to appeal against all such proceedings if attempted, and likewise to deliver somethings to them by word of mouth from the King, to which they might give credit, by this memorable Patent.

**PAT. 26. H. 3. m. 21.** **R**EX Venerabilibus in Christo Patribus W. Eborum Archiepiscopo, Anglie primati, & omnibus Episcopis, & aliis Prelatis qui conventuri sunt apud Oxoniam, salutem. Dilectum & fidelem nostrum Galfridum de Langel. ad vestram presentiam duximus transmittendum, ad appellandum pro Nobis, ne in Concilio nunc apud Oxon. convocato, contra Coronam et dignitatem nostram aliquid statuere presumatis. Quædam etiam posuimus in ore ipsius vobis exponenda, cui super hiis fidem adhibeatis. Teste Rege apud Merleberg. xxix die Novembris.

There hapning a controversy concerning the affaires and elections of the Churches of *Canterbury* and *Winchester* in the Court of *Rome*, by way of Appeal, the King constituted special Proctors therein, by these his Letters Patents.

**PAT. 26. H. 3. m. 9. dorso.** **R**EX omnibus, salutem. Sciatís nos constituísse magistrum Henricum de Secus, Priorem Antipolitanum, & magistrum Willelmum de Saint. Amour. procuratores nostros, tam in negotiis Cantuariensis, quam Ecclesiæ Wintoniensis prosequendis in curia Romana. Ratum & gratum habituri, quicquid ipsi duo vel alter eorum in negotiis prædictis duxerint faciend. Incujus, &c. Teste Rege apud Westmonast. Sepimo die Martii.

The like special Proctor he appointed in the case of an *Inquisition* before the Popes Delegates in *England*, between the Bishop of *Bath* and others, the Patronage of whole Churches belonged to the Crown.

**PAT. 26. H. 3. m. 12.** **R**EX Venerabilibus patribus Herefordensi & Exoniensi Episcopis & Abbati sancti Edmundi, salutem. In negotio inquisitionis, quod inter vos vertitur ex una parte, autoritate Apostolica, & Venerabilem Patrem Bathoniensem Episcopum ex altera, magistrum Robertum de Ford. Procuratorem nostrum constituimus, ratum & gratum habituri quicquid idem magister Robertus in dicto negotio Inquisitionis iustitia mediante coram vobis duxerit faciendum. Hoc idem dicto Episcopo significamus. Teste Rege apud Merleberg. 28. die Novembris.

The Prior and Covent of *Trinity* in *Canterbury* during the Vacancy of the See, and the Kings absence in forraign parts, encroaching Archiepiscopal jurisdiction upon the suffragan Bishops and their subjects, to their great oppression, and prejudice of the Kings Crown and dignity, he thereupon issued this memorable prohibition to them, to stay all proceedings till his return into *England*, to hear and determine these differences by the advice of the Council of the whole Realm.

**CLAUS. 27 H. 3. m. 7. dorso.** **R**EX Priori & Conventui Sanctæ Trinitatis Cant. salutem. Ex informatione quorundam Episcoporum, de regno nostro suffraganeorum Cantuariensis Ecclesiæ nobis innotuit, quod finibus vestris non contenti, manus ad ea quæ ad dignitatem pertinent Archiepiscopalem, aliter quam deceret extendere nitimini, quantum in vobis est independentes libertates ecclesiarum suarum hactenus obtentas admulcare, et ipsis ac subditis suis quasi iugum quoddam servitutis imponere, non solum in grave ipsorum præjudicium, set et manifestam Regiæ dignitatis læsionem, ut asserunt. Cupientes igitur sic ipsis regni nostri Prelatis, qui nostrum inde consilium invocant, adesse, quod vobis aut Ecclesiæ vestræ Iuri non videamus præjudicasse, devotionem vestram monendam duximus et rogandam; vobis etiam singulis ac universis consulimus et mandamus, sicut alias mandavimus, quod Articulus qui materiam contentions inter vos



linquunt, utpote insolitos et hucusque ut dicitur inauditos, teneatis in suspensio, quousque in Anglia reuertamur, ut tunc convocato consilio totius Regni nostri liberius deliberemus, qualiter super tam arduo negotio ad concordiam vos revocemus. Mandavimus enim Eborum Archiepiscopo, Karl. Episcopo, et W. de Cant. quod nichil novum aut insolitum, vel aliqua quæ usi non fuisset die quo ultimum transcretavimus vel antea, in perturbationem Cleri et regni nostri vos interim attemptare permittant. In quo non intendimus Iuri vestro in aliquo derogare. Teste Rege apud Burd. 26. die Junii.

During the vacancy of the Archbishoprick of *Canterbury*, the King wanting victuals to supply his forces in *France*, \* *districte precipendo, significavit Archiepiscopo Eboracensi Regni custodi, ut blada Archiepiscopatus Cantuariensis, & aliorum majorum & Episcopatum tunc vacantium, cum Baconibus & sale, & aliis hyematuris necessariis, panis quoque ad vestes faciendas adjectis, sibi sine mora dispendio usq; Burdegaliæ, transmitterentur. Hæc ab q; denariorum multitudine, missa sunt decem mille summarum frumenti, & quinq; millia avena; cum totidem Baconibus, ac si esset Anglia puteus inexhaustus.* Most of these Provisions were raised out of the Temporalities of the Archbishopricks and Bishopricks then in the Kings hand:

The Archbishoprick being voyd by the \* death of *Edmund*, King *Henry* used his utmost endeavours to procure the Monks of *Canterbury* to elect *Boniface* his Queens uncle (a forraigner and every way unfit for such a trust) to succeed him, whom they accordingly elected upon the ensuing considerations.

Temporibus sub eisdem, Monachi *Cantuarie Romanæ* ex parte Conventus destinati, pro absolutione obtinenda, qua Archiepiscopus, E. eos terribiliter innodaverat, mense Aprili a *Romana* curia redierunt. Qui impetraverant, ut existentibus eorum negotii Abbate & Archidiacono Sancti *Albani*, & Priore de *Dunstable* executoribus; ad cautelam absolverentur.

Sed huic impetrationi antiquus eorum persecutor, Magister *Simon de Langtone*, Archidiaconus *Cantuariensis*, se statim appellando opposuit contradicens, asserens constanter, quod per falsam suggestionem & veri suppressionem, fuerant litteræ talis absolutionis nequiter adquisitæ. Sed ipsi, qui Regi certissime promiserant se *Bonifacium* in Archiepiscopum suum electuros, iuxta quod R. de votissimè supplicaverat, gravem super Archidiaconi *Simonis* illata injuria & excogitata malitia coram Rege querimoniam deposuerunt. At Rex partem fovens Monachorum; & acceptans de *Bonifacio* promissam electionem, terribiliter est eidem *Simoni* Archidiacono comminatus, quod si non à temerario proposito suo quam citius desisteret; Regiam cum effectu, per omnia sentiret indignationem: Quod cum comperit dictus *Simon* Archidiaconus, sciens quod Papa in nullo Regem offenderet, et sentiens se jam senem et inveteratum transalpinatorum, quiescit, et a proposito concepto resilivit. Monachi autem *Cantuarienses*, comperientes Papam et Regem sibi vicissim indulgere, et alii. alterius quibuscunque precibus inclinari, elegerunt sibi in pastorem animarum suarum, invocata Spiritus sancti et Regis gratia, *Bonifacium* electum de *Val*, hominem proceræ staturæ, elegantem corpore; avunculum dominæ *Alienoræ*, illustris Anglorum Reginæ, Monachis tamen prænotatis, scientia, moribus, et ætate penitus incognitum, et tantæ dignitati, respectu prædecessorum Archiepiscoporum *Cantuariensium* (ut dicebatur) insufficientem; hac tamen consideratione, quia si alium elegerint, Rex adinventis exceptionibus quibuscunque, electionem cassasset reprobata, qui favorem Papalem in omnibus obtinebat. Rex autem omnibus modis volens memoratum *Bonifacium*, vel jam electum, vel cito eligendum, promovere, & nomen ejus exaltare, ne forte dominus Papa, quasi insufficientem, eundem reprobareret; imo ut potius videretur sufficiens & idoneus tantæ dignitati, iussit chartam confici, in qua commendabatur supra modum perso-

Mat. Paris p. 577.

\* S. e here p. 563. 564.

Anno Dom. 1241.

Mat. Paris. Hist. Angl. p. 536.

Monachi Cantuarienses absolutionem a Papa impetrant

& Bonifacium Eligunt in Archiepiscop.

See Mat. Parker Antiquitates

Ecclesiæ Britan.

ix, Godwins Catalogue of

Bishops in the life of Boniface.

na dicti Bonifacii, & eidem scripto sigillum Regium in testimonium appendit veritatis. Et misit eam Episcopis Abbatibus, præcipiens, vel imperiose supplicans, ut & ipsi sigilla sua similiter apponentes, huic Regiæ assertioni certum testimonium perhiberent. Multi ergo conscientie suæ integritatem nolentes infringere, & timentes illud præceptum Dominicum, *Non falsum testimonium perhibebis*, firmiter eidem renuerunt obtemperare. Quamplurimi autem digniorum clericorum, videlicet Episcopi & Abbates aliqui, Regiis comminationibus perterriti, & enervati, sigilla sua, scilicet pignora & testimonia suæ fidei, spreto Dei timore, plus hominem quam Deum reverentes, apposuerunt, & eundem Bonifacium in suum superiorem gratanter acceperunt. Quippe cum de nobilissimo sanguine natus, & Regnorum utrorumque Principibus, ipse procerus & satis sufficiens, fuerit specialissimus. Monachi tamen *Cantuarienses*, Regis præventi supplicatione, vehementer doluerunt se Regi in hoc consensisse. Unde quidam Monachorum ad se reversi, suam miseriam cognoscentes, ut perpetuam poenitentiam agerent ab Ecclesia sua recedentes, ad ordinem *Curtensia* convolarunt.

Boniface being thus elected Archbishop, the King thereupon dispatched his Letters and Proctor to the Pope and Cardinals at *Rome*, for his confirmation, thus entred in our Records, though not extant in historians, wherein he thus flattered the Pope beyond all measure, to obtain his desired purpose.

Pat. & Chart.  
Anno 27. H. 3.  
m. 17. dorso.

**S**anctissimo Patri ac Domino, divina providentia Summo Pontifici, *H.* eadem gratia, &c. salutem. **S**anctitati vestræ petitiones nostras tanto cum majori porrigimus fiducia obtinendi, quanto non solum ad regni nostri commoda, sed etiam ad Ecclesiæ Romanæ fructuosum honorem per ea quæ petimus aspiramus. Quicquid enim honoris vel commodi regno nostro accreverit, ad vestræ dominationis augmentum est specialiter referendum. Cum igitur nuper Ecclesiæ *Cantuar.* per mortem bonæ memoriæ *E.* quondam ipsius Archiepiscopi destituta pastore, petita prius, prout moris est, a nobis eligendi licentia, et obtenta, Prior et Conventus ejusdem, vocatis omnibus, ut intelleximus, qui vocandi erant, et presentibus qui debebant et poterant interesse, de prudenti viro et nobis Charissimo Bonifacio de *Sabaudia* procuratore *Bellic.* Ecclesiæ avunculo nostro, sibi canonice ac concorditer providerint in Archiepiscopum et in patrem: Et Nos provisionem eandem ratam habeamus quantum nostra, interest et acceptum, dilectum & fidelem Clericum Nuncium & Procuratorem nostrum magistrum *Robertum Anketil.* Canonicum *Dakensem*, & nobis gratum, ad hoc & alia nostra negotia, quæ sibi hac vice apud sedem Apostolicam promovenda commissimus constitutum, ad sanctæ Paternitatis vestræ pedes transmisimus, devote per eum & presentes literas nostras ex affectus cordis intime, quantum possumus humiliter supplicando, quatenus in eodem *B.* avunculo nostro geminam nobilitatem morum & generis, & tam ipsius quam suorum devotionem erga Deum & *Romanam* Ecclesiam attendentes, nec non utilitatem Regni tanquam rei vestræ pensantes, dictum *B.* jam a Deo promissum nobis in subsidium speciale, & proli nostræ non modicum fulcimentum, & *Cantuariensi* Ecclesiæ in Archiepiscopum, difficultate qualibet & impedimento postpositis, impenso, de sedis Apostolicæ liberalitate consueta confirmationis munere concedatis. In hoc vel de Jure quo dictum *B.* juvari credimus, vel si necesse fuerit, de gratia speciali petitionem nostram sic efficaciter admittentes, quod ex eo paternæ dilectionis affectum quem erga nos & Hæredes nostros geritis, manifestis ut optamus, indiciis ostendatis. Et nos ad exaltationem Coronæ nostræ fructum quem bene de sublato nobis majore fratre speravimus, de minore per Dei gratiam consequentes, vobis & *S. Romana* Ecclesiæ fortius imposterum astringatis. Rogamus & attentius supplicamus, ut in præsentī negotio & aliis ad nos spectantibus, dicto Clerico nostro exauditionis aures benevolas præbeatis, de sedis Apostolicæ clementia consueta, personam ipsius nichilominus nostri contemplatione habentes vestri gratia propensius commendatam, ut affectum quem Sanctitatem vestram ad nos & hæredes nostros habere credimus, in hoc facto cognoscamus evidentius per effectū. Quicquid enim in nostris maxime negociis quæ habet procurare apud sedem Apostolicam, gratiæ invenerit aut favoris, nobis reputabimus esse factum. Teste Rege apud *Burd.* 17. die Feb.

Super

Super eodem negotio, & consimiliter scribitur omnibus Cardinalibus, videlicet, Dominis Roman, Portuen, & Sanctæ Ruffin, Reg. Hostiens, & Velletr, Jacobo Penetrino Episcopis S. Titulo Sanctæ in Transiberim, Johanni Titulo Sanctæ Prædix; Senobaldo Titulo Sancti Laur. in Latib. Presbyteris; Reinero Sanctæ Mariæ in Cosmedi. Egidio Sanctorum Cosma & Damiani, Ottoni Sancti Nicolai in Carcere Tulliano, & Richardo Sancti Angeli Diaconis.

Upon the receipt of these flattering Letters fraught with overmuch Courtship, (and the intercession of some golden Angels superadded thereunto) the Pope confirmed Boniface, to the admiration of many; as Matthew Paris thus stories.

Eisdemque diebus Bonifacius Electus Bollicensis Avunculus Reginæ, natione Provincialis, non sine multorum admiratione, in Archiepiscopatum Cantuariensem, Rege hoc diligentissime procurante, a Domino Papa confirmatur. Dominus Rex ut efficacius Bonifacium promoveret in Archiepiscopatum Cantuariensem confecit unum scriptum, in quo miro modo ipsum Bonifacium, licet ipsum non cognovisset, commendavit in moribus, & scientia & generositate, instinctu Reginæ. Et apposito signo suo, fecit ut fere omnes Angliæ Prælati consequenter apponerent. Solus autem Abbas Sancti Albani hoc falsum testimonium caute declinando vitavit. Cum enim vidisset signum Abbatis Westmonasterii appensum, dixit, injuratum fuisse ei, cum Abbas Sancti Albani digniorem esse constet, dicente ejus privilegio, sicut beatus Albanus Protomartyr est Angliæ, ita & ejus Abbas primus sit omnium Abbatum Angliæ ordine & dignitate, ergo ejus signum deberet apponi. Et sic permissum est hoc donec excuteretur. Hoc scriptum missum est Domino Papæ, ut de bonitate Bonifacii plenius certificaretur.

There being a great contest between the King and the Prior and Monkes of Winchester about the election of their Bishop, they electing first William de Raley Bishop of Norwich, whom the King and Pope opposing, thereupon they elected Ralph Nevill, whose election was likewise vacated: After which, according to their first resolution, they elected the Bishop of Norwich again; whose election was suddenly made, and quickly confirmed at Rome: yet the King ceased not to spurn against it, commanding the Mayor of Winchester to forbid the New Bishop entrance into the City, which he did; who thereupon excommunicated him for his labour, and interdicted the whole City. The King thereupon so persecuted the Monks, that he imprisoned divers of them, and so afflicted the Bishop, that he was forced to flye the Realm, and passe into France for a season. Thus related by Matthew Paris, and Mat. Westm.

Curriculo temporum eorundem Rex continuans conceptam iracundiam aggravavit adversus Episcopum Norwicensem eo quod postulationi consensit de se factæ ad Episcopatum Wintoniensem; Nolut enim, quia nec decuit renunciare. Exigebat tamen Rex chartam ab eodem de renunciatione, quod idem Episcopus facere constanter renuebat. Ota exinde occasionaliter quadam dissensione gravi in Episcopatu suo per quendam scriptorem Curia, qui pro sua temeraria usurpatione vulneratus est; multa inconvenientia sunt secuta. Unde multi tam Clerici quam Laici baculati, vulnerati, & pugnis impie sunt percussi, & per brachium secularem multis damnis & injuriis lacerati. Nec voluit aliquo modo Rex, ut jurejurando affirmabat, a talibus gravaminibus desistere, nisi dictus Episcopus, ut prædictum est, chartam conficeret quod nunquam ad Episcopatum Wintoniensem transferri se permetteret, quod omnino dissonum fuit rationi, et Episcopali contrarium professioni. Quia si Dominus Papa in virtute obedientia id ei præciperet, nullo modo, si filius esset obedientia, aliquatenus posset contradicere.

Sub illis diebus, quidam Aulici satellites, qui de Regiis præceptis confidentes & enormia sæpe ex levibus nanciscentes, venerunt Wintoniam, sciscitantes arroganter, qui Monachorum noluerunt Regiis mandatis obedire super electione, vel postulatione Wintoniensis Episcopi, quique illi erant qui Episcopum Norwicensem, Willielmum videlicet de Raley, Regi non obtemperantem, tam procaciter postularent, ut nullo terrore vel precibus resilire dignarentur? O Monachorum superbia, cucullatorum improbitas obstinata. Facta igitur inquisitione per Priorem intrusum, qui totius turbationis fuit Machinator, ejecerunt a Monasterio eosdem Monachos, non senium, non personas, vel ordinem, vel demum reverentiam

Mat. Paris Hist. Angl. p. 586  
Mat. Westminster, p. 160.  
Confirmatur Bonifacius in Archiepiscopatum Cantuar.  
Mat. Parker, & Godwin in Bonifacio.

\* See here, p. 586, 501, 502.  
a Godwins Catalogue of Bishops, p. 174; 176. Mat. Westminster Anno 1243. p. 175.

b Mat. Paris Hist. Anglæ, p. 554. Rex Iratus Episcopo Norwicensi.

c Mat. Paris, Hist. Angl. p. 538.  
Constantia & oppressio Monachorum Wintoniensium.



reverentiam Ecclesiæ vel clauſtri conſiderantes. Quos etiam carcere, fame, convitiis & infamia, viliter & indigne, in totius ordinis Monastici dedecus, & ignominiam, affixerunt.

Mat. Paris, p. 154. Marth. Westminster, p. 160. Vexatio Monachorum Wintoniensium.

Sub eisdem diebus, ipse *Brito*, quem violentè Dominus Rex præposuerat Conventui *Wintoniensi*, quæ Priorem, Conventum multis modis affligere satagebat. Procurante enim eodem Impostore, ut justam causam habere videretur, quod Conventus ei contradicens excommunicaretur, ortæ sunt dissensiones. Et vocatis Regiis satellibus post quadraginta dies elapsos, dixit: Ite & vindicate Regiam & nostram injuriam in rebellibus nostris, excommunicati enim sunt, nec est aliqua offensa in eos manus violentas injicere. Catervatim igitur ruunt ædifici Regales, & crudelius quàm a Rege imperatum est, vel a falso Priore persuasum, manus prophanas in Monachos ad majus Altare fugientes, ut ibidem tutum haberent refugium, violentè injecerunt. Et impellentes viriliterque trahentes, ita ut pavementum cruentarent, ab Ecclesia ejecerunt. Et in conspectu Civium, præ dolore et admiratione flebiliter ejulantium, usque ad castrum Regium, & ad *Huschebie* raptim tractabant, pugnis cedentes, baculis impingentes, probris afficientes, hos hic, hos illic incarcerantes, vinculis & compedibus binos & binos manciparunt. Et spreto Dei timore, religione, habitusque reverentia, squalore carcerali, tenebris, fame & frigore, cum opprobriis, non sine palma martyrii, cruciarunt. Ipsi autem scientes hæc omnia sibi pro executione justitiæ violentè inferri, patienter, imo gaudenter sustinuerunt, qui digni sunt pro Christo contumeliæ tolerare.

\* Mar. Westm. Anno 1241. p. 160. Fecit etiam Rex personam Bonifacii electi Bellac magnificando commendari, ut dignus videretur esse vel ad Archiepiscopum Cantuar. aut Episcopatum Winton. quo promoveretur. Sed res effectum non est sortita licet multorum Prælatorum testimonio tituli ipsius roborarentur.

The King likewise writ to the Pope, not to permit the Monks of *Winton* (then at *Rome* to justify their election) to take up any provisions or monies upon the account of the Church or Monastery of *Winton*, whereof he was Patron; and likewise importuned him, by way of Provision, to conferr the Bishoprick upon his Uncle \**Bonifacius*, who being soon after elected and confirmed Archbishop of *Canterbury*, he moved the Pope both by his Letters and Proctor, not to consent to the Bishops translation from *Norwich* to *Winchester*, to the prejudice of his Crown and honour; and to give way that the Prior and Monks might proceed to the election of another Bishop, as these Letters to the Pope entred in the *Patent* and *Charter Roll* of 27 H. 3. inform us;

Pat. & Chart. 27 H. 3. memb. 16. dorso.

**D**omino Papæ Rex salutem. Quia *Wintoniensem* Ecclesiam tanquam ad nos de speciali jure Patronatus spectantem tueri & exaltare, ac ejus Oppressionibus seu afflictionibus obviare, necnon indemnitatibus providere tanto affectuosius volumus & debemus, quanto in ejus exaltatione nos contingeret specialius gloriari, Sanctitati vestræ supplicamus, quatenus per *Benedictum* de *Burgo* Monac. *Wintoniensem* & sequaces ejus, nostri & nostrorum adversarios nominis & honoris in Curia vestra, contra sui voluntatem Prioris vagantes, expensis eam non permittatis gravari, seu debitis onerari, faciendo eis provisionem ad expensas & mutuum vestri gratia denegari; quod enim eorum expensæ sive debita de bonis Ecclesiæ prædictæ solverentur, non possemus æquanimitè sustinere. Teste Rege apud *Burd.* primo die *Februarii*.

Super eodem negotio scribitur omnibus Cardinalibus. Teste ut supra.

Pat. & Chart. 27 Hen. 3. lb. mem. 17

**E**ldem Domino Papæ, Rex salutem. Cum inspirante gratia sancti Spiritus, sitis a Deo supra omnes in eminenti specula cum potestatis plenitudine constituti, et sub vobis alii sunt in sollicitudinis partem gradatim positi, specialiter autem Reges et Principes, in tutelam Ecclesiarum et subsidium oppressorum, ad vos recurrendum esse credimus quotiens negotiorum imminet difficultas, ut per providentiam, et circumspectionem vestram & sacri vestrarum fratrum Collegii dominorum Cardinalium, Ecclesiæ sacrosanctæ remedium adhibeatur, quod expedit, & salubre Consilium apponatur. Cum igitur *Wintoniensis* Ecclesiæ quam tanquam ad nos de speciali jure Patronatus spectantem tueri et exaltare, tanto affectuosius volumus & debemus, quanto specialius in ejus exaltatione & gratia nos contingeret gloriari, ardenti cupimus desiderio indemnitatibus providere, ac ejus afflictionibus seu oppressionibus obviare, non possumus ideo, sicut nec debemus, sub dissimulatione sufferre, ipsam per aliquem occupari, qui ad eam ambitiose per abrupta intendat ascendere, vel transire, non debet

ve-

vestra circumspectio admirari, si nos cum nostra inter sit interponamus partes nostras. Quocirca dominationi vestre paternitatis Sanctissimæ supplicamus, quatenus **Episcopum Norwicensem, in nostrum et honoris Coronæ nostræ præjudicium et non modicum detrimentum, sicut alias scripsimus** prædecessori vestro, mandati ejus non servato tenore, & venerabilis patris Domini O. Sancti Nicolai in carcere *Tulliano* tunc Legati in *Anglia*, spreto consilio, de quoduntaxat Ecclesiæ jam dictæ per electionem Canonicam seu idoneam, in Pastorem contra Sanctiones canonicas postulatam, non sustineatis transferri, sicut honorem nostrum diligitis ad eandem; cum Prior ipsius Ecclesiæ & ejus complices, utpote illi ad quos per aliorum inobedientiam, peccatum, negligentiam sive culpam tota de jure illa v. ce devolvebatur, ipsi Ecclesiæ providendi potestas, de B. de Sabaudia, secundum tenorem mandati Apostolici, dicti Legati consilio adhaerentes, Canonice ac concorditer providerunt. **Quæ si forte provisio ad effectum non pervenerit, de ipso quem ad altiora prohiberi, per vos cupimus et speramus, per magistrum Robertum Auketill, & per præsentem literas, cum quanta possumus devotione ac precum instantia vobis & sacro fratrum vestrorum Collegio iterum supplicamus, ut jam dicto Priori, Archidiacono Winton. & complicibus eorundem quos obediendo mandato dicti Prædecessoris vestri & Domini Legati sequendo consilium, nullus debet intelligere peccavisse, sed meruisse potius gratiam de benignitate sedis Apostolicæ consueta nostri contemplatione honoris, eo quod semper a nobis requirenda est licentia concedatur facultas iterum eligendi ipsos in hoc & aliis negotiis suis quæ nos tangunt, prout prædictus clericus, noster ex parte nostra vobis explicaverit viva voce, habentes amore nostri & precum interventu nostrarum propensius vestri gratia commendatos, ut affectum quem vos ad nos habere credimus, in hoc facto cognoscamus evidentius per effectum.** Quicquid enim pro nobis apud sedem Apostolicam invenerit gratiæ, aut favoris, nobis reputabimus esse factum, & ne credatur susurrone aliquo suadente, nos dissimulando velle translationem dicti *Norwicensis* Episcopi ad *Winton.* Ecclesiam sustinere, supradictum magistrum procuratorem nostrum constituimus generalem, ad omnia quæ nos tangunt ratione vel occasione provisionis factæ de ipso B. Specialiter autem ad proponend. & prosequendum in curia *Romana* contra eundem Episcopum, ipsumque postulantium personas, & formam factæ postulationis, de ipso exceptiones quasunque competentes & competituras nobis secundum quod viderit expedire. Nos opposites ipsi & eum postulantibus, nec non postulationi suæ ut incepimus incessanter, ratum habituri & gratum, quicquid super præmissis in prædicta curia ipso Procuratore nostro fuerit factum procurante. Teste ut supra.

The differences between King Henry, the Monks, and this Bishop Elect of Winchester, transmitted to posterity by our Historians, are thus related.

Tempore quoque sub eodem, Episcopus *Norwicensis* postulatus in Episcopum *Wintoniensem*, à Domino Papa, quem sibi valde propitium invenit, **Rege minus invito et renitente, confirmatus est.** (Notwithstanding his foresaid Letters to the Pope.)

Certificati autem Monachi *Norwiceses* super confirmatione Domini *Willielmi de Rale*, qui Episcopus eorum extiterat, ad Episcopatum *Wintoniensem* postulati, invocata spiritus Sancti gratia, magistrum *Walterum de Suffeld.* virum eleganter literatum, moribus, fama, genere pollentem, unanimiter in Episcopum & suarum pastorem animarum eligerunt. Qui cum Regi, ut moris est, præsentaretur, **satis et electum et electionem acceptando reputavit irreprehensibilem.** Veruntamen donec plenius constaret ei de confirmatione *Wintonensis*, favoris suspendit ad tempus plenitudinem. (He was afterwards confirmed by Boniface Archbishop elect of Canterbury.)

Rex autem eisdem diebus nimis commotus erga Episcopum *Wintoniensem* *Willielmum de Rale*, eo quod se quasi Episcopum *Wintoniensem* gerebat, & a cunctis, præter quosdam Monachos *Wintonenses* habebatur & dicebatur, renuit recipi ab eo in osculo, vel ipsum in aliquo amabili verbo recipere. Qui tamen omnes *Anglia* Nobiles præcipue Prælatos, & in osculo, & in gratis eloquiis, post adventum suum de partibus ultramarinis, tam gratanter quam gratulanter susceperat, & civiliter advocarat. In cujus rei tristi prognostico, Episcopus luce clarius perpendens, Regis iram

Anno 1243.  
Mat. Paris Hist.  
Angl. p. 586.  
Mat. Westm.  
Anno 1241.  
1244. p. 160.  
185. Godwins  
Catalogue of  
Bishops, p. 345.  
346.

Mat. Paris, p.  
587. Mat. West.  
p. 174. 175.

iram inveteratam in odium pertinax induratum fuisse, penes amicos suos, quos fortunæ minime credidit esse sectatores, donec visitaret eum oriens ex alto, & tepesce-  
ret Regis indignatio, latitavit. Rex autem, persistens in ira sua, ad maneria sua  
arctam posuit custodiam per suos satellites: qui, ut de more solent, limites præcepti  
tyrannici sæviendo transgredientes, Episcopatum subjectos satis inhumane tractantes,  
propriis emolumentis avidius intendebant. Et cum Episcopus prænominatus causa  
intrandi in civitatem, ad suam sedem Cathedralem specialiter spectantem, scilicet  
*Wintoniam* pervenisset, **jussit Rex portas Civitatis arctissime custodiri. Pri-**  
**or autem Wintoniensis**, si dignus est nomine Prioris censi aut nominari, magnam  
partem Monachorum, in unam conflavit conspirationem, ut in suum Episcopum  
calcaneum levarent; asserens in propatulo, **omnes qui ei præberent auxilium vel**  
**consilium, inimicos Domini Regis fore manifestos, et proinde**  
**graviter puniendos**: ita ut tam inter Monachos quam seculares, ortum est schisma,  
& usque ad sanguinis effusionem gravis & detestabilis discordia.

Prior Winton.  
meritur.

Igitur ipse miser, habitum tantummodo portans religionis, qui nomen non officium  
Prioris Ecclesiæ *Winton.* sibi temere Usurpaverat, & præcepto regio se fecit Prior nomi-  
nari, & a multis haberi, postquam illam nobilem Ecclesiam diversimode, non sine  
multa delapidatione, scandalo, & conventus ipsius Ecclesiæ, variis afflictionibus turba-  
verat, multis afflictam sollicitudinibus, animam miseram exhalavit, viarum suarum  
fructus recepturus.

Anno Dom.  
1243.  
Mat. Paris. p.  
587. 588.  
Mat. West. p.  
175.

Rex autem, nulla ratione refrænatus, sed propriæ voluntatis impetu potius exa-  
gitatus, manum aggravans potentissimam, & in Episcopum prædictum & ejus bona  
gravando protendens, clamari fecit, **et prohibuit, ne quis Willielmum de Rale,**  
**(qui se falso, ut ait, Episcopum Wintoniensem fecit) sollemniter accla-**  
**maret, hospitio susciperet, vel eidem in venalibus communicaret,**  
**vel necessaria victualium ministraret, et qui ei in aliquo horum sub-**  
**veniret, hostis Regis, imo publicus haberetur.** Misit etiam idem Rex  
litteras suos *Oxoniam*, ut eundem Episcopum coram Universitate diffamaret, asserens  
eundem per falsam suggestionem a Domino Papa impetrasse, **ut in Epis-**  
**copum Wintoniensem postularetur, et transferretur,** & quod omnem do-  
lum suum coram curia *Romana* & Regno sufficienter probando detunicaret. Ad quod  
effectui mancipandum, cursores suos *Romipedas* jam destinavit. Fecit etiam Episco-  
patum *Norwicensi* inhiscari, ut ubique, & omnino eidem aditus ad solatium exclu-  
deretur. Misit insuper dictus Dominus Rex contra memoratum Episcopum *Theobal-*  
*dum* Monachum *Westmonasteriensem*, Priorem *Hurles*, ad *Romanam* curiam, nec non  
& Magistrum *Alexandrum* Legistam cognomento *Sacularem*, ut ipsi dictum Episco-  
pum, **vel quacunque prece, vel quantocunque precio, a sua dignitate**  
**precipitarent.** Episcopus autem memoratus *Gulielmus*, ut Ecclesiam suam visitaret,  
*Winton.* adit. Major autem civitatis, & suorum convivium nonnulli, super hoc præ-  
muniti, & præcepto ipsius Regis animati, omnes portas Civitatis contra ipsum  
præclusit. Episcopus vero nudis pedibus ad unam portam civitatis, & postea ad alias ex-  
tra civitatem, cum suis presbyteris & clericis, aditum humiliter, ut Ecclesiam suam  
intraret, postulavit; omnes enim portas in adventu suo clausas inveniebat. Ob-  
stantibus autem Majore civitatis & ministris Regis, & ubique introitum procaciter  
denegantibus, & probra probis cumulantibus, **Episcopus civitatem totam,**  
**cum Ecclesia Cathedra, et omnibus aliis interdicto supposuit,**  
**nec non, et omnes Monachos sequaces et fautores Prioris intrusi**  
**per Regem, Anathematis vinculo terribiliter innodavit.**

Civitas Winto-  
niæ supponitur  
Interdicto.

I shall now proceed to informe you what our Records attest concerning it. The  
King having appealed to *Rome* against the Bishop of *Norwich* Election, and  
translation to *Winchester*, sent his Appeal to *Robert Ludlowe*, to publish and execute:  
he against the Kings intention, exceeding his commission, by armed force, seized the  
Bishops goods and provisions, as well within as without his Church, which the King  
disliked, reprehended, and commanded to be restored, by this Writ.

REX



**R**EX magistro Roberto de Ludelawe, salutem. Auditis & intellectis hiis quæ nobis significastis per literas vestras, satis inde non potuimus admirari cum vos propter discretionem vestram, de qua confidebamus, miseramus, ad stulticiam Laicorum compescendam, si quæ vellent attemptare, quæ essent ad deteriorationem causæ nostræ, contra *W. de R.* Episcopum, ea fecistis quæ Laicos fecisse non debuerat. Res & victualia sua quæ deportari fecit a partibus *Norff.* tam in Ecclesia quam extra Ecclesiam arrestando, & vim armatam convocando ad talia perpetranda, quæ nostris exprimere literis aborremus, quæ si vellemus, quod Deus avertat, perpetrari, non id fieri mandassemus in manu Clericali. Hinc est, quod non mediocriter moti super præmissis, Vobis Mandamus, quatenus bona ipsius Episcopi per vos arrestata, tam in Ecclesia quam extra, nec non & omnia bona occasione ipsius Episcopi arrestata, visis literis istis deliberari faciatis, ab executione cæterarum crudelitatum vestrorum quæ continebantur in literis vestris quas nobis misistis, vos penitus abstinentes: licet enim per vos Appellationem nostram, & in ea nobis adhærentes ab omni violentia intendamus defendi & tueri, non tamen contra aliquos alios crudelitatem aliquam volumus perpetrari. Sed potius ea quæ ad tuitionem appellationis & partis nostræ pertinent, taliter exerceatis via media incedendo, quod nec de duritia, nec de negligentia redargui debeatis. Vos igitur præcepta nostra, quæ vobis in iunximus, viva voce, & quæ prius Vicecomitibus & cæteris Ballivis nostris demandaveramus, quæ omnia diligenter volumus observari, firmiter teneatis & observetis. Et si super aliquibus forsitan hæsitetis, consilium nostrum requiratis, antequam aliquid novum durius attemptetis. Teste Rege apud *Walisford.* Viceesimo secundo die Decembris.

Pat. 28. H. 3. m.  
10. & 11.

The Bishop soon after presuming against the Kings Appeal, to enter into the Bishoprick of *Winchester*, to conferre orders, excommunicate his subjects, the Mayor, Citizens, and interdict the whole City of *Winton.* for obeying his commands (as you heard before) and intending to proceed *de novo* in the like contempts, the King thereupon, (to preserve his own Royal Prerogative and Jurisdiction Ecclesiastical and evidence his supremacy in and over all Ecclesiastical persons, causes) issued this Writ to the *Gardians* of this Bishoprick; touching his proceedings against him in this Appeal, commanding them personally to acquaint the Bishop therewith, to read it to him in the presence of witnesses, to declare all his excommunications voyd, and that he would severely proceed against him, if he persisted in his obstinacy, and submitted not to his Appeal.

**R**EX Custodibus Episcopatus *Winton.* salutem. Licet contra *W. de Ralag.* appellaverimus in hunc modum, *Dicit Dominus Rex, &c.* ut patet ex alia parte *Ratuli* in appellatione facta contra eundem Episcopum, & post appellationem quam de diverforum Jurisperitorum Regni nostri, quos huic habere potuimus, fecimus, magistros *Oxon.* in Jure legentes, & alios viros Religiosos & Jurisperitos consuluerimus, & per omnes dicta appellatio fuerit approbata, dictus tamen Episcopus hæc omnia parvipendens, & spernens, *supra dictum Episcopatum*, sicut intelleximus intravit, ordinesque celebravit ibidem, sententiasque diversas excommunicationis et suspensionis protulit, nuncque de novo manum suam totis viribus aggravando, Majorem et Ballivos nostros *Winton.* excommunicavit, contra privilegia nostra prohibentia, ne quis in tales sententias proferat, nisi Auctoritate Rescripti Apostolici, specialem facientes de dicto nostro privilegio mentionem, et Civitatem *Winton.* interdixit, quæ omnia licet de facto tantum teneant, tamen utcunque famam nostram sugillant, nec ipsa de cætero possumus conniventibus oculis præterire. Ideoque vobis præcipiendo Mandamus, quatenus convocatis Abbate *Abbatia de Hyda*, Priore fratrum prædicatorum, cum duobus vel tribus de fratribus; & Gardiano fratrum minorum, cum totidem & aliis viris Religiosis honestis & fide dignis, quos habere poteritis, ad dictum Episcopum accedatis, & supradicta omnia de verbo ad verbum legi faciatis, iterum ex eisdem causis, & supradicto modo nomine nostro appellantes & supplicantes, Postea sibi ex parte nostra offeratis, nos paratos incontinenti mittere præ-

Pat. 28. H. 3. m.  
10. & 11.

rifius ad omnes magistros in jure, ibidem regentes & alios Jurisperitos, qui ibidem poterunt reperiri. Et si audita dicta Appellatione, & plene intellecta, ipsi dicant, tanquam inanem & frivolum non fuisse admittendam; nec fore Nuncios & procuratores nostros, quos jam ad Curiam Romanam, pro prosecutione dictæ appellationis misimus, & alios qui jam sunt in procinctu Itineris sui, revocabimus, & in aliis omnibus erga ipsum Episcopum, nos habebimus secundum quod decuerit, & sicut prædicti Magistri Jurisperiti dixerint faciemus. Quod si dictam Appellationem tanquam rationabilem, seu probabilem admittendam fuisse, & fore dixerint, idem Episcopus Episcopatum erant, et Clerici quos ordinavit suspensi permaneant; et quicquid post et contra Appellationem prædictam factum est, sicut hoc totum de jure fuerit, in irritum revocetur. Ita quod hæc omnia & offensas et injurias contra nos & nostros attemptas corrigat & emendet, juxta dictum & consilium Magistrorum. Quod si hoc totum renuerit, sciat pro certo, quod nos contra ipsum et suos taliter procedemus, quod pena decente sentiat se errasse. Hiis autem omnibus lectis coram ipso, post sigillum nostrum, hiis præsentibus literis faciatis opponi sigilla præsentium testificantium lectionem & oblationem prædictas, & responsum Episcopi supradicti apponentes, diem & annum, quibus nomine & de mandato nostro, hæc omnia legeritis & optuleritis, & postmodum hæc omnia universo Clero & populo Winton. publicetis, & transcriptum retinentes nobis incontinenti facta publicatione præsentis literas transmittatis. Supradicta etiam sic intelligimus, quod licet Appellatio per magistros Parisienses approbaretur, nichilominus tamen postea Appellationem nostram prosequentes, super præmissis voluntatem & judicium summum Pontificis audivimus, & secundum quod judicaverit per omnia faciemus. Quod si hoc totum renuerit, et sic per elationem et ambitionem nimiam, nos et nostros sic in Episcopatu morando et administrando contra Deum et justitiam, quasi in Regno nobis sortior sit, offendere eligit, iterum nomine nostro propter hæc nova gravamina ad sedem Apostolicam appelletis, & ad tuitionem ad Electum Cantuariensem. Nos enim dante Domino super hoc iustum & salubre consilium capiemus. Teste Rege apud Wind. primo die Januarii.

The Bishop notwithstanding this Writ and Appeal, persevering in his obstinacy, the King thereupon sent this second Writ, to the Guardians of the spiritualities, and writ a Letter to the Pope, answering all his Cavils and exceptions against this Appeal.

Par. 23. H. 3. m.  
10. Dorso.

**R**EX Custodibus Episcopatus Wint. Vicecomitibus Suthamp. & Sur. salutem. Nuper pervenit ad aures nostras quod *W. de Ral.* Episcopus, post Legitimas nostras appellationes quas ad Dominum Papam interposuimus, propter multiplices injurias & magna gravamina quæ nobis & nostris intulit, denunciavit magistrum *Henricum de Secus*, Clericum nostrum Specialem & in hoc negotio nostrum procuratorem, & Monachos quosdam Sancti *Smitini Winton.* nobis adherentes, et quosdam alios sententia Excommunicationis innodatos, quam injuriam in Curia nostra nobis factam, tanquam gravissimam ad animam revocamus. Et cum tam grave delictum contra Nos attemptat, nullatenus impunitum possumus derelinquere, vobis districtius præcipiendo Mandamus, sicut vos ipsos & vestra diligitis, si idem Episcopus contra Appellationes nostras, legitime ad sedem Apostolicam interpositas, Episcopatum Winton. intrat, ad officium Episcopale exercendum, eundem nullo modo hospitumini, nec hospitari ab aliquo laico permittatis, nec aliquem de Clericis suis, nec aliquem de hiis qui se gerent suos officiales, Immo sub pena memorata omnibus Laicis de Balliva vestra inhibeat, ne cum præscriptis contractus faciant, vel commercia contrahant. Item, Laicos ejusdem Episcopatus, et suos concomitantes capi faciatis, et captis detineatis donec aliud a nobis acceperitis mandatum, maxime cum post publicationem nostrarum appellationum ad provocationem animi nostri superiora attemptasset, præcipue cum officia-

lis electi *Cantuariensis* ad cujus tuitionem appellavimus, causas prædictarum nostrarum appellationum approbaverit. Et quicquid in præjudicium ipsarum attemptatum fuerit, **irritum pronuntiabit et inane, nosque,** Clericos nostros & alios nobis adherentes in eodem statu in quo fuimus, fuerunt, & nostræ tempore appellationis interpositæ pronuntiavit fore tuendos, & manutenendos, **hanc autem p[er]nam contra memoratum Episcopum, vos volumus exercere et suos, quamdiu intra** Episcopatum *Winton.* fuerint, & non extra, elapsis **etiam quatuor diebus postquam per vos admoniti fuerint, quod dictum Episcopatum** exeat, nec ipsi ulterius remaneant contra appellationem nostram per dictum officialem approbatam. Teste Rege apud *Westmon.* 11. die *Januarii.*

The day following the King writ thus to the Pope concerning this Appeal.

**D**omino Papæ Rex, salutem. Noverit Sancta Paternitas vestra nos appellasse contra *W. de Radleg* Episcopum in hunc modum. Dicit Dominus Rex, &c. ut infra Rotulam, postmodum vero quia prædicti custodes ipsum Episcopum invenire non poterant in partibus *Winton.* ad prædicta mandata nostra exequenda, Anno &c. xxvij. viij. die *Januar.* lectæ fuerunt prædictæ Literæ in præsentia *W. de Ral.* Episcopi, & in præsentia Abbatum *W. fm.* & de *Tichfeld*, fratris *Walteri* Prioris fratrum Prædicatorum *London.* Magistri *Alex.* Secularis, *Johannis de Gutesden*, & aliorum plurimorum virorum Religiosorum & Laicorum fide dignorum apud *Suwerk*, quibus idem Episcopus secundum subscriptas responsiones respondit, & quibus responsionibus secundum subscriptas replicationes replicavit Dominus Rex sc. Licet Dominus *H. Rex Anglia* nihil petierit ab *W. de Ral.* Episcopo, sed ei cum omni humanitate & humilitate diversos modos obulerit, secundum quos paratus erat facere quicquid deberet, salva appellatione sua, ipse tamen Episcopus responsum dedit minus sufficiens & injustum: *Unde contra primam Responsionem quam fecit id m Episcopus sic dicit. G.* cum Domini Papæ Literas receperit continentes, quod ipsum a Cura Ecclesiæ *Norwicensis* absolutum *Wintoniensi* Ecclesiæ, de fratrum suorum consilio, præfecit in pastorem, omnem postulationis defectum in dicta Ecclesia de eo factæ, de sua potestatis supplevis plenitudine, per quas in virtute obedientiæ ei injungitur, ut *Wintoniensem* Ecclesiam adeat, & in Episcopatu officii sui debitum exequatur, si secundum Regis petitionem super exceptionibus contra suæ Jurisdictionis exercitium, ex parte sua propositis Magistrorum *Parisiensium* examinationem subiret, contra omnem sanctionem Canoniam dubitare videretur, an Apostolico mandato deberet obedire, cum in certis nec discussionibus, nec locus existat conjecturis. *Sic replicat item Dominus Rex* extra judicium, & salva sua appellatione. Quod cum summus Pontifex quantumcumque scribat præcise, legitimas tamen exceptiones contra suum mandatum admittere per Decretalem suam dicat: Et idem Dominus Rex contra Literas Domini Papæ tales exceptiones opposuerit, quas si Dominus Papa audivisset, recepisset, nec in translatione dicti Episcopi taliter processisset, nec Literas quas idem Episcopus sibi a summo Pontifice directas asserit, concessisset, contra omnem sanctionem Canoniam. Et idem Episcopus prædictas exceptiones admittere debuisset, & quousque Dominus Rex de prædictis per summum Pontificem certificatus esset, ab ingressu & administratione *Winton.* Episcopatus, nisi gratia quam sibi factam asserit abuti veller, penitus abstinere: Nec obest supplementum plenitudinis potestatis, nam & ipsum, & omnia quæ in Literis continentur, per subreptionem & falsitatem obtenta fuerunt, sicut in appellatione Domini Regis apparet. Et si principale non tenuit, non valuit quod ex eo vel ob id sequebatur: *Contra secundum, cujus tenor talis est.* Item cum dictæ exceptiones ad Domini factum infirmandum proponantur, & ab earundem effectu, num videatur, quod ab ipso qui jura tuetur injuriandi occasio oriatur. Cum minor in majorem Imperium non habeat, dictis Magistris autoritate Domini Papæ minime requisita, in facto præfato omnis discussionis potestas a jure denegatur, & tam ipsorum præsumptio, quam eorundem examen in Apostolicæ sedis præjudicium eligentium ultioni debet subiacere. *Sic replicat Dominus Rex* extra judicium, & salva appellatione sua. Idem Dominus Rex, quod ad infirmandum, quod factum est per summum Pontificem, ex certa scientia nihil proponit, sed ad subreptionem & falsitatem prædictas detegendas, & ad id quod dictus summus Pontifex circumventus fecit in melius reformandum, quod alias factum fuisse legitur in Decretalibus legibus & Decretis, nec examen Magistrorum *Parisiensium* obtulit ad discussionem aliquam

Pat. 28 H. 3. m.  
10. dorso.



diffinitivam faciendam, set ad causas appellationis suæ videndas, & ut de plano rescriberent, an ipsas frivolas, an probabiles judicarent, sicut in oblatione per ipsum facta plenius continetur: *Contra tertiam etiam cujus tenor talis est.* Item, si absque juris offensa ipsorum eligi posset discussio in præmissis, tamen eorum subjacere sententiæ nec Regni utilitati congruerit, nec Majestati Regiæ conveniret illam, cum in utroque jure in Regno suo existant peritissimi, si alterius regionis examen invocaret, vel de suorum fidelitate diffidere, vel circa præmissa videretur insufficiens ipsorum consilium reputare, **quod celsitudinem Regiam non deceret, quæ secundum legum statuta non solum armis, set etiam legibus esse debet decozata; maxime cum prædecessorum suorum temporibus majores mundi Principes super causis dubiis Regium requirere consilium consueverunt, et jurisperitorum Angl. convocatione formatum in omnibus comprobare.** *Sic replicat idem Dominus Rex* extra judicium, & salva sua appellatione, quod cum de consilio jurisperitorum Regni sui quos tunc habere potuit, appellationem dictam fecerit, & postea Magistros *Oxon.* in jure regentes consuluerit, & alios viros religiosos, certum est quod non diffidit Dominus Rex de consilio suorum jurisperitorum, sed cum ipse Episcopus oblationem sibi factam per Magistrum *Henricum de Secus*, sicut in appellatione sua continet, & quam ratam habuit, & habet, renuerit, ipse incidit in dissidentiam quam eidem Domino Regi imponit; hoc enim facile cognosceret si cum superioribus consilium habuisset. Et quia consilium Magistrorum *Parisiensium* renuit, ut in responsione sua satis innuit, ex hoc novo gravamine ad Apostolicam sedem appellat, & ad tuitionem ad *Cantuar.* electum, & appellationem antiquam innovat, sicut in suis Literis plenius continetur. Addit etiam Dominus Rex; quod oblationem quam fecit de Magistris *Parisiensibus*, ex maxima humilitate & æquitate processit, & ut pertinacia & ambitiosa voluntas ipsius Episcopi luce clarius appareret, quia cum idem Episcopus consilium sive cognitionem jurisperitorum de Regno, sicut dictum est refutavit, credere posset aliquis, quod juste & probabiliter moveretur quasi innueret, **quod nullus de toto Regno auderet dicere contra voluntatem Regiam.** Et ideo obtulit cognitionem plenariam Magistrorum illius Civitatis, quam habet odio super omnes, sicut illam cui inimici sui capitales dominantur, & in ea conversantur, nec tam audacter Dominus Rex hoc obtulisset, nisi jus suum foret apertissimum. Unde cum dictus Episcopus cognitionem plenariam subjectorum & non subjectorum amicorum & inimicorum renuerit, quo spiritu ducatur satis ostendit: *Item contra quartam, cujus tenor talis est.* Item, ad hoc quod Dominus Rex per Literas suas appellationum causas continentes, videtur innuere, quod quasi cui Regno suo fortior existeret procedit, responderet, **Quod per potentiam secularem vel aliam nunquam suis resistere proposuit voluntatibus, sed in hiis quæ Regiæ congruunt dignitati in omnibus affectat obedire,** & siquid in sui præjudicium contra justitiam attemptaverit, corrigere, dum tamen in executione officii autoritate sedis Apostolicæ suis humeris alligati non posset negligens reputari. *Sic replicat idem Dominus Rex* extra judicium, & salva sua appellatione, **Quod facta ipsius Episcopi verbis ipsius, de quo dolet Dominus Rex, aperte contradicunt: Et quæ per ipsum attemptata sunt in præjudicium Domini Regis, et nimium contemptum, licet non in toto, in parte tamen in Literis Domini Regis, quæ ipsi Episcopo heri lectæ fuerunt, in quibus oblatio cognitionis prædictorum Magistrorum continetur late declaratur.** Et si se circa prædicta vellet corrigere, bene faceret, quod etiam quis in propria causa datus sit executor a seculo non est auditum. Idem etiam Episcopus non in minimum contemptum Apostolicæ sedis, quæ quemlibet juste appellantem tuetur, & maxime illum, qui jam ad ipsam iter arripuit, in Magistrum *Henricum de Secus* supradictum consiliarium Domini Regis, & procuratorem in hac causa, post appellationem supradictam, & licentiam quam ab amicis & familia sua *Winton.* receperat, & jam iter arripuerat causa prosequendi hanc causam, sicut audivit Dominus Rex, ex communicationis sententiâ promulgabit de facto, quia de jure non potuit, sed certe quod uni ex minimis suis fecit, &c. Et qui vos tangit, &c. nec mirum, quia pars corporis sui est. Teste Rege apud *Westm.* xij. die *Januar.*

Moreover the King to these his replies to the Bishops cavils, superadded these reasons against his translation and ordination to *Winchester*. Dicit

**D**icit Dominus Rex se non teneri ad recipiendum *W. de Raleg.* Episcopum *Nor-* Pat. 28 H.3.m.  
*wic.* in *Winton.* Pontificem, occasione rescripti Apostolici dicto Domino Regi 11.  
 oblato. *Innocentius* Servus Servorum Dei, &c. In amore virtutum, &c. seu occasi-  
 one postulationis de ipso facto in *Wintoniensem* Ecclesiam, & per summum Pontificem  
 sicut asseritur confirmata, & hoc illa ratione, quia appellatum fuit ex parte ipsius  
 Domini Regis, contra dictam postulationem ad sedem Apostolicam,  
 & procuratores missi qui in causa præfate postulationis coram bonæ memoriæ Domi-  
 no *Gregorio* Nono, multas exceptiones proposuerunt, & in multis aliis processerunt.  
 De qua appellatione seu processu in præfato rescripto nulla fit mentio: Immo hiis  
 omnibus suppressis, innuit ipsum Episcopum amicum fore Regis & ei devotum;  
 Cum ipse Dominus Rex ipsum Episcopum reputet fortissimum  
 inimicum et diu steterit, quod propter rancorem contra ipsam  
 conceptum non comparuerit coram Regia Majestate. Item, Quia  
 Dominus *Innocentius* supradictus in ordinatione & translatione quam de persona præ-  
 fati Episcopi dicit fecisse in *Wintoniensem* Ecclesiam seu confirmatione prædicta, sicut  
 præsumit Dominus Rex, non plene certificatus de facto contra prævile-  
 gia Regia, veris procuratoribus Domini Regis insciis et absenti-  
 bus, et quibusdam etiam ex ipsis per aliquos ex fratribus Apostolicæ  
 sedis licentiatis, cum nulla spes haberetur super creatione summi  
 Pontificis, nec postea revocatis, nec Domino Rege citato, nec  
 aliquo præsentate qui jus Regium defenderet. Item, quibusdam Ca-  
 nonicis *Linc.* qui sicut nunciatum est Regi, pro certo dicebant se procuratores Domi-  
 ni Regis, cum super prædictis nullum mandatum haberent, præsentibus & ipsis &  
 quibusdam aliis asserentibus quod Domino Rege placeret, si dictus Episcopus *Nor-*  
*wicensis* ad Ecclesiam *Wintoniensem* transferretur, & quod credebant pro certo ip-  
 sum Episcopum omnino Domino Regi fore reconciliatum, quod falsum erat. Immo  
 Dominus Rex quam cito scivit Dominum Papam creatum, incontinenti per Nuncios  
 suos Literas misit eidem, significans quod super hoc mitteret ad sedem Apostolicam  
 procuratores suos, & supplicans, ne Dominus Papa ante adventum procuratorum  
 dictorum in aliquo super hoc procederet, ignoranter asseritur processisse. Unde si ita  
 est, immo quia ita est, liquet summum Pontificem in negotio prædictæ ordinationis  
 sive translationis vel confirmationis deceptum fuisse. Et quicquid ex parte dicti Epi-  
 scopi a summo Pontifice in hac parte obtentum est per falsitatem, & subreptionem ob-  
 tentum, maxime cum tempore illo quo summus Pontifex in præmissis finaliter pro-  
 cessisse dicitur, propter famam dictæ reconciliationis, sicut verisimiliter præsumitur,  
 motus præfatus Episcopus esset per *Cantuariensem* Ecclesiam vacante sede, excommu-  
 nicationis vinculo innodatus, secundum quod postea recognovit, Literas a sede Apo-  
 stolica super hoc impetrando, quam excommunicationem summus Pontifex supradicto  
 tempore penitus ignorabat. Et quia talia facta *Romanorum* Pontificum, sicut jura  
 testantur, non prohibentur, immo conceduntur in melius reformari, nec  
 de hiis aliis quam summus Pontifex posset cognoscere super prædictis  
 omnibus et singulis, offert Dominus Rex, se paratum fore stare iudicio summi Pon-  
 tificis, & prohibet præfato Episcopo, ne Episcopatum *Winton.* intret, nec tanquam  
 Episcopus in aliquo per se vel per alium administret in præjudicium  
 juris Regalis, seu Regiæ dignitatis, quousque super præmissis per  
 summum Pontificem fuerit iudicatum, & secunda jussio, si iustum fuerit, ema-  
 naverit. Quod si huic scripturæ oblationi seu prohibitioni acquiescere nolit præ-  
 dictus Episcopus, Dominus Rex, tam contra ipsum, quam contra cohereditores  
 suos si quos habet, ex præmissis causis, & qualibet per se ad hoc sufficiente. Et  
 quia antequam dictum rescriptum Domino Regi præsentasset, & Metropolitanæ &  
 aliis vicinis Ecclesiis publicasset, seu responsum Domini Regis super hoc congruo  
 tempore expectasset, & antequam ab electo *Cantuariens.* per Dominum Regem ad-  
 missio, seu Episcopo *Hereford.* vicem ipsius electi gerente, auctoritatem haberet, se per  
 suas Literas *Winton.* Episcopum nominavit, Et usus est jurisdictione ordinaria subditos  
 Ecclesia *Winton.* vocando ad se & citando, & quædam alia exercendo, non præsentatus  
 legitime Domino Regi, nec per ipsum investitus, contra g. necalem  
 consuetudinem et privilegia Regni Angliæ, in præjudicium Regiæ  
 dignitatis.

**dignitatis.** Et quia transcriptum aliorum rescriptorum super præmissis ad ipsum Episcopum & Clerum & populum *Winton.* obtentorum, in quibus multa falsa suggesta, & vera suppressa, dicto Regi cujus super ipsis deliberare intererat, tradere denegavit. Et quia oblatum fuit sibi per Magistrum *Henricum de Secu,* ex parte Domini Regis appellentem, quod ipse duos probos viros honestos & jurisperitos, quoscunque vellet, & Rex totidem toto Regno eligerent, qui quatuor diligenter viderent causas supradictas: Et si judicarent ipsas rationabiles, & probabiles, idem Episcopus abstineret se ab ingressu Episcopatus & a ministracione ejusdem, quousque Dominus Rex iterum super præmissis certificaretur de voluntate summi Pontificis; si vero ipsas frivolos judicarent, incontinenti Dominus Rex ipsum admitteret in *Wintoniensem* Episcopum, ipse Episcopus hoc admittere renuit, & oblatione prædicta penitus refutata & nulla, nedum petita, sed nec oblata Domino Regi fidelitate debita, in præjudicium Regis et Regiæ dignitatis, administrabit, ad sedem Apostolicam appellat, et personam suam uxorem et filios, et consiliarios, et omnes eidem Domino Regi adhærentes, Episcopatum *Winton.* Capellam et totam terram suam protectioni Domini Papæ supponit, et ad sedem Apostolicam super præmissis omnibus univèrsis et singulis incontinenti mittit Procuratores sufficientes, et ad tuitionem prædictæ appellationis et pertinentium ad eundem, ad electum Cantuariens. appellat, et diriguntur istæ Literæ Priori et Capitulo Sancti *Swithini Winton.* Quibus mandatum est, quod iura Regis & ea quæ prædictam appellationem Regis contingunt, & quæ ad Coronam et dignitatem Regi pertinere dignoscuntur, fideliter et firmiter servent, et in nullo in præjudicium Regis, contra præmissa venire præsumant. Teste Rege apud *Westm.* primo die *Decembris.* Et ex eisdem causis supplicavit & supplicat Dominus Rex contra translationem et confirmationem prædictas, si quæ sunt, et sequentia, ex eisdem venia impetrata.

Eodem modo scribitur Archid. *Surr. & Wint.* & universo Clero & populo *Wint.* Civitatis & Diocæsis.

Pat. 28 H. 3. m.  
8. dorso.

**R**EX Abbatibus, Abbatissis, Prioribus, Priorissis, & aliis Prælatibus, Rectoribus, & Presbyteris Ecclesiarum *Winton.* Episcopatus, salutem. Mittimus ad vos Literas Officialis *B. Cantuar.* electi & Executorum suorum, super tuitione nobis & nostris, & nobis adhærentibus in appellationibus nostris contra *W. de Radleg* Episcopum, concessas: vobis mandantes, quatenus eas benigne audiat & videatis cum vobis fuerint præsentatæ, tenorem earum observantes, nec facientis aliquid contra eas in præjudicium appellationum nostrarum & tuitionis supradictæ. Teste Rege apud *Merleberg.* xxvi. die *Februarii.*

Claus. 28 H. 3.  
m. 13. dorso.

**M**andatum est Majori & Ballivis *Winton.* quod honesto modo et sine violentia amoveri faciant Magistrum *Galsfridum de Fering,* qui se gerit in Civitate *Winton.* et extra, pro Officiali *W. de Radl.* Episcopi, et vice ipsius utitur jurisdictione ordinaria. Teste Rege apud *Clarendon,* ix. die *Martii.*

This Bishop was much vexed, terrified with these Writs and proceedings of the King against him, he and his fellow Bishops, neither by their solicitations nor insufferable menaces to Interdict his Royal Chappel, nor by others intercessions, being able to gain any answer from the King till his Proctors return from *Rome*; whereupon the Bishop absented himself for a time, and soon after fled secretly into *France,* without the Kings license, to avoyd the severer effects of his just indignation, thus published by our Historians.

Mat. Paris Hist.  
Angl. p. 597.  
Mat. Westm.  
Anno 1244. p.  
178, 179.  
Episc. Winton.  
fugit in Franc.

Circa idem tempus, *Lincolniensis, Wygorniensis, Herefordensis* Episcopi, Regem quasi fugientem prosequentes è vestigio, tandem eundem apud *Westmonasterium* inveniunt, eum acriter increpabant de persecutione & tyrannide, quam in eorum fratrem coepiscopum *Wintoniensem* non desinebat diutius exercere. Et dum preces precibus addiderunt, & minas minis adjunxerunt, parati Capellam ejus interdicto supponere, petiit Rex inducias, ut ipsis super hoc præcise responderet, donec nuntii sui, qui transalpi-



transalpinarant, remearent. Sperabat enim indubitanter, quod ipsi corrupta Curia, quicquid mente conceperant, effectui manciparent. Episcopi autem supradicti Regiæ petitioni benigne consenserunt. Sed cum Episcopus Wintoniensis teporem eorum comperisset, x. Calend. Martii, clandestinam fugam arripuit, navem Londini ascendens, partes Gallicanas aditurus. Et per Tamisem navigans, in alta maris instantem se suscipiens, antequam ad Regis notitiam, vel etiam aliquorum suorum familiarium, rumor huiusmodi pervenisset, in portu Sancti Walerici prospere applicuit. Et inde se ad Abbevilam transferens, obvium habuit Regis Francorum nuncium solennem, qui eundem Episcopum ex parte Domini sui Regis cum gaudio & vultu suscepit ferenissimo, in omnibus ei spondens ejusdem Regis consilium & auxilium, cum consolatione & protectione. Præcepitque ex parte Domini sui, ut Major Abbeville promptam haberet totam communiam ipsius Civitatis, ad ejusdem Episcopi defensionem, si forte insequerentur ad nocendum aliqui ex parte Regis Anglorum, ita scilicet, ut si opus expostularer, ad arma convolantes, hostiliter pro Episcopo contra omnes illi adversantes, dimicarent.

Sic igitur exulante Winton. Episcopo, fama Regis Anglorum per omnes partes alpinas non mediocriter denigratur. Dicebant enim Franci, Anglorum semper æmuli, materiam fumentis exinde nequiter obloquendi: Eia, eia, ecce Rex Angliæ contra omnes Regni sui inimicos deses & imbellis, omnes Sanctos Episcopos suos persequitur & proscribit. Nunc beatum Thomam, nuper gloriosum Edmundus Cantuar. Archiepiscopos, & in præsentiarum Episcopum Winton. qui etiam ei ad diligenter ac fideliter servivit, non permittit vel Ecclesiam suam ingredi, vel Regni sui pace gratulari, malens alienigenas & ignotos promovere. Quod cum electo Cantuariensi Bonifacio innotuisset, dolens de Regis Angliæ infamia, ipsum Regem per amicabilem super hoc corripuens Epistolam, admonuit diligenter ipsum Regem, ut memoratum Episcopum revocans, in pristinum amicitiam suscipiens, & familiaritatem, ingredi permitteret in Episcopatum suum, & Episcopale officium suum libere exercere, ac libertatibus suis, & possessionibus temporalibus gratulari, ne ipsi Regi, & Regno deterius eveniret. Episcopo Wintoniensi consolatoria, & Regi comminatoria verba amicabilem scriptis in hunc modum.

Mat. Westm.  
Flores Hist. Ang.  
1244. p. 179.  
Mat. Paris Hist.  
Angl. p. 598.

**B**ONIFACIUS Dei gratia Cantuariensis electus immeritus, Venerabili in Christo Patri Willielmo, Dei gratia Wintoniensi Episcopo, salutem in Domino. Quoniam nobis, & officio nobis injuncto, vos devotus per Literas vestras obtulistis, devotioni vestre congratulamur in Christo. Sicut etiam per Magistrum W. Clericum vestrum, quodam a nobis duxeritis requirenda, sciatis nos petitionibus vestris, quantum cum Deo, et sine iuris offensione potuimus, admisisse, sicut a dicto W. plenius audietis. Scituri, quod nisi ante adventum nostrum in Angliam, inter vos & Dominum Regem pax reformata fuisset, nos ad illam viriliter intendentes, graviora experiemur, ut res finem convenienter sortiatur. Et quia sigillum proprium non habemus, sigillo Bellicensis Capituli nimirum in presenti. Valete.

Mat. Paris Hist.  
Angl. p. 598.  
Litera Bonifacii  
Cantuariensis E-  
lecti ad Episco-  
pum Winton.

**I**tem idem Regi sic: Literas quorundam Suffraganeorum Cantuariensis Ecclesie nuper recepimus, nobis devote supplicantium pro pace, inter vos & Venerabilem Patrem ad Wintoniensem Ecclesiam postulatum, cuius postulationem ab Apostolica sede admissam, asserunt reformandam. Nos igitur desiderantes Regni tranquillitatem, & Ecclesiastica pacis stabilitatem, & attendentes ipsam in hac parte periclitari, dictorum Patrum petitioni, qua tam Ecclesie quam Regi utilitatem continere dignoscitur, sicut concedet, inclinantes, Celsitudini vestra cum devotione supplicamus, quatenus memoratum Patrem ad gratiam vestram, more boni Principis, & Dominum timentis, dignemini revocare. Et quia sigillum proprium, &c. ut prius. Scripsit etiam idem electus Episcopo Herefordensi P. ut idem vigilanter & efficaciter versus Regem, eundem persuadendo, deprecando, comminando, negotio Domini Wintoniensi intenderet.

Ejusdem Literarum ad Regem Angliæ.

But yet this Archbishops Letters and others Intercessions would not pacifie the Kings indignation, nor yet the Popes Letters, who took an extraordinary Bribe to procure his peace, as our Historians thus relate.

\* Mat. Par. Hist.  
Angl. p. 614,  
615. Matthew  
Westm. p. 178,  
179. Papa dili-  
gentia in recon-  
ciliando Episc.  
Winton.

\* Cum vero talibus fluctibus mundus insurgeret, & Syrium talibus procellis concussisset, non cessavit etiam Angliam anxius exagitare. Rex etenim, licet crebras & efficaces petitiones & admonitiones a Domino Papa pro Episcopo Wintoniensi, adhuc

adhuc in *Francia* partibus exulante, suscepisset, fretus tamen conciliis clericorum aulicorum, suis tantum emolumentis inhiantium, graves movet contra Episcopum questiones. Scripsit cito post Dominus Papa, ipsi Regi efficacissime, ut ipso Episcopo in amicitiam revocato, sinum panderet misericordiz, & pro promotione & pace Episcopi, cui Episcopus, ut dicitur, *ne de ingratitude possit redargui, octo millia marcarum numeraverat, & Dominus Papa, ne de contemptu haberet corpe, nec unum denarium eiecit.* Ac pro ipso, cum charitatis intuitu, tum respectu tantæ pecuniæ numeratæ, diligentissime scripsit Domino Regi *Anglia* in hæc verba.

Litteræ Papales  
ad Regem Ang.  
pro Episc. Wint.

**I**NNOCENTIUS Episcopus, &c. Charissimo in Christo filio Regi *Anglia*, salutem & Apostolicam benedictionem. Postquam Dei benignitas humilitatem nostram ad Apostolicam vocavit officium dignitatis, illam concepimus de tua serenitate fiduciam, quod in his quæ sunt ad honorem Ecclesiæ, se promptam habere & vigilem exhibere. Provenit ex hoc, quod cum venerabilem fratrem nostrum quondam *Normicensem, Vintoniensem* Ecclesiæ de fratrurn nostrorum consilio concessimus in pastorem, preces tibi direxerimus speciales, ut eidem pro divina & nostra reverentia te redderes affectu benevolum, & effectu serenum, ac si quæ castra, & maneria ipsius Ecclesiæ, prompta benigne ei faceres assignari. Tu vero, sicut mirantes audivimus & dolemus, nedum preces huiusmodi voluisti deducere ad effectum, imo quod est gravius, in verba, nihil debita modestiæ vel reverentiæ filialis habentia, prorupisti, quod nulla postulatio in Regno *Angliæ*, per sedem Apostolicam admitti possit vel debeat te invito, et quod illam quam nos in spiritualibus, tu in temporalibus habeas potestatem: nec quis postulatus possit absque tuo consensu possessionem temporalium obtinere. Adiecasti præterea, quod translationem ipsius Episcopi reputares invalidam, tanquam a nobis per vitium surreptionis obtentam. Hæc siquidem fili charissime, non Dei, non Ecclesiæ, non tuæ resonant sublimitatis honorem, non sapiunt iustitiam, non redolent æquitatem, præsertim cum teneat\* omnium credulitas pia fidelium, quod Apostolicæ sedis auctoritas liberam habeat in Ecclesiis universis potestatem a Dei providentia: nec arbitrio Principum ipsa stare cogitur, ut eorum in electionum vel postulationum negotiis requiratur assensum. In quibus tamen Dominum habendo præ oculis, sic provide procedit & caute, quod per illam nullius possit honori detrahi, vel iustitiæ derogari. Sicut etiam in translatione ipsius Episcopi dignoscitur processisse, in quo promovit hominem scientia, moribus, & honestate perspicuum, ac in spiritualibus & temporalibus circumspectum, olim tibi charum & amabilem, ac semper tuis beneplacitis secundum Dominum totis viribus intendere cupientem, per cuius industriam probatam, in plurimis honoris & commodi proficere poteris incrementis. Sed tamen non suggerat astutia susurronum, a quibus parare dispendia virtuosus, pro indifferenti ducitur, dummodo sua specialia commoda vel privata desideria consequantur. Tuam itaque celsitudinem affectione qua possumus exhortamur, & obsecramus in Domino Jesu Christo, quatenus ab impia suggestione talium Regiæ pietatis avertens auditum, Ecclesiam Dei continuo prosequaris honore, & indulgæ sibi desuper libertatis privilegium, conservare studeas illibatum. Nunc & in posterum tui Regni Prælatos, ea quæ in spiritualibus seu temporalibus spectant ad ipsorum Ecclesias, libere consequi & pacifice possidere permittas. Cæterum, solerti considerans meditatione, quod in Apostolici prosecutione officii, divini nominis deservimur honori, quæ de præfato Episcopo cum solenni deliberatione fecimus, non ad animum revoces, non aliquo impedimento perturbes. Sed quicordi nostro statuiamus, ut te specialem inter alios terræ Principes habeamus, in ipso impertiri procurans honorem, sibi castra & maneria, cum fructibus inde perceptis a tempore translationis huiusmodi, omni postposita difficultate, resignes, ac benevola benignitate concedas, quod sollicitudinem ei creditam possit cum effectu prosequi, tua favente gratia speciali. Alias autem, cum libertatem Ecclesiasticam in diebus nostris velimus non minui, sed Deo propitio augeri cupiamus, nullatenus sustinere poterimus, quod non in ipso Episcopo

\* A Papal Legend.

piscopo tam præjudiciale in iuriam patiamur. Datum Laterani, tertio Calend. Martii, Pontificatus nostri anno primo.

Simili modo scripsit Dominus Papa *Anglorum* Regine Epistolam elegantem, pro Episcopi *Wintoniensis* negotio, in cujus Epistolæ titulo, asserit Papa ipsam Reginam sibi esse, (sed nescitur qua ratione) consanguineam, nisi forte ut haberet eam suis negotiis prouorem, & petitionibus favorabiliorem. Ipsum igitur verbis elegantissimis petit & exhortatur, (sciens quia *mulier*, quasi *molliens herum* dicitur) ut ipsa Regis viri sui in hoc rigore & rancore, quem concepit erga Episcopum *Wintoniensem*, studeat emollire.

Scripsit idem Dominus Papa electo *Cantuariensi*, *Wigornensi* & *Herefordensi* Episcopis, ut ipsi dicto negotio diligenter intenderent, annexens in fine Epistolæ, ut nomina suffraganorum, animum Regis pervertentium, sibi in literis suis rescriptis mitterent annotata.

Upon receipt of these Letters, the King sent certaine Articles to the Bishop of Winchester to subscribe, without which subscription he would not receive him to his favour: To which the Bishop returned this Letter and Answer.

**E**XCELLENTISSIMO, &c. Cum vestris beneplacitis quantum cum Deo poterimus totis viribus intendere cupiamus, fratrem Hugonem de sancto Heudorio, à vestra serenitate ad nos destinatum, cum omni qua decuit suscepimus reverentia. Deinde ex parte vestra expositis nobis articulis ab eodem, ad singulos respondimus, Juris & aequitatis sectantes, ut credimus, rationes, prout dictus frater Hugo vestra Majestati suis literis plenius, ut ab eo accepimus, intimabit. Affectantes toto mentis desiderio, ut super eisdem articulis, quantum secundum Dominum poterimus, vestram voluntatem adimplere, pietati vestra devotissime supplicamus, quatenus Ecclesia *Wintoniensis* compatiens angustias, ob Apostolica sedis reverentiam, ad gratiam vestram nos admittere velitis pariter & favorem, & indignationem, divini nominis obtentu misericorditer remittere, quam ad quorundam forsitan suggestionem, contra nos vestra concepit Regia celsitudo.

Et quia de articulis, super quibus convenit Dominus Rex Episcopum *Wintoniensem*, mentio facta est, videndum est quibus & qualiter responderit Episcopus. In primis, quod cum ex tenore privilegiorum Domini Regis, et tam jure quam consuetudine Regni sui obtentum sit ab antiquo, quod electi et postulati post electionem et postulationem celebratam, per electores et postulatores, ipsi Domino Regi debeant presentari, et post confirmationem, ante administrationem in spiritualibus vel temporalibus faciendam, ei juramentum fidelitatis præstare, quæ in persona ipsius Episcopi sunt ommissa, apud Dominum Papam studeat procurare, quod non obstante præmissa, de cætero in similibus casibus, privilegia ipsa, jus et consuetudo permaneant in suo robore firmitatis, et ab ipso specialiter confirmantur. Secundario, quod idem Episcopus relaxet sententiam interdicti, in civitatem *Wintoniensem* promulgatam. Tercio, quod ad cautelam absolvat omnes Clericos, et laicos, et alios, et præcipue *Wintonienses*, quos ratione controversiæ inter Dominum Regem et Episcopum, erroris excommunicationis sententia innodavit. Quarto, quod Priorem *Wintoniensem* quem Dominus Rex ibidem constituit non amoveat, sed ex sua gratia stare permittat. Quinto, quod omnia beneficia Ecclesiastica, ad suam donationem spectantia a Domino Rege post motam controversiam, inter eos in eodem Episcopatu vel alio collata, ratificet, & possessores pacifica gaudere possessione permittat. Sexto, quod contra magistrum *Henricum de Senfa*, nec quosquam alios clericos vel monachos memoratos, occasione hujus controversiæ nullam instituat actionem: imo omnem indignationem, offensam, injuriam, & rancorem remittat. Septimo, quod si quod jus vel actio sibi competit super exitibus Episcopatus *Wintoniensis*, pro tempore retroacto, ea penitus ob honorem Regium, Domino Regi ex sua liberalitate remittat. Octavo, quod idem Episcopus a Papa procuret, quod omnibus Clericis Domini Regis, quorum nomina sibi ad mandatum suum per Episco-

Mat. Paris. p. 615. 4. 6.  
Mat. West. An. 1144 p. 181, 182.

Mat. Paris. Ibid.  
Literæ Epif.  
Wint. ad Regem Angliæ.



pos *Wigorniensem* & *Herefordensem*, & Archidiaconum *Canthuariensem*, sunt transmissa, omnem indignationem remittat, & eos admittat in gratiam plenior, ita quod quantum ad famam, & beneficia & status conditionem, conserventur illati.

Responsum E-  
piscopi Wintoni-  
ensis.

Ad primum articulum Domini Regis respondet Episcopus *Wintoniensis*, Quod cum postulatorem sui, facta postulatione de Domini Regis licentia, ipsum secundum Regni consuetudinem eodem Domino Regi presentasset, et postmodum dicta postulatione per Dominum Papam admissa et confirmata, idem Episcopus literas Domini Papae super hoc eidem Domino Regi directas, tam per fratres praedicatores, quam minores Clericos, & milites, ei porrigi procurasset, qui ex mandato ipsius devote Domino Regi supplicarunt, ut de ipsius licentia se ejusdem conspectui posset presentare: facturus eidem quod regni sui consuetudo postulat et requirit. Nec hoc post magnam inianiam obtinere potuissent, ex parte illius Episcopi nihil omisum poterit reputari, cum per ipsum non steterit quin omnia in dicto articulo Domini Regis contenta & postulata, essent adimpleta. Ad secundum & tertium respondit ita: Quod cum Domini Regis gratiam fuerit assequutus, quam tota mente desiderat, & sui Episcopatus possessionem pacificam obtinuerit, **Interdicti et excommunicationis sententias in forma juris benigne relaxabit**, ad quod pactiois vinculo, secundum Dominum & iustitiam astringere se non potest. Omnem tamen gratiam, quam secundum Dominum poterit excommunicatis, obtentu Regiae petitionis intendit impartiri. Ad quatuor autem articulos sequentes respondit: Quod cum res tangerent spirituales, & spiritualibus annexas, quae conditionis seu pactiois formam non admittunt, in forma a Domino Rege petita **dictos non potest articulos adimplere**. Veruntamen cum Domino suo Regi reconciliatus fuerit, & suam gratiam, & Episcopatus possessionem pacificam obtinuerit, de dicti Domini Regis & suorum fidelium consilio, cum tanta benignitate procedet, quod in praemissis quantum secundum Dominum poterit, se favorem exhibebit. Ad articulum vero super exitibus Episcopatus, respondit: Quod cum favorem Regis assequutus, Episcopatus possessionem habuerit, & ei de eorundem exituum estimatione confiterit, **Domini Regis ita voluntati obtemperabit**, ut in hoc ab eo merito debeat commendari.

Mat. Paris Hist.  
Angl. p. 617.  
Mat. Westm.  
p. 181.  
Fraus Magistri  
Henr. de Sufa.

Ex ipso igitur tempore, Dominus Rex petitionibus Domini Papae, & aliorum Magnatum precibus emollitus, mitius agebat Rex cum Episcopo *Wintonensi*, tum propter Domini Papae diligentem supplicationem, tum propter Episcopi humiliationem & modestam responsum. Pace igitur pro foribus apparente: Quod audiens Magister *Henricus de Sufa*, Regis Clericus, fomes & procurator discordiae memoratae, qui in Curia Romana contra Episcopum *Winton.* steterat Regis procurator, cui Rex contulerat opimum beneficium, videlicet custodiam hospitalis *Sanctae Crucis* extra Civitatem *Wintoniensem*, coepit cogitare & dicere intra se, propria laesus conscientia: Quod si pax inter dictas partes plenius ac planius reformaretur, inter amicos Regis Episcopus praecipuus haberetur, nullique secundus in consiliis Regiis, utpote discretus & circumspectus sublimaretur: ipsumque eundem *Henricum*, & merito, usque ad confusionem persequeretur. Rex quoque ea facilitate eum sperneret, qua sequutus est. Considerans igitur haec omnia, de pecunia, quam de Rege non minimam, ad deiciendum Episcopum *Wintoniensem*, acceperat, in partes suae nationis subito & clam divertens, asportavitque secum totam dictam pecuniam, & per eam adquisivit sibi, (utinam non comparavit) unum Episcopatum, ipsius proventum rei non officium desiderans. Et nuncius, corvo factus consimilis, Dominum suum *Non* defraudanti, nuncium cum onere negotii, quod humeris suis susceperat bajulandum, nequiter reliquit imperfectum. Nec apparuit postea in Regno *Angliae*, bonis Regni plenius saginatus.

Anno 1244.  
Mat. Paris Hist.  
Angl. p. 619.  
Episcopus Wintoniensis revocatur & reconciliatur Regi Angl. x.

Not long after, Dominus Rex saniori usus consilio, Dominum Episcopum *Wintoniensem* amabiliter a partibus revocavit transmarinis, gratiam suam & ablatores reinstitutionem, ad instantiam Domini Papae, & aliorum Magnatum, pro ipso praecordialiter petentium, pollicendo. Unde Episcopus in spem erectus meliorem, salutato Rege *Francorum*, & reddita eidem gratiarum actione, de sibi impensis ab eo beneficiis, & eo quod ipsum exulantem, in Regno suo receptaverat, & protexerat repatrians, Nonas Aprilis apud *Doveram* prospere applicuit. De cujus adventu omnes *Angli*, praeter

præter illos Clericos Regis, aulicos, discordiæ seminatores, quos propria conscientia sauciebat, gratulabantur, dicentes: *Benedictus qui venit in nomine Domini*. Sperabatur enim indubitanter, quod prudentia sua & sensu, quo abundavit & præpollebat, tam Regem quam Regnum, nec non & Episcopatum suum, in statum optimum solidando promoveret. Qui Regis se præsentia gratulanter præsentans, hilari vultu & placabili est admissus, ac si semper fuisset ab ejusdem Regis offensa alienus. Quorum de die in diem ex insolito amor cumulatur & congratulatio, sicut scriptum est:

*Post inimicitias clarior exstat amor, &c.*

Circa eadem tempora, Episcopus *Wintoniensis*, valedicens Regi *Francorum*, & eis, qui eidem exulanti sinum aperuerant misericordiæ, & gratias referens, securus de gratia Regis *Angliæ*, versus partes *Wintonia* ut Ecclesiæ suæ desolatæ pastoralis sollicitudine consulendo disponderet, & deformata reformaret, iter maturavit. Quod audiens Prior *Wintoniensis*, licet sero, faciens de necessitate virtutem, se Episcopo suo adventanti humiliavit. Similiter & alii, tam sæculares, quam Monachi, qui pacis fuerant perturbatores, & discordiæ seminatores, confisi nimis in Regis protectione, ad Dominum & Episcopum suum satisfaciennes sunt conversi. Et cito post, videlicet die decollationis beati *Johannis Baptista*, relaxata est sententia Interdicti latti ad Episcopum in Ecclesiam et Civitatem *Wintoniensem*, cui subiacuerant, sub forma iuris liberaliter absoluti. Memoratus autem Prior *J. de Caux*, similiter sub eadem forma cum suis complicitibus est absolutus, depositus tamen, & alii cum eo, quos idem Prior temere instituerat, obedientiarum, & ministri sæculares. Major autem Civitatis, qui magis offenderat, majori poenæ subjacuit satisfaciendo.

The payment of the monies which this Bishop gave to the Pope and others to purchase his peace with the King, and the charges of his troublesome suits stuck so close to him, that although he lived very privately all his life, retiring himself to *Turin*, yet he was never able to recover himself out of debt, having been held out of his See near five years space by the King, who kept the profits of it in his hands. The whole series of this History, (which I have conjoyned though acted in several years) most eminently displays the Kings Ecclesiastical Regal Prerogative, and constant resolution to regain, maintain, and support it, against this Prelates and the Popes Usurpations, and his severe proceedings against the Bishop, till he submitted to, and complied with his Proposals, notwithstanding all menaces and mediations from at home or abroad.

Soon after the beginning of this unhappy controversie between the King and Bishop of *Winton*, there fell out another costly difference between the Bishop of *Lincoln*, and the Abbot of *Westminster*, about an impropriation, discovering the covetousnesse of Prelates and Clergymen in that age.

Circa illud tempus, discordia mota inter Dominum *Robertum Lincolnensem* Episcopum, & Dominum *Richardum* Abbatem *Westmonasteriensem*, nimis sumptuosa & utrique partium damnosa, diatim recens suscepit incrementum. Nitebatur enim summopere Episcopus, infirmitatis ipsius Abbatis sufficientibus privilegiis, super Ecclesia de *Heswelle* in proprios usus redigenda, ipsam Ecclesiam occupare violenter, & nacta exili occasione Monachis ablatam, alii conferre, scilicet Domino *Nicholao*, quem idem Episcopus satis inhumane beneficiis suis privaverat. Sed Abbas tamen jure, quam privilegiis suis suffultus, restitit ei in faciem viriliter.

About the same time there also happened a hot contest between the King and *Robert Grossthead*, Bishop of *Lincoln*, (a contentious cholerick Prelate) concerning the Church of *Thame*, conferred on *John Mansel* by the Popes Provision, which the Bishop had formerly bestowed on another Clerk, who stoutly opposed the Popes Provision; thus related.

Ipsis quoque diebus, orta est gravis discordia inter Dominum Regem, & Episcopum *Lincolnensem*, eo quod quidam Regis Clericus, prudens & fidelis, *Johannes* nomine, cognomento *Mansel*, in possessione Ecclesiæ de *Thame* Regis favore & auxilio missus est, ratione Provisionis a Domino Papa impetratæ. Quam Ecclesiam Dominus Episcopus cuidam Clerico, videlicet Magistro *Simoni de Londino*, Penitentiario Episcopi *Dunelmensis*, præcontulerat vacantem. Unde Episcopus *Lincolnensis* commotus, Dominum Regem per *Huntund*, & *Legr*, Archidiaconos diligenter admonuit in *Wallia* adhuc commorantem, ut Deo gratus, de sibi tam inopinata victoria, tam enormem excessum corrigere festinaret, ne forè Dominus iratus risum verteret

Mat. Paris Hist. Angl. p. Reconciliatur Ecclesia *Wintoniensis* suo Episcopo.

\* Godwins Catalogue of Bishops, p. 175.

Anno Dom. 1241. Mat. Paris Hist. Angl. p. 552. Discordia inter Episc. *Lincoln* & Abbatem *Westmonaster*.

Mat. Paris, Ib. Discordia inter Regem & Episcopum *Lincoln*.

verteret in maiorem. Quibus Rex: securus respondeo, *Quia appellatum est. Nec debet quicquam pendente appellatione innovari. Nec quicquam attemptari nisi Jurisperitorum consilio, & Apostolica fultus auctoritate.* Cui unus Archidiaconorum respondit: **Domine Rex, Dominus noster Episcopus Lincolnienſis privilegium habet ab Apostolica ſede conſeſſum, quo uſus eſt, quod nulli per Apoſtolicum mandatum teneatur prohibere, niſi fiat illius privilegii mentio ſpecialis. Sed in huius Papaliſ mandati tenore, quo utitur prædictus Johannes, ratione cujus ſe in dictam Eccleſiam, veſtro conſuſo adjutorio, violenter intruſit, nulla ſit dicti mentio privilegii. Quapropter non tenetur Episcopus Lincolnienſis ipſi in hoc cauſa reſpondere, præſertim de collatione Eccleſiæ de Thame, quam vacantem alii riſe præcontulerat. Et eſſo, quod nullum tale habuiſſet privilegium, abſurdum eſt, ut aliquis ſe ingerat in poſſeſſionem alicuius Eccleſiæ in conſulto Episcopo Dioceſano, nedum inſiſto, licet Papali� conſuſus authoritati, cum omnia veſt Dominus Papa fieri ordinate.** (So little did they value the Popes illegal Proviſions of this kind.) *Et quid opus diſcordiæ vel injuriæ jam ſic attemptata? Pro meritis ipſius Johannis præcellens, circumſpecti & competenter literati, ad petitionem veſtram & ſuam inclinabunt de ſacili Dominus noster Lincolnienſis, ut provideatur eidem in tanto, vel uberiori beneficio, & erit collatio utrobique licita & honeſta. Et ne ſecus fiat, humiliter & devote poſtulat Dominus noster Episcopus, qui præparatus eſt in omnes ſuæ Eccleſiæ dignitatis læſores et invalores, anathematis ſententiæ ſulminare.* Quod cum audiſſet tam dictus Johannes, quam Rex & ejus conſiliarii, ait Johannes: *Domine mi Rex, abſit ut per me inter tam nobiles perſonas diſcordia, vel aliqua perturbatio oriatur. Cedo patienter. Satis mihi Dominus ad beneplacitum ſuum, vita veſtra commiſſe, providebit. Sed cum Rex dilationem accepiſſet, diſpoſitis diſponendis in Wallia, & reſſiſſis ibidem Walleranno Theutonico, & aliis præſentibus, & potentibus viris, ut Caſtris adificatis, infirmiora terra roborantes, armis & militia communirent, venit Londinum lætitudinis. Venit & illuc dictus Episcopus, paratus inferre ſententiæ in ipſum Johannem ſpecialiter, & omnes ſuæ Eccleſiæ, & libertatis perturbatores. Quod cum dicto Johanni innotuiſſet, venit ad Regem humiliter, & ait: Domine mi, ecce ad manum Lincolnienſis Episcopus vehementer perturbatus, ne occasione mei amplius diſſidium oriatur, vel ſcandalum ventiletur, reſigno Eccleſiam illam litigioſam. Quod cum Rex audiſſet, timens ne juxta verbum Episcopi, aliquando ſecus quam deceret impetuoſi, quem ad hoc in procinctu vidit præparatum, ſubiret exilium, Episcopatu ſuo Interdicto, rigorem quem conceperat, mitigavit, nec dedit amplius Johanni cornuæ quem vidit renuentem. Quapropter meruit idem Johannes uberiori beneficio, ſcilicet Eccleſiæ de Mayneſtan, Rege largiente protinus inveſſiri, & eodem anno, Eccleſiæ de Hovedene uberrima poſſeſſione ampliari. Episcopus igitur mitigatus, Rege poſtulante, in publico prædicans, niſi in cujus peſtore recondita ſunt claves ſcienciæ, hanc utriusque humilitat miſ ſatis eleganter commendavit, faciens inter cætera comparationem radiorum ſolarium, qui ſunt reſſiſſimi ad Regalem & regularem juſtitiam. Videns autem Rex Episcopi mentem jam bene pacatam & pacificatam, controverſiam nimis damnoſam & inhoneſtam, motam inter ipſum Episcopum & Abbatem Weſtmonaſterienſem, pro Eccleſiæ de Heſwelle, cupiens ſedare, non permiſit Episcopum recedere, donec omnia procurante prudenter id Abbate, ſæliciter pacificarentur. Ceſſit igitur Eccleſiæ illa de Heſwelle in poſſeſſionem Weſtmonaſterienſis, reſervata præſentatione vicaria ipſi Episcopo. In quo factò magnum ſuſcepit Eccleſiæ Weſtmonaſterii utilitatis & honoris incrementum. Auxerat igitur abſque illo non minimo commodo, Abbas ille Richardus Abbatiam ſuam redditibus trecentarum Marcarum annuarum, ſtrenuitate ſua in perpetuum adquiſiſis.*

But the greateſt and longeſt-laſting controverſie, between the Biſhop and his Chapter, wherein the King had an intereſt, (\*formerly touched) ſtill remained undecided, thus deſcribed by *Matthew Paris*.

Mat. Paris Hiſt. Angl. p. 553. Diſcordiæ inter Episc. Lincoln. & ejus Capitulum.

Remanſit autem adhuc controverſia damnoſiſſima & indecentiſſima inter ipſum Episcopum *Lincolnienſem*, & ejus Capitulum *Lincolnienſe*. Unde aliqui Canonico- rum ibidem præſentes, ſcilicet *Londini*, ab Episcopo adeo fatigati ſunt & damniſicati, quod coacti ſunt unam chartam monſtrare, & tenorem ejus in communi dilucidare, ut Eccleſiæ *Lincolnienſis* neceſſe habeat jugum ſubire novæ ſervitutis hac occasione.

Cum



Cum ante conquestum *Anglia* fuisset sedes Episcopatus, qui nunc *Lincolniæ*, apud *Dorcestriam*, & meritis Episcopi tunc præfidentis exigentibus, & locus a Domino Papa anathematizaretur, & Episcopus deponeretur, (for \* *Simony*) vix remanserunt tantæ rei post multos annos vestigia, & sic desuit tam sedes quam cura Episcopalis tempore diuturno. Tempore igitur *Will. Rufi* Regis *Angliæ*, filii *Will. primi*, destructæ fuerunt multæ Ecclesiæ in *Nova Foresta*, ipso sic jubente. Sed tandem penitentia ductus, consilium salubre concepit, in reconciliatione illius peccati, jam dictum Episcopatum nobilem restaurare et ampliare, et locum in melius commutare. Empta igitur quadam terra, vel commutata a quodam nobili, *M. de Gaunt*, qui cum Patre suo venerat in *Angliam* ad conquestum, & illam acceperat in sorte retributionis post victoriam, fundavit dictus Rex *Willielmus* secundus Ecclesiam, quæ nunc est *Lincolniæ*. Quæ perfectâ, vocavit duos Cardinales Legatos, qui accepta potestatis plenitudine super ordinatione Episcopatus & Ecclesiæ illius a Domino Papa affuerunt. Et convocatis octo Archiepiscopis, & sexdecim Episcopis, ordinari fecit solenniter nimis ipsam Ecclesiam, & statui ejus Canonicos, scilicet sæculares, & eorum redditus & portiones distinguere & assignari, ut sub Episcopo & Decano ordinate & honorifice sub certa disciplina in perpetuum deservirent, & permaneret ordinatio talis ac tanta, tot Sanctorum Patrum autoritate, Apostolica quoque pagina communica in perpetuum inviolabiliter duratura. Tunc autem ordinatio talis, Quod Episcopo ordinato, & Canonicis in suis possessionibus constitutis, ex tunc ordinate & discipline Deo & ejusdem sacratissimæ matri nocte q̃, di. q̃, deservirent. Quorum Canonicoꝝ si quis a iurante disciplina d̃viaret, & cor̃eptus non corrigeretur, per Decanum visitatus puniretur, nihil prius Capitulum pertimens & increpationem in ipso factam. Si autem nec sic se corrigeret, privaretur per annum suo beneficio, vel per biennium, secundum quantitatem delicti. Quod si adhuc rebellis fuerit, advocaretur Episcopus in adiutorium, ad coercendum induratum. Quod si adhuc obstinatus incorrigibiliter recalcitraret, \* ipse Rex privatum ab omni beneficio pœna gravioꝝ puniat. Et cum omnibus talis ordinatio complacuisse, in scriptum redacta est, et Apostolica autoritate roborata, et inscripserunt. Et dedicata Ecclesia, omnes qui præfentes erant solenniter excommunicarunt omnes hujus ordinationis perturbatores. Unde Canonici dicunt, quod ex quo Decanus nec est negligens, vel nescius, vel impotens visitandi delinquentes, & excessus corrigendi, injuste & impudenter se ingerit Episcopus ut visitationes exigat, nec videtur penitus illæsus a mucrone sententiæ tam solenniter lata a tot sanctorum multitudine. His auditis, Rex partem se vendicabit habere in hujus causæ negotio: unde pars Episcopi & Capituli in magna parte infirmata est. Nec potuit propter talis repaguli impedimentum res optatum finem pacis componendæ fortiri, sed dilationis cepit sumptuosam expectationem.

Regratio Ecclesiæ & Episcopatus *Lincolniensis*.

\* See *Mar. Paris Hist. Angl.* p. 11, 15. *Godwin's Catalogue of Bishops*, p. 230, 231.

\* As Supreme Ordinary:

During this controversy between this Bishop and his Dean and Chapter, there arose a new hot angry contest between the Bishop and Monks of *Canterbury*, about Jurisdiction and Visitation, wherein they excommunicated one the other, and yet slighted these their mutual Anathemas, as ridiculous Nullities; thus transmitted to posterity.

Profluentibus eorundem dierum decursibus, Rege adhuc in transmarinis commorante, orta est gravis contentio inter Conventum *Cantuariensem*, & Episcopum *Lincolniensem*, hoc modo. Quidam Clericus exegit importune nimis ab Abbate de *Bordencia*, quoddam debitum, de debitis antecessoris ejusdem Abbatis. Cumque oriretur super hoc controversia, Archidiaconus *Lincolniensis* desiderans quandam Pontificalem dicti Abbatis & ejus Conventus, qua diu quiete gavisi sunt, dignitatem enervare, ait Clerico memorato dictum debitum exigenti: Conquerere mihi graviter & solemniter in hac tibi illata injuria, & ego edomans ipsos Monachos indomitos adversarios tuos, omne tibi debitum restituiam, violenter ab eis, si sic oporteat, extorquendo: (*good Archdeacon Justice.*) Ipse igitur, juxta cavillatoris consilium, gravem de Abbate & Monachis reposuit in propatulo coram Archidiacono super hoc querimoniam. Citavit igitur Archidiaconus Abbatem, ut coram eo compareret, etiam in sua libertate, responsurus, & super hoc juri pariturus. Quod cum videret Abbas hoc esse juri Ecclesiæ suæ & consuetudini contrarium, contradixit appellando. Archidiaconus igitur repulsum jure se videas, citavit Abbatem, ut alibi compareret: Abbas autem noluit, innitens priori Appellationi suæ. Sciebat enim ipsum insidiari ei, & nihil aliud querere, nisi suæ libertatis perturbationem & infirmationem, tali

Anno 1243. *Mar. Paris Hist. Angl.* p. 581, 582. *Matthew Westm.* p. 174. Dissensio inter Conventum *Cantuariensem* & Episcopum *Lincolniensem*.

nacta

\* A contentious  
choleric Bi-  
shop.

nacta occasione, pluribus edoctus argumentis præteritis, & nunc certior inchoatis. Noverat etiam experimento evidenti, quod si hæc causa usque ad Episcopum ascenderet (quod Archidiaconus versute quærebat) foret illi Episcopus favorabilis in subversionem libertatis Monachorum, qui habebatur Religiosorum persecutor generalis, præcipue tamen quibus potuit adversari privilegiatorum. Archidiaconus igitur, quærens discordiæ seminarium ventilandæ, super hoc conquestus est Episcopo, nodum in scirpo perferutando. Citavit igitur Episcopus Abbatem, ut multiplicibus his excessibus responderet. Abbas igitur, immobiliter innisus Priori suæ appellationi, noluit huic citationi obedire, sciens ipsum ad iram præcipitem, & Archidiacono suo in hac causa nimis favorabilem. \* Stomachatus igitur, & ira plusquam deceret intumescens Episcopus, statim quasi contumacem, dictum Abbatem **excommunicavit**. Quod Abbas patienter sustinens, humiliter sententiam servavit, ne in posterum de contemptu puniretur. Post hæc, non multis diebus elapsis, misit Episcopus visitatores ad *Bardenay*, personas videlicet sæculares, potius paratos in Monachos protervire, quam excessus, si quos invenirent, corrigere: Noluerunt igitur ipsos admittere, tum quia ex parte Episcopi venerunt adversari, & adversario manifesto destinati, tum quia missi sæculares ordinis Monastici ignari penitus exitere, tum quia Abbas eorum, qui erat ipsorum pastor & capitaneus, per quem deberet eorum consilium solidari, sententiæ vinculo per ipsum Episcopum fuerat innodatus. Ipsos igitur visitatores protervius instantes, & jam objurgantes, & violentam manuum impositionem sese exponendo provocantes, repulerunt ipsi janitores, & extra portam repulso excluderunt, dicentes: Petimus humiliter, ut citius recedatis, antequam irruant in vos, nobis etiam invitis, multi ad hoc ardentem animati, quorum impetus non poterimus refrænare. Ipsi autem comminantes recesserunt, & super his Episcopo conquesti, de magnis majora loquentes, dicebant: Monachos armatos habuisse ad irruendum in eos, quos etiam ministri Monachorum baculaverant, ut assererebant, veritatis metas impudenter transgredientes. Episcopus igitur *supra modum ad iram provocatus*, comminatus est Abbati & Conventui ruinam & confusionem, ad posse suum se præparaturum. Abbas igitur, multo mœrore perculsus, arctius quid agendum cogitabat. Per inquisitionem igitur certificatus, quod Conventus *Canuariensis* privilegium habebat appellationes recipiendi & tuendi, vacante sede Papali, ad refugium talis remedii convolvavit, reponens gravem super tali gravamine querimoniam. Indignatus idcirco Episcopus, convocatis *A.* Episcopo *Cunrensi*, & quibusdam Abbatibus Nigri ordinis, scilicet *Ramesis* & *Burgi*, in sua Diocesi existentibus apud *Herefordiam*, memoratum Abbatem de *Bardenay* absentem, nec pro se responsalem habentem, quasi convictum & contumacem, eo quod videbatur ei ipsum non rite in appellatione sua processisse, & ipsi quasi Episcopo suo prius non fuisse conquestum, **ignominiose nimis deposuit**. Significavitque Conventui de *Bardenay*, quod in nullo ei obedire tenerentur, sed merito pro cassato & deposito eum, necnon & excommunicato, haberent. Quod cum Conventui *Canuariensi* innotuisset, quod scilicet memoratus Episcopus *Lincolniensis* privilegia sua tam contemptibiliter violasset, convocatis & congregatis quinquaginta Presbyteris ipsius Diocesis, in pleno Conventu, in quo quinquaginta, vel etiam plures Monachi Sacerdotes habebantur, **candelis accensis, pulsatisque omnibus campanis, ipsum Episcopum *Lincolniensem*, quasi ingratum, et Ecclesiæ, cujus Suffraganeus esse comprobatur, rebellem, solenniter excommunicavit**. Episcopus autem, ut viderat talis Literas mandati, ipsas ad pedes suos projectas viliter conculcavit, non sine hoc videntium vehementi admiratione, propter effigiem beati *Thoma* impressioni cereæ consignatam. Et adeo in vehementem iram excaudit, ut omnibus diceret audientibus: *Non quæro ut aliter erant Monachi pro anima mea in æternum*. Et convitiis affectum ipsum Nuncium capi præcepit. Quod cum ministri, ob reverentiam Sacerdotii (Sacerdos enim fuit qui mittebatur) hoc facere tardassent & trepidassent, eundem Presbyterum a domo sua, quasi vile mancipium, vel etiam latronem, præcepit expelli. *Unde magis reddidit omnes attonitos & admirantes, qui in domo erant, viros discretos & literatos*. Quia etsi nulla alia causa subesset, posset rationabiliter ille Sacerdos ipsum Episcopum super violenta manuum iniectione accusasse. Dictus autem Episcopus, **Monachorum sententiam participando, imo dissipando, non omisit celebrare, Ecclesias dedicare, et alia Pontificalia officia exercere**: non perpendens, quod ex contemptu, etsi injusta sit sententia, robur tamen inde formidabile posset sortiri justitiæ. Re-

Revolventibus eorundem dierum circulis, Episcopus *Lincolniensis* nuncios suos solennes, clericos & discretos, ad *Romanam* curiam, ex una parte, & *Conventus Cantuariensis*, ex alia parte, ad dirimendum litem inter eos ventilatam, destinarunt. Qui super hoc talem diffinitionem meruerunt reportare.

Mat. Paris Hist. Angl. p. 585, 586, Episcopus Lincoln. & monachi Cantuariensis litigant in curia Romana. Literæ Papales.

**I**NNOCENTIUS Episcopus, servus Servorum Dei, dilectis filiis, *Conventui & Priori Ecclesiæ Christi Cantuariensis*, salutem & Apostolicam benedictionem. Exhibita nobis venerabilis fratris nostri Episcopi *Lincolniensis* petitio, continebat, quod cum vobis contendentibus jurisdictionem Metropolitanam, quam ad vos, *Cantuariensi* sede vacante, in provinciam *Cantuariensem*, tam ex privilegio sedis Apostolicæ, quo nunquam adhuc usi fuistis, quam de jure communi, pertinere dicitis, in eum & suos subditos committendo eorum causas & appellationes ab eis interpositas exercere: ipse grave sibi ex hoc præjudicium generari conspiciens, ad sedem Apostolicam, cujus interest quæstiones tam arduas, Metropolitana sede vacante, dirimere, provocasset; vos in eum & in ejus subditos, suspensionis & excommunicationis sententias, occasione hujusmodi, pro vestra voluntatis arbitrio promulgastis. Quare nobis humiliter supplicavit, ut provideri sibi super hoc paterna sollicitudine curaremus. Volentes igitur ex officio nostro sic eidem Episcopo & suis subditis subvenire, quod jus alterius non lædamus, universitati vestræ per Apostolica scripta mandamus, quatenus infra octo dies post receptionem præsentium, absque vestro & partis alterius præjudicio, relaxetis prædictas sententias ad cautelam. Alioquin venerabilibus fratribus nostris Archiepiscopo *Eboracensi* & Episcopo *Dunelmensi*, damus literis nostris in mandatis, ut ipsi ex tunc sine præjudicio partium, tam super petitorio, quam etiam super possessorio, sententias relaxent easdem, contradictores per censuram Ecclesiasticam appellatione postposita compefendo. Datum *Anagnia*, decimo Calend. *Septembris* Pontificatus nostri Anno Primo.

The Bishop of *Lincoln* excommunicating the Monks of *Bardeny* on the one part, and the Prior and Monks of *Canterbury* excommunicating the Bishop and his Officers on the other, concerning which both sides appealed; the King thereupon, as Supreme moderator in such cases, issued forth this Prohibition to the Archbishop of *York* and others (who had then the government of the Realm in his absence) not to apprehend, or cause to be apprehended any of those Monks, by pretext of any excommunication of the Bishop of *Lincoln*, or other suffragans of the province of *Canterbury* after the Appeal exhibited, till himself, then in *France*, should return into *England*, to hear and decide their difference.

**R**EX *Eborum* Archiepiscopo, *Carl.* Episcopo & *W. de Cantil.* salutem. Mandamus vobis, quod nullum de Monachis Abbacie de *Bardenay* capi faciatis, aut capi permittatis occasione alicujus sententiæ in eos latæ per Episcopum *Lincol.* vel alium suffraganeum *Cantuariensis* Ecclesiæ post Appellationem interpositam, et ad sedem *Cantuar.* ad tuitionem. Et de aliis excommunicatis per dictos Suffraganeos post hujusmodi appellationem, sub dissimulatione pertranseat, donec in *Angliam* redierimus, ita quod non capiantur. Teste Rege apud *Burl.* x. die *Julii*

Claus. 26. H. 3. m. 7. dorso.

He likewise issued this ensuing Writ to them to seize all the appropriate Benefices belonging to the Abby of *Bardenay* during the vacancy, into his hands, as belonging to him and his predecessors by their ancient Royal Prerogative, reserving to the Monks only their usual reasonable Estovers, and that they should repair the House & Church.

**R**EX *Eborum* Archiepiscopo, *Carl.* Episcopo & *W. de Cantilupo*, salutem. Cum omnia beneficia Ecclesiastica ad Domum de *Bardenay* spectantia & usibus Monachorum appropriata, domo prædicta vacante, ad custodiam nostram de Jure spectare noscuntur, sicut et tenementa eorum laica, miramur vehementer quod prædicta beneficia in manum nostram non cepistis, sicut capi consueverunt in hujusmodi domibus vacantibus in manus præ-

Claus. 26. H. 3. m. 7. dorso.



*prædecessorum nostrorum temporibus suis.* Et ideo vobis mandamus, quod prædicta beneficia in manum nostram capi faciatis, a monachis solitum & rationale estoverium suum inde, & alius ad domum suam pertinentibus exhiberi, & Ecclesiam & domos ejusdem Abbatae sustentari faciatis, & residuum in manu nostra retineatis. Teste ut supra.

King *Henry* being beyond the Seas (in *France*) when this controversy hapned, the Bishop of *Lincoln*, with the rest of the suffragan Bishops of the Province of *Canterbury*, by their petition, complained to him against these proceedings and other vexations of the Prior and Monkes of *Canterbury*, as prejudicial to their Churches, Ecclesiastical liberties, and meer Innovations, tending to the disturbance of the publique peace of the Realm: Whereupon the King, not having then and there leasure, to hear and determin this difference with the advice of his Nobles, by vertue of his Ecclesiastical Prerogative, sent this memorable Prohibition, to stay all proceedings between them till his return into *England*.

Par & Chart. in-  
simul 27. H. 3.  
m. 10. Dorso.

**R**EX Dominis *Cistrensi, Exoniensi, Eliensi, Sarri, Linc. Wigorn. & Ross.* Episcopis, salutem. Etsi sedem *Cantuar.* Ecclesie in sua velimus libenter tueri libertate, & Priorem & monachos ejusdem Ecclesie synceræ Charitatis brachiis amplexemur, nolumus tamen, nec nostræ fuit intentionis aliquando, quod favor noster eis impensus, vobis aut alicui vestrum cedere debeat in dispendium, aut cæteris Ecclesiis de regno nostro, quibus præsidetis in læsionem redundare; Vestræ igitur petitionis instantia pulsati, & sicut decuit eidem propensius inclinati, auditis & intellectis plenius, quæ per Magistrum *Girardum de Vvesham.* nobis significastis super molestiis, quibus ut asseritis, dicti Prior & Monachi intendunt vos non solum fatigare, sed & *statum regni nostri evidenter immutare*, cum sine consilio vestro & aliorum Magnatum nostrorum de regno nostro, in partibus remotis agentes, non possumus ad præsens aliquid certum super prædictis ordinare: Damus in mandatis *Eborum* Archiepiscopo, *Carli.* Episcopo, & *VV. de Cantilupo*, quod ipsos Priorem et Monachos nichil insolitum, nichil novum, vel aliquid quod temporibus prædecessorum nostrorum et Regum Angliæ et nostro usi non fuerint, in Cleri et regni nostri perturbationem seu præjudicium libertatis alterius Ecclesie, permittant attemptare, quousque in Angliam revertamur. Dictis etiam Priori et Monachis damus in mandatis, quod articulis universis, quibus vos indebite fatigare nituntur interim supersedeant, et adventum nostrum patienter expectent. Teste Rege apud *Burd.* 26 die Junij.

About the same time there hapning a controversy between the Bishop of *Aquen* in *France*, and the Citizens (then under the Kings obedience) he slaying one, and imprisoning three others of the City, upon the Citizens petition, the King cited the Bishop to appear before him by vertue of his Ecclesiastical prerogative; after which he authorized *J. Mansel*, as his delegate, to hear and determin these differences; and prohibited the Bishop in the meantime to molest the Citizens again, under pain of incurring his Royal displeasure, by these his Letters Patents.

Claus. 27 H. 3.  
m. 3. dorso.

**R**EX ad querimoniam proborum hominum de *Aquis*, fecit summoneri Episcopum *Aquensem*, quod sit coram eoresponsurus, quare hostiliter invasit prædictos homines, in enorme dedecus Regis, et ejus dignitatis læsionem, et ~~et~~ eis tres cepit, et unum occidit. Et præfixus est dies apud *Burdeg.* quinto die Natalis Domini. Teste Rege apud *Burdeg.* 15. die Decembris.

Idem dies præfixus est prædictis Civibus, & ibidem ad prosequend. contra Episcopum prædictum. Teste ut supra.

**R**EX proposuit in proximo mittere *J. Mansel*, ad partes *Aquenses* pro quibusdam negotiis suis ibidem expediendis. Et visum est Regi et consilio suo, quod inter cetera agenda sua, audiantur coram eodem *Johanne* & aliorum fidelium Regis, quos assumeret, contentiones ortæ inter Episcopum *Aquensem*, & Cives *Aquenses*, & per ipsos si poterit fieri terminentur. Et etiam mandatum est eidem Episcopo, quod non oportet quod propter eas contentiones accedat ad Regem in *Ostabis Parisiæ* beatae Mariæ, sed coram eis quod justum fuerit recipiat & faciat. Et inhibitum est eidem Episcopo, ne iterum eos molestat, sicut vult Regis vindictam evicare. Teste &c. Item mandatum est Civibus *Aquensibus* super eodem negotio.

Par. & Chart.  
infinu. l. 27. H.  
3. m. 17

The King having the year before, denyed the Cistercian Monks leave to go to a General Chapter for denying him an ayde, this year granted this royal License and Protection, to the Provincial of the Monks, to send over one Abbot or two Monks of that Order, to visit certaine houses of their Order in England, which they could not do without his special authority.

**A**B B A S de Savinaco habet licentiam, quod possit mittere aliquem Abbatem de ordine Cisterciensi quem volu rit, vel duos Monachos ejusdem ordinis in Angliam, ad quasdam domos de pradicto ordine Visitandas. Et ideo mandatum est omnibus quod pradicto Abbati, sive pradictis duobus Monachis, in veniendo in Angliam, ibidem morando, aut inde recedendo nullum faciant impedimentum aut gravamen. Et habet inde literas Domini Regis Patentes. Teste Rege apud *Burd.* 31. die Januarii Anno Regni sui 27.

Pat. 27 H. 3. m.  
27. docto.

The King granted special privileges to his Clerks of Chancery ( being then Clergy men ) to receive Provisions of benefices, and be discharged from residing actually on them, which the King ratified by this Patent, notwithstanding any former mandate of his to revoke them.

**R**EX Eborum Archiepiscopo, salutem. Ut paternitati vestra plenus constat, quod non fuit aliquando intentionis nostre, quod gratias, quas dilectis Clericis nostris G. de Wulward, & sociis suis Clericis de Cancellaria nostra, vel etiam aliis semel concessimus, de provisione facienda, per aliquas literas nostras vobis posita directas revocassemus, aut potestatem vobis inde subtraheremus; vobis iterato mandamus, quod in forma qua pro singulis eorundem Clericorum nostrorum, vobis alias scripsimus, non obstat ante aliquo mandato nostro contrario (quod quidem non recolimus, vobis fecisse) quam cito poteritis eis provideatis Provisionem Nicholai Langespe, si oportunitas se obtulerit, quodei providere possitis, sicut alias vobis mandavimus, provisioni dictorum Clericorum nostrorum de Cancellaria nostra tantummodo preferentes. Teste Rege apud *Burd.* primo die Junii.

Pat. & Chart.  
27. H. 3. m. 9.  
inuss.

The King whiles in France sent this Writ to the Archbishop of York then Custos Regni, to confer Benefices that should fall voyd on such Clerks of his, who to their great danger and expence, continued with him, and incurred many various casualties in his services beyond the Seas, commanding them all in general; and one of them only in special by name, to be first provided for in this kind.

**R**EX Eborum Archiepiscopo, salutem. Non est Admiracione dignum si præcipue Clericorum nostrorum invitamur promotioni, velimusque eis beneficia conferri, qui nobiscum in paribus transmarinis in variis casibus & fortunis permanserunt, & adhuc in eisdem partibus nobis assistunt; pro quo licet plurimum petitionibus inclinatis pluribus provisiones concesserimus, de beneficiis Ecclesiasticis eis conferendis, volumus tamen præscriptos Clericos nobiscum ibidem morantes cæteris omnibus ad beneficia Ecclesiastica, de dono nostro obtinenda præferri. Quocirca paternitati vestra mandamus firmiter injungentes, quatenus eisdem Clericis nobiscum, ut prædiximus, in servicio nostro commorantibus, ex quo vacare continget secundum continentiam Literarum suarum, de provisione vobis directarum, præ omnibus aliis beneficia Ecclesiastica conferatis, scilicet præbendalia & alia

Claus. 27 H. 3.  
m. 10. doct.

H h h

loto

loco nostro. Inter quos solum *Will. Harel.* præcipue volumus nominari. Taliter in hac parte vos habentes, quod prædicti Clerici nostri pro laboribus suis immensis fructum reportent, & utilitatem, & vos specialiter ex hoc habere debeamus commendatos.

In these dayes, such Ladies who held Castles and Lands of the King in *Capite* or by Knight service, presuming against Law and custome, to marry themselves to whom they pleased without the Kings privy or license first obtained, the King thereupon issued this Writ to the Archbishop of *Tork* and others, (who had the custody of the Realm during his absence in *France*) to seise the Castle of *Warwick*, and such other lands as they should think fit, more then the ordinary security, as a pledge; that *Margery* the Earl of *Warwicks* sister, should not marry without his license, under pain of forfeiting the said Castle and lands so pledged, to the King and his Heirs.

Claus. 27. H. 3.  
m. 11. dorso.  
\* See Bracton. l.  
2. c. 37. 38. f. 88.  
Magna Charta.  
c. 7. Cokes 2. In-  
stit. p. 16.

**R**EX *Eborum* Archiepiscopo, *Karl.* Episcopo, & *W. de Cantelupo*, salutem. Cum per experientiam didicimus, quod quamplures Dominæ Regni nostri, spreta securitate, quæ per \* legem & antiquam consuetudinem Regni *Anglia* capi solet, & debet ab eis, ne se maritari permitterent sine consensu et voluntate nostra, non requisito super hoc nostro assensu, quibuscumque voluerunt indistincte se fecerunt maritari, unde tam nobis quam Cozonæ nostræ et dampnum et opprobrium emergerunt. Et quia nobis et dignitati nostræ volumus acriter a similibus præcavere, ne futuris temporibus nobis et hæredibus nostris, per huiusmodi præsumptionem et insolentiam dampnum inevitabile generetur: Vobis mandamus firmiter in iungentes in fide qua nobis tenemini, quatenus sine dilatione a *Margeria* sorore quondam Comitis *War.* quæ est una de generosioribus mulieribus Regni nostri, & Castrum habet ingentis fortitudinis & situm versus partes *Marchiæ*, pro quo nobis nullatenus expediret, quod aliquem in virum acciperet, nisi de ipso tanquam de nobis ipsis confiderem, Castrum de *War.* & de terris suis, quas ipsi eligitis in plegium capiat, præter securitatem debitam, quod ipsa nulli viventium, sine licentia nostra in matrimonio copulabitur. Ita quod si forte temerario ausu contra hoc fecisset, Castrum prædictum & terræ in plegium similiter captæ, nobis perpetuo & hæredibus nostris incurrantur. Teste Rege apud *Burd.* 27. die Martii.

The Archdeacon of *Oxford*, exacting an annual Procuration from the Kings Church of *St. Crosse*, without *Oxford*, which was not used to be payd in former times; The King reputing this New exaction (as all others of this kind or Nature, are and ought still to be reputed, imposed by Ordinaries, Archdeacons or other Ecclesiastical, as well as Temporal Officers, upon any of his subjects) a derogation to his own Prerogative and Liberty, and a new unaccustomed servitude to his subjects; thereupon strictly enjoined the Guardians of the Realm during his abode in *France*, to use special care, diligence and vigilance to prevent and redresse it, as this memorable Writ attests.

Claus. 17. H. 3.  
m. 9. dorso.

**R**EX *Eborum* Archiepiscopo, *Karlesensi* Episcopo & *W. de Cantilupo*, salutem. Audivimus nuper, quod Archid. *Oxon.* ab Ecclesia nostra Sanctæ crucis extra *Oxon.* quam *Pontius de Pontibus* tenet, annuam erigit procuracionem, quæ retroactis temporibus, ab eadem non solet erogari. Et quia libertati nostræ non minimum derogaretur, si prædicta, nobis inconsultis, novam ac insolitam subiret servitutem, non permittatis quod idem Archid. pro suo voluntatis arbitrio, prædictam extorqueat procuracionem. Taliter vos habentes in hac parte, quod ex hoc sicut de solita sollicitudine vestra singulis agendis nostris vigilanter adhibita, vos habeamus specialiter commendatos. Teste Rege apud *Burd.* 22. die Aprilis.

The Archbishop of *Cassals* in *Ireland* intending to sue his suffragan Bishops, the King sent this Writ to his chiefe Justice there, to permit him to sue them only for the spiritualties of their Bishoprick, but expressly to prohibit him to sue them for



for their Temporalities and Lands belongnig to his Crown and Dignity, and not to seise any of them into his hand upon the Archbishopps mandate, without his special royal precept.

**R**EX M. filio Geroldi, salutem. Mandamus vobis quod si *Casserenfis* Archiepiscopus impetat *H. Limiricensem*, *G. Lismorenses*, *D. Lannensem*, *B. Ariserensem*, & *C. Imilensem* Episcopos suffraganeos suos, super spiritualitate Episcopatum suorum, in nullo vos inde intromittatis, nec permittatis, quod idem Archiepiscopus inquietet ipsos Episcopos, super terris et rebus temporalibus spectantibus ad Coronam et dignitatem nostram, nec vos ad mandatum prefati Archiepiscopi manum mittatis ad eorum temporalia, sine speciali precepto nostro. Telle Rege apud *Westmonasterium* XIII die Octobris.

Claus. 27 H. 3. m. 2. incus.

Per G. dispenser.

The King having expended his Treasure in his unfortunat Wars in *France*, scutagium per totam *Angliam* fecit extorqueri; non sine multo gravamine *Anglorum*, pro scuto tres marcas, vel ut alii volunt, viginti solidos, extorsit: *which being not sufficient to supply his necessities*, Significatum est eo tempore districtus, & amicablem supplicatum Archiepiscopo *Eboracensi*, a Rege *Anglorum*, ut ipse Archiepiscopus omnes Abbates *Anglia* ordini *Cisterciensium* subiacentes, in unum autoritate Regis congregaret, & congregatos dulcibus assatibus conveniret. Deprecans attentius ex parte ejusdem Domini Regis, pro Regni promotione in partibus transmarinis militantis, & etiam personam suam casibus belli accipitis exponentis, ut eum in exhibitione pecunie efficaciter promoverent, & juvarent promovendo. Cui illi in unum congregati, responderunt: In quo, domine? At Archiepiscopus: In parvo. Et cum inquisissent *Cistercienses*: In quo parvo? Ait Archiepiscopus: In tanta pecunia quantam potestis habere pro lana vestra anni unius. Similis factus dicenti,

Anno 1242. Mar. Paris Hist. Angl. p. 576. Petit auxilium a Cisterciensibus.

*Dam mihi animas, cetera tolle tibi.*

Non enim posset quis alimentorum penuriam per paucos dies tolerare, & vitæ carere sustentaculis, quin animam exharet. Sed verbum Regis positum fuit in ore Archiepiscopi.

At ipsi *Cistercienses*, comperientes sibi parari laqueos & damnum imminere, prudenter responderunt in hoc modo. Domine Archiepiscope, novit autoritas vestra, quod nos omnes membra sumus unius capitis, nec possumus sine nostro generali *Cisterciensi* capitulo istud, quod ex parte Domini nostri Regis petitis, concedere. Item, esto quod celebraretur in presentiarum capitulum generale, novimus, & novisse tenetur discretio vestra, quod non licet nobis quempiam juvare ad bellum gerendum, per quod sanguis effunditur, præcipue Christianus, ne juvantes ad hoc propter horrorem sanguinis irregulares efficeremur. Sed efficacibus & indefessis precibus, Eleemosynis, & aliis operibus pietatis ipsum dominum & patronum nostrum animo libenti juvabimus. Et indubitanter credendum est, quod sic melius & certius prævalebit, & gloriosius triumphanti, celeste juvamen, nisi vacillet fides, quod absit, sibi sentiet profuturum. Quibus cum Archiepiscopus torvo aspectu & adverso vultu respondisset, dicens: Qua fronte ipsum Regem in necessitatibus vestris aliquid rogabit, qui ei sic tergiversando supplicanti in instanti articulo respondetis? Ait quidam Abbatum *Cisterciensium*: Domine, recolimus, quod quando consecrabatur in Regem, juravit se cuilibet justitiam exhibiturum. Non petimus ab eo quicquam speciale, non potest nec debet illud nobis denegare, quod juratum est generale. Nos iusto regat moderamine, gravamen nullum contra justitiam inferendo. Si autem pro salute animæ suæ suorumque antecessorum, & statu Regni sui, aliquod bonum speciale nobis contulerit, sinum pandimus grater recipientes. A resolute answer of ingratefull covetous Monkes. Hereupon,

Responsio Cisterciensium.

Ipsa quoque anno non permisi sunt Abbates *Cisterciensis* ordinis transfricare, ad generale capitulum nunc, eo quod eodem anno (a Rege rogati de lanarum suarum exhibitione, eum juvare noluerunt) nec

Mar. Paris Ibid. Matthew West. Anno 1243. p. 170.

H h h h 2

bolue-

voluerunt, timentes sibi a Regis satellibus, maxime per mare, quasi ipso Rege nesciente, et quod lanas suas unius anni, ut dictum est, negaverunt, laqueos præparari: se igitur eleganter per procuratores excusarunt, ne viderentur talia procurasse.

Mat. Paris Hist.  
Angl. p. 576.  
Mat. Westm.  
Anno 1242. p.  
169.  
Dedicatio Ec-  
clesiæ Waltham

Per idem tempus, videlicet in crastino Sancti Michaelis, dedicata est Ecclesia Conventualis Canonorum de Waltham, ab Episcopo Norwicensi, solemniter valde, assistentibus aliis plurimis Episcopis, Prælati, & Magnatibus venerabilibus: statim post dedicationem Ecclesiæ Sancti Pauli Londinensis, ut peregrinantes hinc inde indistanter remearent. Eodemque tempore, Adam Abbas de Wareduna, confirmatus est in Episcopum Casterensem. Qui Episcopatus est in Hibernia, subjacens Metropolitanæ Diocesi Archiepiscopi Armachani.

Mat. Paris, p.  
551.  
Episcopus Ban-  
gorensis sollicitat  
Regem Angliæ  
pro liberatione  
Griffini.

Eodem tempore, Griffinus filius Leolini in carcere fratris sui David tenebatur in arcta custodia vinctus, quem in dolo vocaverat ad pacificum concilium, sub ducatu Magistri Richardi Bangorensis Episcopi, & quorundam aliorum Nobilium Walliensium, propter quod facinus Episcopus ipse recessit a Wallia, ipso David excommunicato. (Who slighting his Excommunication as a vain scare-crow, thereupon the Bishop,) Veniens ad Regem Angliæ, super hoc scelere nequiter perpetrato gravem reposuit querimoniam, postulans instantissime, ut Rex liberaret injuste a David nepote suo fratrem incarceratum, ne tanta talisque facinorosa transgressio remotas regiones Curiamque Romanam, in honoris Regii læsionem, macularer. Rex igitur David nepotem suum graviter super illa prodit one increpans, præcepit & persuasit efficaciter, ut fratrem suum liberans, famæ suæ restaurationem & absolutionis beneficium promereretur. Quod tamen procaciter David facere abnuvit, Regi veraciter significans, quod si ipsum Griffinum a carcere liberaret, profecto nunquam Wallia pacis gauderet securitate. Quod cum Griffino innotuisset, Regi latenter significavit, quod si ipsum a carcere fratris potenter liberaret, terram suam ab ipso Rege teneret, fideliter inde ducentas Marcas annuatim cum gratiarum actionibus & obsequii retributione persolvendo, præstito super hoc fidelitatis juramento, & obside tradito speciali: Insuper juvaret eum diligenter, omnes sibi rebelles Wallenses longinquos & indomitos subjugare. Quidam etiam potentissimus Wallensium, nomine Griffinus, filius Madoch, adiutorium Domino Regi spondidit indefessum & securum, si Walliam intraret hostiliter, moturus bellum contra David fallacem & multis injuriosum. The King thereupon entred Wales with a great Army, subdued it without effusion of blood, and enlarged Griffin, who swore Homage and Allegiance to him.

Anno 1242.  
Mat. Paris Hist.  
Angl. p. 585.  
Generale Capitu-  
lum Cisterci-  
ensium solum

Circa idem tempus, scilicet postquam generale Capitulum ordinis Cisterciensium solum est, venerunt Abbates recedentes ab eodem Capitulo, hos rumores veraciter de adventu Regis Francorum ad illos venientis nobis nunciates, videlicet, quod mutato more Romanorum, scripserat Dominus Papa eorum Capitulo, orans eleganter, ut continue & instanter Domino preces funderent pro Ecclesia statim vacillantibus. Similiter, & quidam Cardinales, & alii potentes, hoc impreciabile munus ab eis flagitabant, ut scilicet Ecclesia & suo statu roborato tutius Deo militando faverentur. Noverant enim, quod, eo quod Abbates ejusdem ordinis anno præterito, ne ad Capitulum accederent, per bella fuerant impediti, tunc plenius ad Capitulum generale convenirent. Rex autem Francorum instantius aliis auxilium & precum instantiam postulabat, quia se senserat, postquam iter in Pictaviam moturus bellum arripuerat, nimis de corporis sui statu debilitatum & deterioratum, & alacritate corporali potius indigentem. Solus autem Rex Angliæ, missis illuc nunciis solennibus, auxilium pecuniare ab eis instantius postulavit. Erant autem ibidem Monachi ab omni Natione Christiana quæ sub cælo est. A quibus omnibus, non sine Anglorum, qui ibidem erant, confusione, solam meruit sine benedictione repulsam. Erigebat enim ab constitutis in Angliæ lanas Abbatis.

Mat. Paris p.  
607.  
Rex prohibet  
lanas Cisterci-  
ensium vendi.

The King upon this denial and affront of theirs, by way of retaliation, Eodem anno, prohibuit Dominus Rex, ne lanæ Cisterciensium Monachorum venales ad partes transmarinas ad suum commodum transveherentur, volens eos sic gravare & damnificare, eo quod eum transfretatum in Gasconiam, auxilio pecuniari nec voluerunt, nec etiam valuerunt, juvare.

Petrus de Supino, and Petrus de Rubeo, Pope Gregorius Legates and grand extorters of monies in England, Ireland, & Scotland, to maintain his Wars against the Emperor, departing speedily out of the Realm, so soon as they received secret tidings of this

this Popes death, (which was for some dayes concealed from the people) thereupon, *Walterus de Oera*, Nuncius Imperialis, eos pedetentim insequabatur; iter suum equis non parcentes maturabant. Et cum transalpinaissent, se in suorum parentum Civitates & domos clanculo receperunt, pecuniam, qua onerati venerant, in locorum abditis reponentes, præsentiam quoque suam non omnibus exponentes. Et cum nec ipsos, nec prædam eorum, prædictus *Walterus* liquido potuit invenire, nisi per levis famæ sibilis, hæc omnia Domino suo Imperatori significavit. Dominus igitur Imperator per singulas Civitates *Italia* ditioni suæ subjectas, diligenter fecit indagari, qui fuissent illi Papales Nuncii vel Mercatores, qui ad subversionem Imperii et Reipublicæ, & fomentum belli, per diversas Regiones, præcipue *Anglicanam*, fraudulentè collecterant pecuniam, ut Papæ ipsam conferrent, & sic ei darent cornua & pruritum ad perturbandum Imperium. Fecit igitur ipsos capi, et captos arctius, quasi faneissimos inimicos, conveniri, et infiscata omni eorum substantia cum domibus et totius parentelæ eorum, viris spectabilioribus cum uoribus et liberis incarceratis, inquiri jussit districte de summa pecuniæ ad opus Papæ collectæ, per tabelliones et scripta penes Mercatores Civitatum, et conscios et consortes reposita, et omnia fecit prudenter restitui. Et sic miserabilibus personis Ecclesiasticis, sub alis Papalibus protegendis, penitus spoliatis, adversarii Ecclesiæ majora gravamina fortius intulerunt.

The sudden death of this turbulent oppressive Extortioner, Pope *Gregory* the 9th. the decease of *Celestine* the 4th. in 12. dayes space after his election, and near two years vacancy of the *Roman* See before *Innocent* the 4th. his election, by reason of the Schisms amongst the Cardinals, and the Emperors interpositions, exempted *England* from Papal Exactions and Provisions above two years space. At last, Anno 1243. Die Nativitatis Sancti *Johannis Baptista*, creatus est in Papam Dominus *Sineboldus* Cardinalis, postquam vacaverat sedes Papalis per annum & novem menses. (Cardinales in unum propter metum Imperatoris congregati, elegerunt *Seneboldum* Cardinalem in Papam, virum in Decretis, & jure Canonico eleganter eruditum, pecuniæ tamen non contemptorem, adds *Matthew Westminster*.) Et die Apostolorum *Petri & Pauli* confirmatus est, & vocatum est nomen ejus *Innocentius* Quartus. Et confirmatus, statim confirmavit sententiam latam a prædecessore suo *Gregorio* in Imperatorem *Fredericum*. Creatus autem est *Anagnia*, unde *Romani* & *Romanorum* Imperator, quasi pro duplici injuria ipsi Papæ moliebantur gravamina, & insidias paraverunt, & eo instantius, quia Imperator credebat Papam sibi favorabilem habiturum. Posuit igitur Imperator in transiibus viarum & portuum arcas custodias, & per mare galeas, ne Bullarum portitores transirent, libero transitu gratulantes. Nec multum post hæc, Dominus Imperator duos fratres de ordine *Minorum* comprehendit, eo quod Literas jussu superiorum suorum, ad suscitandum bellum inter quosdam Magnates, præcipue contra Imperatorem, furtive detulerunt, et comprehensos jussit suspendi. They being the common Carriers of the *Roman* Pontiffs Bulls and Letters of this nature, when their Legates or Nuncios had no free passage.

This Pope treading in the foot-steps of his Predecessors, soon after his instalment dispatched a new *Roman* Harpy and Extortioner with extraordinary large powers into *England*, before he was sent for or expected, to fleece, yea fleay the Clergy, Laity, Church, Realm, and dispose of all Ecclesiastical rents and preferments at his pleasure to the Popes kinred and aliens, as these ensuing narratives inform us.

Circa idem tempus, misit Dominus novus Papa quendam nobili in *Angliam* pecuniæ extortorem, Magistrum videlicet *Martinum*, autenticum Papale deferentem, et habentem potestatem excommunicandi, suspendendi, et multipliciter voluntati suæ resistentes puniendi. Qua roboratus potestate, suspendit *Prælatos Angliæ* a collatione beneficiorum, donec voluntati Papali satisfactum fuisset, redditus ad opus Clericorum suorum et consanguineorum postulanti. Indignum tamen judicabat aliquem redditum suscipere, nisi triginta *Marcas* aut supra valentem, ne quisquillas colligere tantus vir videretur. Cæpit igitur dictus Magister *Martinus* munera, præcipue palefridos concupiscibiles imperiose exigere et extorquere a *Prælati*, maxime a Religiosis, præcipiens per Literas districte illi Abbat, vel illi Priori, ut ei equos, quales decebat specialem Domini

Mat. Paris p. 535, 566.  
Pecuniæ collecta per Papales ex-actores Imperiali ærario addicitur.

Anno 1243.  
See *Platina*, *Onuphrius*, *Basilus*, *Laertius*, *Cherubinus*, *Opmerus*, in *Celestino* 4. & *Innocentio* 4.  
Mat. Paris Hist. Angl. p. 173.  
Mat. Westm. p.

Anno 1244.  
Mat. Paris Hist. Angl. p. 594.  
Novus Papa novum mittit pecuniæ extortorem in *Angliam*.



**Domini Papæ Clericum insidere, transmitterent:** Contradictentes autem & excusationes & causas negationis protendentes, etiam rationabiles, (utpote Abbatem de *Malmesburia*, & Priorem de *Meritona*) \* suspendenda usque ad plenam satisfactionem, graviter punivit. Sedulus etiam explorator Ecclesias vacantes & Præbendas consideravit, ut ipsas patenti sinui Papæ indigentæ præsentaret. Inter quas dum Præbenda opima *Sarisburyensis* Ecclesiæ, spectans ad Præcentorem, vacaret, invito Episcopo & nimis dolente cum toto Capitulo, manus rapidas eidem Præbendæ statim iniecit, et jussu Papæ, cuidam puero nepoti suo, non sine multorum cordium amaritudine et stupore, contulit. Credebant enim multi & sperabant, quod Romana Curia a Deo multipliciter jam flagellata, freno moderaminis suam avaritiam solitam aliquantulum saltem coherceret. But no Divine nor Humane Laws, Judgements, Medicaments, could cure or allay this *Roman Drop-sie*, Avarice, Rapine.

*Matthew Westminster* renders us this ampler and more particular account of his powers and proceedings. \* Circa idem tempus, confusus Dominus Papa nimis de Regis simplicitate & patientia, quendam novum pecuniæ extortorem, non insignis Legati redimitum, sed inauditus potestatis communium, nomine *Martinum*, transmisit in *Angliam*, qui se in solitum legatorum & Papalium Nunciorum & Clericorum receptaculum, scilicet in Novum Templum *Londini*, statim recipiens, potestatem suam, redditus recipiendi, et pecuniam multipliciter extorquendi manifestavit, et eam exercuit diligenter usque ad multorum cordium summam amaritudinem et conscientiarum læsionem. Habebat enim potestatem, collationem beneficiorum prohibendi donec ad votum suum, ipsi foret satisfactum. Qui exiles redditus quasi quiescentes, despiciens, opimis manus rapidas iniecit: habebatque potestatem excommunicandi, suspendendi, & multipliciter voluntati suæ, licet impetuose resistentes puniendi, & pro voluntate, quasi ipso die in Papali cancellaria, Bullas Chartas autenticas more protulisset consuetum. Unde a nonnullis, nec sine causa dicebatur, ipsum plures Chartas Bullas sed vacuas, ad placitum suum scribendas, quod absit, detulisse. Cæpit igitur memoratus Magister *Martinus* undique munera, præcipue palefridos concupiscibiles, & vasa pretiosa imperiose a Prælatibus exigere, erigendo extorquere, maxime a Religiosis ad opus suum (stulte enim orat qui sui obliviscitur) et ad opus Papæ redditus et Præbendas præelectas: utens hac odibili adfectione, non obstante privilegio, &c. Inter quas dum Præbenda opima quædam *Sarum* vacaret, dictus Magister *Martinus*, sedulus explorator, avidas & aduncas manus injiciens, irrequisito, imo potius invito, loci ipsius Episcopo, contulit ipsam cuidam adolescentulo, Domini Papæ nepoti. Similiter & alias ipsius Papæ consanguineis, quibus idem Papa mirabiliter abundavit, collegit dictus Magister *Martinus* indefessus, non sine multorum peritorum stupore. All their comfort in the mean time was this good news; that, In octavis vero Purificationis Beatæ *Mariae* Virginis, obiit vas superbæ, et omnis fomes contumeliæ inter Dominum Papam et Imperatorem exortæ. *Johanne de Columna*, Cardinalis *Roma*. Qui vir *Martius*, & genere præclarus inter omnes Cardinales, Castris & Palatiis necnon & Thesauris, & redditibus instauratus, claruerat potentissimus.

These unexpected new Grievances, Extortions, Provisions, Powers of the Popes avaritious imperious Agent, made the *English* to begin to meditate how they might totally cast off the insupportable *Roman* yoke of bondage; their grounds exciting them thereunto, and their proceedings therein, are thus presented to us by our Historians, being ushered in with the sad tydings then received from the Holy Land.

\* Mat. Paris p. 603, 603, 604. Mat. Westm. Anno 1244. Angli meditantur jugum servitutis Papisticæ excutere.

\* Dum autem in *Syria* tot mundi turbinibus genus humanum exagitaretur, in *Anglia* etiam & ejus confinibus,

*Sævit in humanis divina potentia rebus.*

**Romana enim Curia, rubore deposito, tempore nobi Papæ nostri Innocentii**

Innocentii quarti, secus quam speravimus, non desinebat per prohibitiones quotidianas, redditus impudenter extorquere. Existit igitur (licet sero) murmur, in cordibus Angloꝝ diu conceptum et retentum, in manifestam querimoniam, et quasi parturientes loquuti, non poterant amplius sese continere. Patientia enim eorū desidia erat, et humilitas infructuosa, imo potius et damnosa.

Et in unum convenientes totius Regni Nobiles, Regem efficacissime super hoc conveniunt, asserentes, se male mori, quam amplius tales enormitates tolerare. Non enim eorum, neque antecessorum suorum intentio fuerat, quando contulerunt bona viris Religiosis & aliis locis pia consideratione constructis, ut ipsa ad arbitrium Papæ viris Italicis ignotis, et eis quos noverant simoniis et usuris pollutos, et viciis multimodis, quibus non esset cura, prædicatio, vel hospitalitas Christi fidelibus impendenda, contribuerent: ac *Matthew Westminster* abbreviates their complaint, thus more at large recorded by *Matthew Paris*. Et in unum convenientium talis erat consideratio Regi et Regno intimanda.

Mar. Westm.  
p. 180.

Si mentis oculis intueretur Dominus Papa statum Primitivæ Ecclesiæ in Angliā; medium & præsentem, non concuteret Ecclesias & Ecclesiasticas personas, nec illas arctaret huiusmodi exactionibus & angariis, & quod suum non est, ab Ecclesiis non vendicaret, nec extorqueret. Prædicante enim in Angliā beato *Augustino Anglorum* Apostolo, Rex *Albertainus* conversus ad fidem Christi, *Londonem, em, Rossensem, & Cantuariensem* instituit Ecclesias. Hic Clericos & Sacerdotes, ibi Monachos apponens, assignatis illis speciali patrimonio suo, terras & possessiones sufficientes ad sustentationem eorum, quos ad hoc solum deputavit, ut in locis sibi assignatis divina celebrarent, laudesque Deo die ac nocte & gratiarum exsolverent actiones, & elemosynas, & alia pietatis opera exercentes, hospitalitatem pauperum sustentarent pro mensura facultatum. Consimiliter alii Reges in aliis Cathedralibus Ecclesiis & Præbendalibus, & Conventualibus, quod videri potest si decurratur ad eorum instrumenta & modos donationum. Nec adeo libertati dederunt huiusmodi possessiones, quin tibi sibi reſervarent ſemper propter publicam Regni utilitatem, videlicet expeditionem pontis & arcis reparationes vel refectiones, ut per ea reſiſterent hoſtium incurſibus. Si igitur iſta & conſimilia dantur locis ſpiritualibus, & locorum Episcopis, tanquam certis perſonis, in Cathedralibus Eccleſiis dicimus, & Abbatibus, & Abbatis, de patrimoniis & Laicis feudis Regum & Principum, quo jure poterit, præter injuriam juris alieni, in alios uſus præmiſſa convertere? Præſertim ad illos, ex quibus oriuntur cædes, & incendia, & ſanguinum effuſiones, cum dicente *Petrus, Dominus, & percutimus in gladio?* reſpondit Dominus, *Converte gladium in vaginam.* Item, ſi tranſmitterentur ſubſtantia Clericorum Angliæ ad Italiā, unde procurarent pontis & arcis refectionem, & expeditionem, ſi ingrueret neceſſitas? Unde ſectarentur hospitalitates? Quo modo morarentur in certis locis ſibi deputatis? Item, præter alia mala, quæ poſſunt evenire adeuntibus Curiam Romanam de Regno Angliæ per ſatellites Imperatoris, unum quaſi in evidenti eſt, & in promptu, quod cum terra Imperatoris non diſtabat ab Angliā niſi modico freto, quod tranſmeari poſſet uno fluxu & refluxu maris, & tendat jam Imperator ad partes illas, verendum eſſet, ne ſic provocatus hoſtiliter Regnum ingrederetur, prout dixit Magiſter *Walterus de Orew* coram Rege in communi colloquio Baronum Londini: *ſupplicans ex parte Imperatoris devotiſſime Regem et Barones, quod non permetterent tallias fieri in Regno, vel a Clericis, vel a Laicis, in ſubſidium Domini Papæ contra Imperatorem, inculcans unitates,* quod ſi ſecus fieret, ſine pruritu tot accumulatis Regno bellis, ſcalperent ſe Rex & Regni Magnates uſque ad oſſa. Item, cum de voluntate & mandato & conſilio Eccleſiæ nuptui traderet Dominus Rex ſorem ſuam Imperatori, ex qua proles ſuſcepit, quas de ſtirpe noſtra & Anglorum ſanguine conſtat eſſe, quid aliud eſſet, contribuere contra Imperatorem, niſi confundere oriundos ex natione noſtra? quod abſit. Et quid aliud eſſet, niſi dare occaſiones Imperatori, ne poſſit Domino noſtro Regi ſubvenire in recuperationem terrarum ſuarum? Item, ſi attenderet Dominus Papa afflictiones & jacturas, quas ſuſtinuit Angliā per *Ludovicum* Regem *Francorum*, qui hoſtiliter ingreſſus eſt eam, qui nec peperit Eccleſiis, nec Eccleſiaſticis perſonis, ſed omnia deprædatus eſt, ita quod vix poterunt

poterunt hæcenus Prælati *Anglia* respirare, non adderet afflictionem afflictioni super afflictos: imo consultius exigeret æstimationem damnorum, quæ fuerunt illata Ecclesiæ, & exinde promoveret exercitus suos in hostes, quod facere posset, etiam contradicente Rege *Anglia*, & sine convocatione Imperatoris contra Regem & Regnum. Item, aurum habet Ecclesia, Civitates, munitiones, & Castra, quæ etsi non sufficiant contra tantum Principem, advocet ad manus suas beneficia *Italicorum* & *Romanorum* quæ non modica contulit eisdem, tam in *Anglia* quam in aliis Regionibus: & ex eorum fructibus, quos ita beneficiavit, sumptus faciat hostiles, & non de nostris, scilicet de his quæ nobis non contulit, imo soli contulerunt patroni, quantum in ipsis fuit, quos oportet de necessitate sustentare, si vergant ad inopiam. Attendere etiam deberet, quod *Pharao* in afflictione populi *Israelitici*, Sacerdotes & Levitas ab omnibus huiusmodi exactionibus absolvit.

Mat. Paris Ibid.  
Rex Angliæ  
scribit Papæ,  
conquerens su-  
per exactioni-  
bus suis.

Rex igitur his supradictis provocatus injuriis, & *Romanorum* multiplici laceffitus avaritia, Domino Papæ scribit sic:

**S**anctissimo in Christo Patri, ac Domino J. Dei gratia Summo Pontifici, Henricus, eadem gratia Rex Angliæ, &c. salutem, & pedum oscula beatorum. Quo amplius paternæ voluntati se ingerit filius, & mandatis ejus promptum se exponit, atque devotum; eo amplius paternum habere patrocinium promeretur, & devotionis suæ & obsequiorum commoda reportare. Inde est, quod cum omni te nunc Regni nostri, nos & Regnum nostrum, in omnibus & per omnia paternitatis vestra voluntati exposuimus, & mandatis, licet tamen in quibusdam nostris Regniq; nostri negotiis paternam sollicitudinem invenimus plerumq; & gratiam, in quibusdam tamen Provisionibus vestris, Clericis Angliæ et aliarum Regionum frequenter a vobis concessis, nos et Regnum nostrum sentimus non mediocriter prægravatum et oppressum. Tot et tantis etenim Ecclesiæ Anglicanæ onerata sunt huiusmodi Provisionibus, quod non solum patroni, et hi quorum interest conferre Beneficia Ecclesiastica, jure suo defraudantur, verum etiam sed proinde multa deficiunt opera charitatis: cum illa Beneficia, quæ religiosis domibus ad sustentationem ipsarum conferri soleant misericorditer, et fere omnia alia, in vestris Provisionibus refundantur. Cum igitur sedes Apostolica ita petentibus debeat esse favorabilis, quod jus alterius non lædatur, paternitatem vestram durimus exorandam, quatenus ab huiusmodi Provisionum concessione dissimulare, vel ad tempus desistere, vestræ placeat sanctitati. Interea paternitati vestræ supplicamus, quatenus jura nostra et libertates, quæ non aliena, sed propria potestis merito reputare, paternæ sollicitudine velitis tueri, et illa et integra conferre, nec aliquorum suggestionibus eadem velitis in vestra Curia aliquatenus perturbari. Nec contra nos vestra Sanctitas moveatur, si in aliquibus tenor mandatorum vestrorum obviavimus, cum ad hoc nos compulerit clamor conquerentium, qui nemini debemus in suo jure deesse, sed ex concessio nobis a Deo Regiæ dignitatis officio, in Civilibus plenam justitiam exhibere.

His itaque verbis, vel elegantioribus, Dominus Rex nimis patiens et clemens, prædecessori suo, videlicet Papæ Gregorio, supplicaverat, ut parceret Regnum *Angliæ* talibus exactionibus affligere. Sed nec ille, nec iste, motus voluntarios dignabantur super hoc refrænare. Unde credimus, Dominum et Apostolum suum Petrum (cujus vestigia non sequebantur) adversus Ecclesiam Romanam non immerito provocatum, arcum tendere et parare illum.

Papa Walliam  
sibi etiam vult  
subjugare.

The Pope then offered this new affront to the King: Nec arbitror materiam vel alienum fore, vel impertinens, vel etiam Historiæ Regni *Angliæ* penitus inutile, posteris nostris elucidare, qualiter dictus Papa Innocentius Quartus, (such was his avarice, treachery, ingratitude to King Henry) David Principem *Northwalliæ*, Domino Regi *Angliæ* multoquid obli-gatum, a fidelitate Regis exemptum, dominio suo voluit mancipare, quingentas

Barcas



**M**arcas annuas a tenemento Northwallie et ejus pertinentiis percipiendo. Et hæc sunt obligationes & instrumenta, quibus tam David quam alii Magnates Wallensium Domino Regi Henrico tertio tenentur obligati. Several Charters made to the King by the Princes and Nobles of Northwallie, ratified by their Oathes, are there recited at large, not pertinent to my Theme; only I cannot pretermitt these following ratifications of them by Oath, and voluntary submissions to Ecclesiastical censures of Excommunication and Interdict, by the Bishops therein nominated, in case of violation, of which the Pope took no notice.

Et ad omnia firmiter tenenda, ego David juravi super crucem sanctam, quam coram me feci deportari. Venerabilis etiam pater Howelus Episcopus de Sancto Asaph, ad petitionem meam, firmiter promisit, in ordine suo, quod hæc omnia prædicta faceret, & procurabit modis quibus poterit observari. Edeneret siquidem Wagan, per præceptum meum, illud idem juravit super crucem prædictam. Actum ut supra. Præterea concessi pro me & hæredibus meis, quod si ego vel hæredes mei contra pacem Domini Regis vel hæredum suorum, vel contra articulos prædictos, aliquid attentaverimus, tota hæreditas nostra Domino Regi & hæredibus suis incuratur. De quibus omnibus & singulis, supposui me et hæredes meos jurisdictioni Archiepiscopi Cantuariensis, & Episcoporum Loniensis, Herefordensis, & Covenrentensis, qui pro tempore præerunt, quod omnes, vel unus eorum, quem Dominus Rex ad hoc elegerit, possit nos excommunicare, et terram nostram interdiceret, si aliquid contra prædicta attentaverimus. Et procuravi, quod Episcopi de Bangor, & de S. Asaph, Chartas suas Domino Regi tacerent, per quas concesserunt, quod omnes sententias tam Excommunicationis, quam Interdicti, a prædictis Archiepiscopo, Episcopo, vel aliquo eorum, ferendas, ad mandatum eorum exequerentur. A clause then usual in Leagues and Charters between Princes.

Hæc idcirco dixerim, (writes Matthew Paris) ut pateat mundo quot, quantis, & qualibus obligationibus sese Domino Regi, tam David nepos ejus, proditor, & fratricida, & omnes alii Nobiles, moribus tamen ignobiles, de Wallia, manciparunt. Qui jam rupto consanguinitatis foedere, fidei constantia, instrumentorum tenore, nimis impudenter contra Dominum suum recalcitrantes; bellum moverunt, & ipsum non mediocriter in Marchia damnificaverunt. Insuper dictus David, volens collum suum de sub jugo fidelitatis Domini Regis excutere, ad alas Papalis protectionis confugit, (the common sanctuary of refuge to all perfidious Rebels against their lawfull Sovereigns) spondens, se tenere Wallie partem, eum contingentem, ab ipso Papa. Cui favit Papa. Et quod stupenda admiratione dignum arbitror, contra Regem rebelianti sinum aperuit refugii et protectionis: nisi se forte contigisset, ut suppressione veritatis, & suggestione falsitatis, illud fuerit impetratum. Et quis Christianorum ignorat, Principem Wallie Regis Angliæ esse Vassillum?

Soon after, \* the King summoning a Parliament of the Archbishops, Bishops, Abbots, Priors, Earls, Barons, and Nobles at Westminster, desired an Ayde of money from them against the Scots, promising to confirm the Great Charter of their Liberties: The Nobles peremptorily persisting in their resolution, not to grant him any Ayde; thereupon, Tunc Dominus Rex demum sperans saltem Clerum ad desiderium suum inclinare, convocatis Prælatibus, porrexit illis Papales apices in publico, sub hac forma; requiring them to grant the King an Ayde for the reasons therein mentioned,

**I**NNOCENTIVS Episcopus servus servorum Dei, &c. Archiepiscopis, Episcopis, & dilectis filiis Abbatibus, Prioribus, Archidiaconis, Decanis, & aliis Ecclesiarum Prælatibus, & clericis per regnum Angliæ constitutis, salutem & Apostolicam benedictionem. Debet mater Ecclesia hos qui Regali præminent dignitate, illa prærogativa prosequi, & ea muneris gratia prævenire, quod in ipsius devotione potestas semper serveat, & ad ejus per consequens subjectorum obsequia pervigil habeatur. Cum igitur inter Reges ceteros orbis terrarum Charissimum in Christo filium nostrum Regem Angliæ Illustrissimum, singularis dilectionis brachiis amplectamur, qui veluti Princeps Catholicus et devotus Romanam Ecclesiam, matrem suam, filiali subjectione et obsequio devotionis, sic semper studuit venerari, quod nequaquam

Mat. Paris. p. 606, 607.  
Mat. Westm. p. 180, 181, 189.

\* Hist. Angl. p. 607. Matthew Westm. p. 180, 181.  
David conatur jugum Regis Angliæ excutere.

\* Mat. Paris p. 619, 620.  
Mat. Westm. p. 189.

Litteræ Papales ad Prælatos Angliæ.

ab ipſius beneplacitis declinaret, quinimo quæ ipſi grata nobis et placita, ſollicitudine prompta peregit: non eſt mirum, imo conde- decens eſt, et condignum, ſi ipſius precibus facilius annuamus, ſi honoris ipſius et ſtatus quæramus gloriâ et augmentum: ſi ad quod affectus ipſius dirigatur, veſtræ liberalitatis effectus conſonet in ſe ipſum. Sane cum ſdem Rex, ſicut ex parte ipſius fuit propoſi- tum coram nobis, pro quibuſdam negotiis magnis et arduis, quæ ſibi imminabant, adeo ſubiecit gravia, et ſubire adhuc ipſum oporteat onera expenſarum, quod veſtræ ſubventionis indigere ſubſidio dignoſ- catur, univerſitatem veſtram rogamus, monemus, et hortamur attente, per Apoſtolica ſcripta mandantes, quatenus attendentes prudenter, quod vos decet et convenit, eo libentius ipſius Regis ſupportare labores, et gravamina relebare, quo minus poſſet ſine veſtri ſtatus et honoris diſpendio alicuius ſacturæ vel incommodi- tatis onere prægravari, ſibi de veſtris redditibus honeſtum ſubſidi- um liberaliter conferatis. Ut idem expenſarum ſuarum, veſtræ ſubventionis propitiante dextera, perferre levius onus poſſit, voſque provide vobis ejuſdem Regis, cujus honorum eſtis participes, honoris & gloriæ non expertes favorem & gratiam, quibus proculdubio indigetis, valeatis futuris temporibus vendicare, & nos, qui haberi volumus ex hoc ad veſtra & veſtrarum Eccleſiarum commoda promp- tiores, devotionis veſtræ promptitudinem non immerito commendemus. Datum Jan- *na* 4. Cal. Auguſti, Pontificatus noſtri anno ſecundo.

Similiter autem ſcripſit ſingulis Prælatiſ ſub eadem forma, non ſine multæ pecuniæ effuſione, Papæ tranſmiſſæ, pro labore ſcripturæ.

Et cum per commune conſilium, a quo noluerunt recedere, proviſum eſſet, ut reſponſio ad literas Papales pro Rege deprecatorias, prorogaretur uſque ad termi- num prænotatum, recedentibus Magnatibus, ultimo die Concilii, quod ſex diebus duraverat, uſque ad noctem, ſollicitavit ſingulos Prælatos deprecans, ut in Craſtino iterum convenirent. Quibus convenientibus, in infirmaria, ſcilicet in Capella *Johannis Evangeliftæ*, miſit dominus Rex Comitem *Legia S. P. de Sabaudia*, *Radul- phum filium Nicholai*, *Willielmum de Cantelupo*, *Johannem filium G.* qui expoſuerunt eis ex parte Domini Regis ejus deſiderium, petentes diligenter, ut obtemperetur Regiæ voluntati, ſecundem petitionem ſaltem Papalem, ſi Regia poſtponere- tur. Expoſuerunt etiam Regis inſtantem egeſtatem, & imminetia Regis & reg- ni pericula, videlicet motum in *Gasconia*, inſolentiam quoque *Wallenſium* reprimendam. Petierunt ergo Prælati tranſcriptum Epistolæ Papalis, ut ſibi ſuper hoc conſulerent. Et dum talia agerentur, ante expectatum ecce Rex ſolus feſtinanter, & ex abrupto advenit, proteſtans cum ſuo ſolito juſ-jurando, quod honor eorum, honor ſuus foret, & e converſo. Et ſuper prædictis preces exaggeravit. Reſpon- dentibus igitur illis, quod ſuper hoc diligentem haberent tractatum, Rex receſſit perturbatus. Et cum ſuper hoc propenſius tractarent, volentibus aliquibus ut mi- tius Regi reſponderent ipſi Prælati, quam Laici; reſpondit *Lincolniensis*, profer- ens hanc Theologiæ authoritatem: Non dividamur a conſilio communi; Quia ſcrip- tum eſt, Si dividamur, ſtatim omnes moriemur. Et ſic prorogata ſunt omnia uſ- que ad terminum memoratum, tam ſuper petitione domini Papæ pro Rege, quam ipſius Domini Regis. Perpendens autem Dominus Rex, quod omnes ſimul non po- tuit enervare, recurrens ad verſutias *Romanorum*, attemptare propoſuit ſingulos ſingulatim, ſicut alias fecerat, ſimulatis ſermocinationibus circumventos ſibi inclina- re. Rediensque petiit, ut ſaltem adhuc per unum diem moram protelarent. Quod quidem Prælatorum caute attendentes, noluerunt illaqueari. Sed ſummo mane re- cedentes, retia quibus aliquando involvebantur, prudenter evaſerunt. Et murmur- ante Rege, ſolutum eſt concilium.

The Biſhops and Nobles before their departure, agreed on theſe Propoſitions to be preſented and aſſented unto by the King, before they would grant him any Ayde,

De libertatibus alia vice emptis, concessis, & per Chartam Domini Regis confirmatis, quod de cetero observentur. Ad cuius rei maiorem securitatem, fiat nova Charta, quæ super hæc specialem faciat mentionem. Et ab omnibus Prælati solenniter excommunicentur, qui scienter & prudenter libertates a Domino Rege concessas vel impugnare, vel impedire, quo minus observentur, præsumpserint; & reformetur status eorum qui post ultimam concessionem in libertatibus suis læsionem incurrerunt. Et quia propter virtutem sacramenti præstiti, nec non propter timorem sententiæ latæ a sancto viro *Edmundo*, quod ea vice promissum fuerat hætenus non existit observatum, ne huiusmodi periculum de cetero eveniat, & sit fiant novissima, pejora Prioribus, de communi assensu quatuor eligantur, Potentes & Nobiles de discretioribus totius Regni, qui sint de consilio Domini Regis, & iurati, quod negotia Domini Regis & Regni fideliter tractabunt, & sine acceptione personarum omnibus Justitiam exhibebunt. Hi sequentur Dominum Regem; & si non omnes, semper duo eorum ad minus præsentis sint, ut audiant querimonias singulorum, & patientibus injuriam celeriter possint subvenire. Per visum & testimonium eorum tractetur Thesaurus Domini Regis, & pecunia ab universis specialiter concessa, & ad commodum Domini Regis & Regni expendatur, secundum quod melius & utilius viderint expedire. Et erunt libertatum conservatores. Et sicut de omnium assensu eliguntur, sic etiam sine communi assensu non poterit aliquis eorum amoveri, aut suo officio privari. Uno eorum sublato de medio, de assensu & electione trium, loco illius alius substituatur infra duos menses, Nec sine ipsis, sed cum necesse fuerit, & ad eorum instantiam, iterum convenienti universi. Brevia contra Regem & consuetudinem Regni impetrata, penitus revocentur & aboleantur. Memorandum quoque, de sententia ferenda in contradictores. Item, de obligatione sacramenti in invicem. Item, de itinere Justitiariorum. Justitarius & Cancellarius ab omnibus eligantur. Et quia frequenter debent esse cum Domino Rege, poterunt esse de numero conservatorum. Et si aliqua interveniente occasione, Dominus Rex abstulerit sigillum suum a Cancellario, quicquid fuerit interim sigillarum, irritum habeatur & inane. Deinde Cancellarij fiat restitutio. Nullus substituatur Cancellarius, vel Justitarius, nisi solummodo per solennem & universalem omnium convocationem, & liberum assensum. Duo Justitarii eligantur in Banco. Duo itidem Barones in Scaccario constituantur. Unus quoque ad minus Justitarius *Judeorum* deputetur. Hac vice autem per communem, universalem, liberamque omnium electionem, fiant & constituantur omnes Officarii prædicti: ut quemadmodum omnium negotia sint tractaturi, sic etiam in eorum electione concurrat assensus singulorum. Et postmodum, cum necesse fuerit alius loco alicujus ipsorum prædictorum substitui aut subrogari, per provisionem ac auctoritatem quatuor illorum Consiliariorum prædictorum, fiat illa substitutio aut subrogatio. Hætenus suspecti, aut minus necessarii, a latere Domini Regis amoveantur.

Provisio magnatum consensu Regis facta:

These were the particulars the Bishops and Nobles projected, and made no doubt to effect, had not the unseasonable motion of *Martin* the Popes Instrument interrupted their design for the present, as the Historians thus relate with much grief.

Et dum huiusmodi negotia utilia nimis Reipublicæ, in spatio trium hebdomadarum diligenter pertractassent Magnates, hostis humani generis, pacis perturbator, & schismatum suscitator Diabolus, hæc omnia per Papalem avaritiam infelicititer impedivit. **Credens enim Dominus Papa, quod flexibiles Angli colla sua jam dictæ contributioni, juxta consuetudinem suam subdidissent, tum propter Regis aviditatem, tum propter suæ petitionis instantiam, misit a latere suo quendam clericum suum magistrum Martinum, quem propter improbam rapacitatem suam multi magistrum Martinum appellarunt, habentem novam et inauditam potestatem; videlicet ampliozem, quam unquam meminimus aliquem habuisse. Manus enim extendit ad contributionem exigendam: Provisiones secundum mentis suæ impetum, ratione relegata, ad opus ignotum faciendas: redditus violenter extortos, consanguineis Domini Papæ conferendos, auctoritate Papali truculenter armatus, cujus**

Anno 1244.  
Mac. Paris Hist.  
Angl. p. 621.  
622, 623, 624.



novas Chartas, secundum desiderium suum, et secundum repentini casus emergentis negotium, singulis diebus ostendit. Unde fuerunt qui dicerent, ipsum habere multas schedulas non scriptas, tamen bullatas, ut in eis quicquid ei placeret, scriberet: quod absit. Missus est igitur iste Legatus sophisticus ad Regem primo, supplicans ei, ut et ipse vicem reddens Domino Papæ, (who by his precedent Bull had charged the Prelates and Clergy of England to grant the King an Ayde, on purpose to engage the King to consent to the ayde now demanded from them for himself in the first place, before the Kings supply) diligenter mideret, ut Prælati Angliæ ad contributionem Domino Papæ faciendam, generaliter consentirent: ad minus, ad compromissionem, et festinam solutionem decem millium marcarum. Cui Respondit Rex: Quod Magnates sui, tam Prælati & Clerici, & tam Comites quam Barones, & Milites, tam frequenter bonis suis variis argumentis spoliatur, quod jam sibi vix sufficiunt: nec mihi Regi suo, nec Papæ volunt vel valent contribuere. Veruntamen mihi ipsi humiliato, & suæ voluntati inclinato, jam modestius respondentes, iuramentum iuxta suas facultates promiserunt. Quod cum audisset Magister Martinus, dejecto vultu recessit, nullam de Regis adiutorio spem reportans. Veruntamen convocatis Prælati, apices Apostolicos ostendit sub hac forma, singulatimque primo Archiepiscopis, & Episcopis, & postea Abbatibus exemptis, & non exemptis.

Litteræ Papales  
a Prælati Ang.  
contributionem  
exigentes,

**I**NNOCENTIUS Episcopus, servus servorum Dei, &c. Abbatibus, eorumque Conventibus, exemptis, & non exemptis, in *Canuariensi* Diocesi constitutis, salutem & Apostolicam benedictionem. Illam de vestrae sinceritatis affectibus spem gerimus & fiduciam obtemus, ut quoties sedi Apostolicæ matri vestrae necessitatis articulus imminet, ad vos, tanquam dilectos ejus filios et devotos, ac pro ipsius oneribus relebandis semper paratos et promptos, incunctanter cum omni fiducia recurrere valeamus. Cum igitur sedes ipsa Apostolica prædicta, per ea quæ piæ memoriæ Gregorii Papæ, prædecessoris nostri Authoritate in Angliā aliisque Regnis Populi Christiani, pro ejusdem sedis subsidio sunt collata & collecta, non adhuc a debitorum suorum, quæ pro catholicæ fidei, Ecclesiasticæ libertatis, & patrimonii sui defensione (or rather to maintain his unjust Wars, and Traiterous designs against his Sovereign Lord the Emperor) contraxerat, onere valeat relevari, ad vestrae devotionis effectum, necessitate cogente, fiducialiter recurrentes, universitatem vestram, de consilio fratrum nostrorum rogamus, attentius monemus per Apostolica scripta præcipiendo mandantes, et mandando præcipientes, quatenus præscriptæ necessitatis & oneris instantia, qua Romana Ecclesia, mater vestra spiritualis graviter perurgetur, affligitur, & pene opprimitur, affectione pensantes, ut convenit, filiali, & compassionem super hoc habentes debitam erga ipsam, nobis & sibi, pro solutione debitorum illorum prædictorum, in ea subvenire curetis pecuniæ quantitate, et summa, qualem et quantam dilectus filius noster Magister Martinus, Camerae nostræ Clericus, & lator præsentium, vobis ex parte nostra duxerit declarandam, exprimendamque. Eamque ipsam pecuniam, per vos collatam, dicto Magistro Martino, aut ipsius nunciis, infra terminum, quem idem vobis præfiget, assignetis; Preces nostras (or rather insolent Papal Commands) taliter impleturi, quod nos devotionem vestram merito commendare possimus, & super hoc aliter procedere non cogamur. Datum *Lutetani*, septimo Idus Jan. Pontificatus nostri anno primo.

Cum autem hæc *Londini* prolata, diligenter a Prælati omnibus, præcipue tamen ab Abbatibus essent intellecta, noluerunt Abbates soli respondere, sed adjuncti aliis, quia eodem modo scriptum fuit eis, studiose super his contractaverunt. Conquerentesque ad invicem, dixerunt: In arcto constitutus Rex Dominus & Patronus noster, & multarum Ecclesiarum nostrarum fundator & instaurator, thesauris destitutus, rogat auxilium ad defensionem & munimen Regni, id est Reipublicæ, & hoc idem Dominus Papa postulat instanter pro ipso Rege: Ecce duplex petitio, utrobique valida & efficax. Supervenit autem alia Papalis non expectata postulatio.

stulatio Prima quia duplex præponatur, & est favore dignior. Et Regis enim liberalitate aliquam expectamus retributionem: ex Papa vero, nullam. Hinc tamen impetitur, illinc perurgemur: hinc premimur, illinc coarctamur, & quasi inter incudem & malleum conterimur; & velut inter duas molas exagitamur.

Et dum talia, non sine cordium cruentatorum amara sollicitudine, diversimode rebolderentur, ad omnium Magnatum notitiam omnia pervenerunt. Perstrepsit murmur in populo, et quid agendum ignorantes, omnes ad Prælatos accesserunt, ut uno per omnia consilio uterentur, quia hoc negotium generalem statum regni continebat. Et ecce Magister *Walterus de Oera*, & quidam alii solennes nuntii Domini Imperatoris, *Londinum* advenientes ad Concilium, Epistolam Imperialem in medium protulerunt. Et statim, Magistro *Martino* multum murmurante, & inde grunniente, perlecta est in præsentia Domini Regis & totius Concilii. In qua Epistola se excusabat Dominus Imperator, de contumacia, super qua reddiderat eum Dominus Papa infamem, asserens, se velle humiliter iustitiæ parere, & mandatis Ecclesiæ stare & satisfacere. Cui etiam perhibebant testimonium Dominus Imperator *Constantinopolitanus*, & Dominus Comes *Tholosanus*, per literas suas patentes ibidem in propatulo demonstratas. Iustificans etiam se Dominus Imperator *Fredericus* in tenore ejusdem chartæ, & per nuncios itidem offerentes, protestatus est, quod Dominus Papa proterve exigebat se seisciri civitatibus & castris & terris quibusdam, de quibus non adhuc constat, si pertineant ad Imperium vel Ecclesiam; & incarceratos quosdam, quos tenebat quasi suos seductores, liberari, antequam idem Imperator absolveretur. Timens igitur, ut ait, *secreti, et Papalibus laqueis alligari*, supposuit se dispositioni & censuræ Regum *Francorum & Anglorum*, ac *Barnagii* Regnorum eorundem. Nec sic, ut ait, a Domino Papa exaudiri, nec appendi potuit ejusdem tam justa humilitas. Et super hoc conquestus est graviter universis. In calce igitur sermonis in charta conscripti, inculcans addit Dominus Imperator *Fredericus*, cum quadam etiam comminatione adjuncta, quod omnia transmissa in auxilium Domini Papæ, fuerint addita Imperiali thesauro. Unde modis omnibus quibus potuit, supplicabat, ne Anglici in suum detrimentum Papæ æmulo suo aliquid contribuerent. Addidit etiam, quod si Rex Angliæ suis obtemperaret consiliis, Regnum Angliæ a tributo, quo injuste Papa *Innocentius tertius* illud ligaverat, potenter ac iuste liberaret, necnon et ab aliis Papalibus gravaminibus, quibus diatim opprimitur, illud exsperet. Per quod Dominus Imperator multorum corda sibi conciliavit. Insertum etiam fuit chartæ memoratæ, quod si Rex huic mandato non obtemperaret, quoscunque de suis in ditione sua posset reperire, gravi puniret ultione. A Letter, advice, resolution worthy a Magnificent Christian Emperor.

Convenientibus autem iterum Magnatibus cum Prælati generaliter *Londini*, scilicet a die Purificationis Beatæ *Mariæ* in tres septimanas, Concilium super prædictis negotiis & tractatum habuerunt diligentem. Assuerunt etiam illic quorundam absentium procuratores, videlicet *Cantuariensis* & *Eboracensis* Archiepiscoporum, triumque sedium Episcopaliū tunc vacantium, ex parte Capitulorum, *Coventrensis*, *Cicestrensis*, & *Coventr*. Et renovata fuit petitio Domini Regis, super auxilio pecuniari sibi faciendo. Circa quod de die in diem convenit eos Dominus Rex, tum in propria persona, tum per internuncios solennes, per quos promisit se libertates quas juraverat in Coronatione sua, super quibus Chartam consecerat, integerrime servaturum. Ad quarum etiam tuitionem, rogavit, ut singuli Episcopi in Diocæsibus suis, sententiam ferrent in ipsum, et omnes, qui contra memoratas libertates venirent in aliquo articulo. Tandem unanimiter, cum nullo modo ad aliam formam possent flecti, concesserunt Domino Regi, ad maritandam filiam suam primogenitam, de omnibus, qui tenent de Domino Rege in capite, de singulis scutis viginti solidos

Mat. Paris Hist. Angl. p. 623. 624, 625. Nuntii Imperatoris prohibent, ne Angli faciant Contributiones Papæ.

\* See here. p. 273. 274, 287, 290, &c.

Consentiente Magnates Angliæ in auxilio pecuniari præstando.

**solidos solvendos, scilicet medietatem ad Pascha, et aliam ad festum Sancti Michaelis.** Et cum relatum esset Domino Regi, ut ad memoriam tam hæc quam præterita reduceret, recordatum est ei, quoties similia a suis fidelibus, quos fovere debuit, non depauperare truculenter, & sine solutione promissorum, eisdem extorserat. Post captionem *Bedeſfordiæ*, statim concessum est ei Carucagium de tota *Anglia*, scilicet de qualibet Caruca duo solidi. In anno sequenti, quintadecima omnium mobilium. Iterum, iturus in *Britanniam*, cepit non modicam pecuniam a Prælatiſ etiam & viris religioſis, Burgenſibus, & *Judæis*. Post reditum suum de *Britannia*, cepit Scutagium, scilicet de Scuto tres Marcas. Item, postea concessa fuit quadragesima pars omnium mobilium. Item, postea trigesima pars omnium mobilium. Item, quando maritavit sororem suam *Isabellam* Domino Imperatori *Fredrico*, cepit Dominus Rex ad maritagium suum Carucagium, videlicet de qualibet Caruca duas Marcas. In nativitate autem filii sui, in magnum dedecus sui, multa munera, quæ ad magnam summam pecuniæ ascenderunt, violenter & impudenter extorsit. Item, iturus in *Gasconiam*, cepit a Prælatiſ, viris religioſis, Burgenſibus, & *Judæis*, & a quibuscunque potuit aliquid abradere, pecuniam multam, imo pene infinitam. Rediens autem a *Gasconia* inglorius & seductus, jussit ut Magnates & Prælati ipsi occurrerent etiam usque ad mare, qui ibidem illum diu expectantes frustra, tandem ipsum in muneribus multis & impreciablebus exceperunt. Similiter & Cives *Londinenses*, & alii. Et qui munera nobilia compertus est non contulisse; aliquo argumento redargutus, damnificabatur. Qualiter autem pro hæc præſenti contributione & omnibus aliis, promissa & pacta adimplebit Rex, noverit ille qui nihil ignorat.

Responsum  
Prælatorum su-  
per petitionibus  
Magistri Mar-  
tini,

Et cum novisset Magister *Martinus* Nuncius Domini Papæ, quod Magnates *Angliæ* Regiæ contributioni generaliter consensissent, inhiabat avidius ad negotium suum, ad quod missus fuerat, consummandum, quod adhuc suspensum expectabatur, videlicet de adjutorio Domino Papæ pecuniari faciendo. Congregatis igitur omnibus, ait, *Veri fratres, ac Domini Romanæ Ecclesiæ filii dilectissimi, in quorum sinu reposita est tota spes Papalis, quid respondetis & vos Patri vestro spirituali super negotiis Romanæ Ecclesiæ matri vestra, ut per Epistolam Papalem certificamini, sic oppressa & Domino vestro temporali obedientes obtemperastis, videlicet Domino Regi; Adit ut Patri vestro spirituali, scilicet Domino Papæ, in vobis confidenti, et pro statu universalis Ecclesiæ contra ejus rebelles dimicanti, manum non porrigatis auxiliatricem.* At Prælati prudenter considerantes sermones ipsius mellitos & mollitos, favo dulciores, & oleo molliores, cum tamen essent in fine felle amariores, & jaculis pungentiores, non sunt incurbati. Sed præhabita deliberatione, ponentes verbum commune in ore Domini Decani *Sancti Pauli Londinensis*, viri discreti & facundi, hæc ipsi Magistro *Martino* prædicto retulerunt. *Domine, respondet tibi universitas Prælatorum Angliæ, jam de auxilio pecuniari Domino Papa contribuendo, quam de redditibus, quos à singulis Ecclesiis sibi per te Dominus Papa postulat exhiberi. Illa quæ proponis, Dominum Regem Angliæ specialiter tangunt, generaliter autem omnes Ecclesiarum patronos. Tangunt etiam Archiepiscopos, et eorum Suffraganeos, necnon universos Angliæ Prælatos. Cum ergo Dominus Rex propter infirmitatem, Archiepiscopi, Episcopi, & alii Ecclesiarum Prælati, sint absentes, in eorum absentia, respondere non possumus, nec debemus: quia si id facere præsumeremus, in præjudicium omnium absentium fieret Prælatorum. Et illis dictis, venit *Johannes Mareſcallus*, & alii Nuncii Domini Regis, ad omnes Prælatos, qui de Rege Baronias tenebant in Capite, districte inhibentes, ne Laicum feudum suum Romanæ Ecclesiæ obligarent, unde a servitio sibi debito privaretur. Hæc cum Magister *Martinus* intellexisset, statuit his qui aderant diem in medio Quadragesimæ, dum ipse procuraret Domini Regis adventum & absentium Prælatorum, ut negotium tunc sortiretur effectum. Sed illi absque Regis et aliorum, qui absentes erant, assensu, præfixum diem admittere noluerunt: unde singuli ad propria sunt reverti. Veruntamen autoritate novarum Literarum, quibus ad placitum abandabat Magister *Martinus*, iterum aliqui Prælatorum convocati, memoratæ contributioni noluerunt consentire, sed jam efficacius resistunt,*

dicentes

Nota.



dicentes per prædictum responfalem: In primis, paupertas Regni Angliæ, cui undique imminent bellorum pericula, non permittit huic exactioni consentire, quâ toto Regno communiatur. Prætextu cuius paupertatis plures adhuc Ecclesiæ aris alieni pondere, & præcipue Monasteria, prægravantur. Item, cum Legato Cardinali exigente fieret contributio nuper propter onus aris alieni, quo dicebatur Ecclesiæ Romana prægravari, in magnum gravamen nostrum, nec tamen in utilitatem Ecclesiæ sit conversa, fortius nunc simplici nuncio exigente, timeri potest, ne consimile vel deterius contingat ista vice. Item, si nunc iterum fieret, timeri posset non immerito, ne ad consequentiam traheretur, cum binus actus inducat consuetudinem. Item, cum in brevi celebraturus Concilium credatur Dominus Pape, & certe jam dicatur, ubi indubitanter Prælati omnes et singuli gravabuntur, tum in magnis itineribus, et sumptuosis laboribus, tum etiam in visitationibus, gratis vel non gratis, Domino Papæ, aut quibusdam aliis, quos nunquam munera spernere vidimus, faciendis, contingeret, quod per afflictiones afflictis additas, pauci invenirentur, qui possent moles huiusmodi importabiles ferre aut sustinere. Item, cum sancta mater nostra Ecclesiæ Romana ere alieno onerata plurimum affligatur, iustum est & honestum, ut cum pondus huiusmodi sustinere non pravealeat, sibi ab universis devotis suis filiis, qui omnes in brevi crebuntur in Concilio convenire, fiat subventio. Et quod principaliter tangit, ab omnibus comprobetur, ut sic melius Ecclesiæ relevetur, & singuli minus prægraventur. Cum autem hæc audisset contra exactionem Ecclesiarum & Præbendarum, & auxilii pecuniæ tam efficaciter & constanter inferri, dicitur Magister Martinus oblatrasse comminando. Quod Prælati patienter sufferentes, soluto Concilio recesserunt: In calce Sermonis addentes, Quod Imperiales minas, si contribuissent amplius, formidabant. Martinus thus defrauded of his expected Ayde, betakes himself to his Rapines: Et tunc autem insidiando, manus avidas redditibus vacantibus latentius injectit: Utpote Sarisburiensis Ecclesiæ Thesaurariæ, quam nepotulo Domini Papæ conferri procuravit, & aliis plurimis, de quarum collationibus et ablationibus, ob reverentiam Ecclesiæ Romanæ honestius est omittere, quam propter scandalum enarrare.

Eodem vero anno, tertio Idus Septembris, consecratus est in Episcopum Batoniensem Magister Rogerus, Sarisburiensis Ecclesiæ Præcentor, vir eleganter moribus & scientia Theologiæ præditus, apud Radinum. Cujus redditibus jam vacantibus, Magister Martinus, Domini Papæ Clericus, Papali aultus auctoritate, avidas manus injectit, cuidam Papæ consanguineo conferendis.

Eodemque tempore, factæ sunt inauditæ extorsiones pecuniæ et reddituum, per Magistrum Martinum, Londini commorantem, scilicet apud Novum Templum. Per modum enim Legati se gerens, licet Legati vestibus, pro privilegio Regis sophistice salvando, non insignitus, passim significavit imperiose illi Abbati, vel illi Priori, ut sibi darent et mitterent munera pretiosa, Palefidos desiderabiles, et in esculentis et poculentis sumptuosa renia, et vestimenta adornatiba. Quod cum fecissent, ipse Martinus remisit eis quæ ei missa fuerunt, asserens ea esse insufficientia, & præcepit eis, ut meliora sibi sub pœna suspensionis et anathematis transmitterent. Suspendit autem omnes a collatione beneficiorum triginta Marcas valentium et supra, donec suæ satisfactum foret cupiditati. Unde miseri Anglici acerbiorem quam olim subierunt filii Israel, se doluerunt in Agypto Bitamica tolerare servitutem.

Hereupon the King issued this memorable Writ of Prohibition to this usurping, oppressing Roman Harpy, to stop his invasions upon the Rights of Patrons by Papal Provisions, which neither he nor his Nobles would or could any longer endure, and whereof they would complain to the Pope and Cardinals, to put a bridle to him: Wherein the King amongst other things informs him, That no Legates ought to come into the Realm, unless they were specially desired from the See Apostolick, by the King himself.

Mat. Paris Hist. Angl. p. 630. Rogerus consecratur in Episc. Batonicensem.

Mat. Paris Hist. Angl. p. 626. Mat. Westm. p. 180, 181. Martini Clerici Papæ inauditæ extorsiones.

Claus. 28 H.3.  
m. 4. dorso.  
\* Papæ.

*Nota.*

\* The Cases of  
Pandolphus, and  
Nicholas Toul-  
couse: *scilicet*, Popes  
Legates, fore-  
cited p. 273, to  
290, &c. should  
have been ex-  
cepted.

**R**EX Magistro Martino, Clerico Cameræ Domini \* Regis & ejus Nuncio, salu-  
tem. Non capit in vobis Sermo noster, nec recepit impressionem Sermonis no-  
stri cor vestrum lapideum, quod erga nos est nimium induratum. Nos autem illud  
mollificabimus, & de necessitate virtutem vos facere faciemus, quoniam subver-  
sionem quam in Regno nostra intenditis attemptare, non possumus  
nec volumus sustinere. Ad memoriam quidem, si vultis, bene poteritis revocare,  
qualiter pluries vobis scripsimus satis recentem, quod nullo modo sustinebitis Ab-  
batem de Burgo S. Petri, præsentationibus Ecclesiarum ad patronatum suum  
spectantium, præbati ad præsens, ad quos nostros præsentavit Clericos speciales.  
Porro, non credimus vos latere, & si placet, vobis præsentibus innotescat; Quod  
Legati in Regnum nostrum non veniunt, nisi per Nos a sede Apo-  
stolica specialiter postulati. Et qui hucusque postulati venerunt, et  
in majori officio missi fuerunt, nunquam mandatum Apostolicum  
pervertere, et \* jura nostra, et Magnatum nostrorum subvertere in-  
tenderunt, nec id effectui manciparunt; et de Majoribus Magna-  
tibus nostris Episcopos et Abbates merito reputamus, qui inter ali-  
os Majores possident Baronias, quos sicut et Laicos, si Regnum  
nostrum conservare velimus, necesse habemus protegere et tueri.  
Discretionem igitur vestram attente rogamus precibus inculcatis,  
quatenus præsentationes prædictas impedire nullatenus præsuma-  
tis, attentius attendentes, quod Magnates nostri non modicum con-  
tra patientiam nostram obmurmurant super beneficiorum surrepti-  
one, quam in Regno nostro facere incepistis, quam nec nos possu-  
mus, nec volumus, nec ipsi possunt, nec volunt æquanimiter tollere.  
Nos igitur tam in præmissis, quam in aliis agendis vestris in  
Regno nostro, vos ita modeste gerere studeatis, quod jura nostra,  
et Magnatum nostrorum, nullatenus perimatis; quoniam si secus  
egeritis, proterbitati vestre et injuriæ fratri debitum imponemus,  
non sine revelatione execrabilis facti vestri, quod Domino Papæ, et  
omnibus Cardinalibus, et toti Romanæ Ecclesiæ curabimus inti-  
mare. Si quod autem mandatum præsentationibus prædictis con-  
trarium Episcopo Lincoln. direxeritis, id celeriter rebocetis.  
Teste Rege apud Novum Castrum super Tinam, Decimo die Augusti.

\* Here p. 609,  
610.  
Anno 1245.  
Mat. Paris Hist.  
Angl. p. 638.  
Magister Mar-  
tinus invigilat  
redditibus colli-  
gendis.

*Martin* notwithstanding these Prohibitions and Complaints, proceeded on  
still in his rapines and Exactions; the King at last protecting and conniving at  
him, for the \* Ayde the Pope had enjoined the Clergy to grant him. Whereupon,  
Instabat interim vigilantissime & incessanter, sæpeditus ille Magister Martinus  
Domini Papæ Clericus, redditibus, quomodolibet ad opus Papæ, Papalibusque con-  
sanguineis congregandis ac conferendis. De cujus proterba et injuriosa  
rapacitate honestius et tutius esset, ob reverentiam Sanctæ Romanæ  
Ecclesiæ, arbitror silere, quam aures offendere audientium, et men-  
tes fidelium talia enarrando perturbare. Redditus autem Thesaurarii  
Sarisburiensis, cum aliis multis, violenter, ut prædictum est, sed præcipue a viris reli-  
giosis, rapiuntur; Procuratibus, et munera exiguntur sibi festinanter  
transmittenda, et contradicentes graviter puniuntur. Rex quoque  
parti suæ favit, eundem contra omnes protegens, forte propter retributionem, &  
facta est Regni condicio miserrima.

Ipso quoque tempore, obiit Magister Elyas de Derham, Canonicus Sarisburiensis.  
Cujus redditibus vacantibus, manus rapaces injecit Magister Martinus, ad  
opus Papæ.

After which he seized upon the Temporalities of some Bishopricks then voyd, be-  
longing to the King, who thereupon grew very angry with him. Upon which occasi-  
on, \* Fecit Dominus Rex eodem tempore per singulos Comitatus diligenter inquiri,  
summam reddituum Romanorum et vicorum Italicorum, quos Ro-  
mana

\* Mat. Par. Hist.  
Angl. p. 639.  
Mat. Westm. p.  
191.

mana Curia fraudulenter et violenter ditabit in Anglia. Et inven-  
ta est summa reddituum eorum annuatim, sexaginta Millia Marca-  
rum: ad quam summam non attingit redditus annuus totius Reg-  
ni Angliæ. Unde Rex, licet sero, et in admirationem est experge-  
factus, et in iracundiam, nec immerito, est commotus.

The copy of these Writs of Inquiry issued to all the Sheriffs of England; not ex-  
tant in our Historians, I find thus recorded in the Clause Rolls of this year.

R EX Vicecomiti Northamptonia, salutem. Præcipimus tibi quod per Sacra-  
mentum proborum & legalium hominum de Com. tuo, per quos rei veritas  
melius sciri poterit, cum quanta poteris diligentia inquires; Quæ beneficia  
Ecclesiarum Parochialium, Præbendarum, et Pensionum de Came-  
ra, et de omnibus aliis beneficiis Italicis, videlicet Romanis, Tuscanis  
et Lombardis, et aliis ultramarinis habent in Com. prædicto, et quan-  
tum valeant per annum. Et inquisitionem inde factam sub sigillo  
tuo et sigillis eorum per quos facta fuerit, nobis distinge, caute et  
apertè sine dilatione mittas, et hoc brevè: Ita quod eam habeamus ad  
tardius in festo Sanctæ Trinitatis, sicut corpus tuum diligis. Teste Rege apud Wood-  
stock, xxij. die Maii.

Clauſ. 29 H. 3.  
m. 10. dorſo.

Eodem modo scribitur omnibus Vicecom. Angliæ.

Moreover, the Nobles to prevent the Popes extravagant Exactions, Bulls and  
Provisions, caused all such as brought them into England, to be diligently searched  
and apprehended.

Urgente igitur necessitate totius Regni Angliæ maxima præceptum est ipso tempo-  
re, et parte aliquorum Magnatum, pro multiformi et incessabili op-  
pressioni et depredatione Regni dolentium et miserantium, ut dili-  
genter et acce custoditis omnibus portibus Angliæ, Papales Lite-  
ræ, quæ quotidie ad emungendam pecuniam portabantur, caperen-  
tur. Contigit autem eisdem diebus, ut unus Domini Papæ cursor, talibus Literis  
Bullatis oneratus, apud Doveram applicans, pervenisset. Quem statim custos  
portus illius & Villæ præpositus comprehendit, ut sibi mandatum erat, & abstulit ab  
illo omnes illas Epistolas & Bullatas Literas, multas abominaciones de diver-  
sis argumentis emungendi pecuniam continentes, et ipsum cur-  
sorem in Castro Doveræ incarcerationi secit. Quod cum audisset Magi-  
ster Martinus, Regem adiit, super hoc querelam ei presentaturus. Cujus rei cum  
Rex se auctorem negasset, (for fear of displeasing the Pope, though he issued out Writs  
for that purpose at the Nobles importunity) ipsum cursorem liberari præcepit, & in per-  
niciem Regni & honoris sui, ipsas Epistolas a Majore Doveræ fecit violenter extortas  
Magistro Martino grateranter præsentari, & aliquarum effectu ad votum gratulari.

Mat. Paris Hist.  
Angl. p. 638.  
Custodiuntur  
Portus ne cur-  
sores Papales  
intrarent in  
Angliam.

The Writs issued to the Guardian of the Cinque-ports and others, for seising the  
persons of all such as brought in any Romish Bulls or Letters, is thus entred on Re-  
cord in the Tower.

Clauſ. 29 H. 3.  
m. 10. dorſo.

R EX Bertramo de Cryole, salutem. Mandamus vobis in fide qua nobis tenemi-  
ni firmiter injungentes, quod nec Archiepiscopum, nec Episcopum, Abbatem,  
vel Priorem, fratrem Prædicatorem vel Minorem, vel aliquem virum Religiosum  
cujuscunque fuerit ordinis, vel alium cujuscunque Nuntium, Clericum, vel Laicum,  
Anglicum vel Alienigenam, de hiis quos applicare continget in Portu Doverum, vel  
aliquo Quinque Portuum, ulterius procedere permittatis, antequam diligens factum  
fuerit scrutinium de hiis quæ super se portaverint, sive Literas deferant, sive alia, &  
inde certificati fuerimus per missionem earundem Literarum ad nos ubicunque fue-  
rimus in Angliæ; & interim corpora eorundem Arrestari faciatis: Ita quod ulterius  
non procedant, donec inde voluntatem nostram vobis scire fecerimus. Istud autem  
firmiter observari faciatis, Nisi solum de hiis quos bene sciveritis esse de fide &  
amicitia nostra, vel specialium nostrorum. Teste Rege apud Clippenham, Tricesimo  
primo die Martii.

K k k k

Et



Et mandatum est Ballivis Portus de *Heath*, quod nec Archiepiscopum, nec Episcopum, Abbatem, vel Priorem, fratrem Prædicatorem, vel Minorem, vel aliquem virum Religiosum, cujuscunque fuerit ordinis, vel alium cujuscunque Nuncium, Clericum, vel Laicum, Anglicum vel Alienigenam, de hiis quos applicare contingeret in Portu suo, ulterius procedere permittant, antequam diligens, &c. ut supra, usque ad illam clausulam nisi solum, &c.

Moreover the King at the earnest request and complaint of his Nobles, against his own private inclination, issued forth this memorable Prohibition to the Abbot of St. *Edmunds*, not to give or pay any Subsidy to *Martin* the Popes Agent, or to suffer him to conferre any Benefices on any person without his privity, till the Noblemens Proctors returned from the Council of *Lyons*, where they intended to Appeal against these innovations and oppressions.

Claus. 29 H. 3.  
m. 8. dorso.

**R**EX Abbati de Sancto *Edmundo*, salutem. Cum pro oppressionibus innumerabilibus factis in Regno nostro per Ecclesiam Romanam, ob quam Magnates nostri ad sedem Apostolicam appellarunt, et quosdam pro ipsis pro universitate totius *Barnagii Angliæ* ad Concilium in brevi celebrandum, ad appellationem suam prosequendam duxerint destinandos, Nos attente rogaverunt, ut nullam immutationem per Nuncios Apostolicos usque ad reditum prædictorum Nuncioz fieri patiamur; Nos, licet inibi, voluntati Apostolicæ contrarium aliquid facientes, volentes tamen nostris condescendere Magnatibus, quod quidem honori nostro nobis convenire, vobis mandamus firmiter injungentes, quod sicut Baroniam et tenementa vestra diligitis, Magistro Martino Clerico Camera Domini Papæ, vel alicui Nuncio Apostolico nullum subsidium impendatis, donec præfati Nuncii redierint a Concilio supradicto, aut certum responsum receperimus ab eisdem, nec interim ad ipsius mandatum præter conscientiam nostram aliqua beneficia conferatis, vel ab ipso confecti permittatis.

Moreover the King at the Nobles request, sent this Writ to his chief Justice in *Ireland* upon the same account, to hinder *John Ruffin*, *Martin*s Agent sent over into *Ireland*, to extort any money or Provisions, or conferre any Benefices there, or to do any thing to the prejudice of his Land or Crown, untill he should receive the Kings further command therein.

Claus. 29 H. 3.  
m. 9. dorso.

**R**EX *M. filio Geroldi Justic. Hibernia*, salutem. Ad vestram volumus notitiam pervenire, Quod Magnates nostri Angliæ ob gravamina non modica et immoderatas oppressiones quibus Summus Pontifex viros religiosos, et alios Clericos terræ nostræ inquietat, obmurmurant, et mente turbantur; Ita quod ea de causa missuri sunt in proximo solempnes Nuncios ad ipsum Summum Pontificem, petturos cum instantia, quod a prædictis oppressionibus desistat. Et quia, sicut audivimus, Martinus Clericus et Nuncius Domini Papæ, qui in Angliā moratur, quendam Clericum nomine Johannem Ruffum, jam misit in Hiberniam, ut similes in terra nostra Hiberniæ faceret oppressiones: Nobis mandamus, quatenus ipsum Johannem, vel alium Literas Apostolicas deferentem, vel ipsius Martini, non permittatis a viris religiosiis pecuniam aliquam extorquere, vel Promissiones aliquas facere Romanis vel Italicis de Beneficiis Ecclesiasticis viroz religiosorum, vel aliarum personarum Ecclesiasticarum, vel aliquid exigere quod terræ nostræ Hiberniæ nocere possit, donec aliud a nobis habueritis mandatum. Teste Rege apud *Westm.* primo die Junii.

\* Provisions.

The

The Kingdom being thus generally grieved by this shamelesse oppressor, thereupon the Nobles meeting secretly at a Torney, against the Kings Prohibition, consulted how to send him packing out of the Realm, and sent a terrible menacing message to him, within four dayes to depart the Realm, under pain of being cut in pieces; whereupon he repairing to the King, who gave him a sharp answer, demanded a safe conduct from him, to guard him from the fury of the Nobles and people to the Sea-side, and thereupon departed the Realm in a terrible panick fear; thus related by *Matthew Paris*.

His diebus, videlicet in crastino Apostolorum *Petri & Pauli*, postquam quædam Torneamenta plena occulto odio per Dominum Regem, propter imminens periculum, prohibebantur, apud *Luitonam & Dunestapliam* congregatorum, missus est *Fulco* filius *Warini* ex parte universitatis Regni, ad Magistrum *Martinum*, Papæ Clericum sæpeditum, *Londoni* commorantem, apud *Novum Templum*. Qui torvo vultu respiciens, eum sic est affatus: **Recedens statim, exi ab Anglia.** Cui Magister *Martinus*: *Quis mihi hoc mandat? An tu ex te ipso hoc habes?* Cui *Fulco*: *Hoc tibi per me mandat armatorum, qui nuper apud Luitonam & Dunestapliam apparuerunt, universitas. Et si sano credis consilio, ne moreris usque interitum diem, ne tu et omnes tui in frustra concideris. Recedente igitur *Fulcone* irato nimis, & minas minus cum terribili juramento cumulante & exaggerante, Magister *Martinus* trepidus & anhelus, statim Dominum Regem adiit, & dixit ei: *Domine Rex, talia nunc audiui: sit ne hoc autoritate vestra, vel vestrorum temeritate?* Cui Dominus Rex: *Non me huiusmodi rei authorem profiteor; Sed Barones mei hic se continent, quin insurgant in me, eo quod tuas in Regno meo, et eorundem, quæ jus et modum excedunt, depredationes et injurias hactenus toleravi.* Quorum etiam furorem hic compescui, quin et in te irruentes, te membratim non dilacerarunt. Cui Magister *Martinus* humili & trepida voce ait: *Peto igitur, Domine Rex serenissime, ob Dei amorem, & Domini Papæ reverentiam, liberum exitum, & tutum à terra vestra cum conductu vestro recessum.* Cui Dominus Rex, commotus & iratus nimis, ait: **Diabolus te ad inferos inducat et perducatur.** Dumque circumfidentes vix Regem mitigassent, iussit Rex cuidam Marefcallo Palatii sui, nomine *Roberto Norisco*, ut ipsum Magistrum *Martinum* usque ad mare salvo perduceret. Qui cum statim iter aggrediens, ducem suum *Robertum* dictus Magister *Martinus* juncto latere sequeretur, & quandoque, ut contingit, equitantes aliquos conspiceret vel transiuntes, ipsum timor & irem adeo contraxerunt, ut si terra hiaret, sub cespite latitaret. (O the strange fear and terrour that guilt infused into this impudent Papal oppressor, though armed with the Popes own Bulls!) Et cum procedentes, ad lymbum cujusdam sylvæ venalis pervenissent, quam electus *Cantuariensis* venalem exposuerat, ubi compatriotæ ad emenda & eligenda robora convenerant, conspiciens eos *Martinus*, pavidus ait, duci suo *Roberto*, *Hu heu, quod timebam, accidit mihi. Ecce nos invasuri. O avice & Domine mi Roberte, habesne filium, nepotem, consanguineum, vel amicum, quem cupis in redditu Ecclesiastico promoveri? Præsto sum ut procurem omnia tibi postulata. Ecce insidiantes anima mea: protege me sub umbra alarum tuarum.* Cui respondit *Robertus*: *Abfit ut aliquis meorum talem habeat in Ecclesiasticum beneficium per me ingressum. Nescio qui sunt illi. Veruntamen ad ipsos vado quantocius, te me hic expectante, ut monstrato Regis autentico, si malevoli sint, eorum reprimam temeritatem.* Qui ad ipsos veniens, cum rei veritatem cognovisset, cito rediens ad *Martinum*, ut illuderet ei, ait: *Vix eorum compescui furorem, quin te frustatim detruncassent. Sed nunc latenter & caute ambulemus, ne deterius quid tibi contingat: & navigans irrediturus, si sapi, recedas, ne in laqueos quarentinum animam tuam infeliciter precipiteris.* Ex tunc igitur Magister *Martinus* equinis lateribus non parcendo, moram ducis redarguens, ad mare properabat. Et ad *Doveram* perveniens, die *Sancti Suitheni* navem ascendens, multos in recessu suo latificavit. Sed ne virulentæ pestis efficacitæ penitus cessaret, cuidam Magistro *Philippo*, auctoritatis sibi concessæ adhuc exequendi in extorsione reddituum, potestatem concessit, et sic post terga fœda reliquit vestigia. Hæc igitur dixerim, ut sciat quilibet, quam formidolosi sunt hi solum pecunia inhiantes, quos propria sauciât conscientia. There being nothing that so much encouraged the Popes Exactions, to proceed in their Rapines, as the sordid timidity and baseness of the English Prelates and Clergy, in not publickly resisting them with that*

Mat. Paris Hist.  
Angl. p. 640.  
Dicesse meti-  
culosus Magistri  
Martini ex An-  
glia.

conrage and resolution as the Nobles and Commons then did, out of a generous publick spirit.

*Matthew Westminster* thus relates *Martins* departure out of *England*, somewhat different in some circumstances from *Matthew Paris*.

Anno 1245.  
Mat. Westm. p.  
191, 192.

Audiens autem Dominus Rex, multos de proterbitate dicti Magistri Martini graviter conquerendo murmurare, reclusus ad se, licet sero, coepit dolere, quod tantum tolerasset Romanos alienis bonis saginari, et ubi non seminaverunt tantum messis congregasse. Fecit igitur per singulos Comitatus Angliæ inquiri, summam reddituum Romanorum, et inventum est, quod ad tantundem pecuniæ ascendisset, quantum redditus ipsius, videlicet lx. Millia Marcarum puri redditus, exceptis aliis variis emolumentis. Admirans igitur Rex insatiabilem Romanæ Curie proterbitatem, misit ad ipsam Curiam procuratores suos, ut contradicerent de Tributo injuriose imposito, et ut coram Concilio querimoniam reponerent de oppressionibus, et injuriosis exactionibus, quas Dominus Papa quotidie non desinit in Angliâ exaggerare. Misitque Dominus Rex Fulconem filium Marini, ut diceret prædicto Magistro Martino, quod sibi caute præcavens, a terra sua cito fugeret. Non enim poterat furorem volentium irruere aliquatenus cohibere. Fulco igitur mandatum Regis exequens fideliter, ex parte universitatis Angliæ dixit eidem Magistro Martino, ut ante quartam diem sequentem nullatenus in Regno inveniretur, ne extunc in frustra concederetur. Magister igitur Martinus more Romanorum, qui fugantes fugiunt, et fugant fugientes, multum timens pelli suæ, accepto Domini Regis conductu, ab Angliâ ante tertium diem clanculo fugit repentinus.

Mat. Paris Hist.  
Angl. p. 640.  
Magister Martinus conqueritur Papæ.

Magister interim Martinus ad Dominum suum Papam cum pervenisset, & quæ præscripta sunt eidem plenius enarrasset, intendit Papa, et ira excanduit vehementi. Et recolens quod tam Rex Francorum, quam Arragonum, ingressum Regnorum suorum vetuissent ipsi postulanti, nec Rex Anglorum adventum suum in Angliâ acceptasset, imo potius ipsum excecando Nuncium suum et Clericum ab Angliâ probosc eiecisset, dixit in iracundia magna, voce susurra, oculos obliquando, & nares corrugando: Expedi ut componamus cum Principe vestro, ut hos Regulos conteramus recalcitrantes: contrito enim vel pacificato dracone, (meaning the Emperor) cito serpentuli conculcabitur. (A most insolent Speech of a proud Antichristian cholerick Pope.) Quod verbum in vulgus promulgatum, in multorum cordibus offendiculum indignationis generabit.

\* Mat. Paris  
Hist. Angl. p.  
627, 628.  
Mat. Westm. p.  
186.

\* *Alexander King of Scots* (An. 1244.) having by his Charter to *K. Henry* the 3d. *Charissimo & ligio Domino nostro*, (as he stiled him) promised and granted for him and his Heirs, *Quod in perpetuum bonam fidem ei servabimus pariter & amorem; Et quod nunquam aliquod fœdus inibimus per nos, vel per aliquos alios, ex parte nostra, cum inimicis Domini Regis Angliæ, vel heredum suorum, ad bellum procurandum vel faciendum, unde damnum ei vel Regni sui Angliæ & Hiberniæ, aut ceteris terris suis eveniat, vel possit aliquatenus evenire, nisi nos iniuste gravent, &c.* Which Charter was ratified by his Oath, and the Oathes of most of the Nobles of *Scotland*, in the presence of the Popes Legate. *Hæc itaque, ut firmitus robur in perpetuum obtinerent, & alia inferius annotata, transmissa sunt ad Dominum Papam, ut hæc omnia confirmaret, hoc modo.* (It being then grown in use by \* former presidents, for Princes voluntarily to subject themselves to the Popes and other Bishops Ecclesiastical censures and Excommunications, if they violated their Charters, Leagues, Oathes, and Agreements to each other.)

\* Here p. 452,  
453, 454.

Sanctissimo



**S**anctissimo in Christo Patri, *Innocentio* Dei gratia Summo Pontifici, *Alexander* eadem gratia Rex *Scotia*, Comes *Patricius*, Comes de *Strathern*, (with 47. more Earles and Nobles therein named) salutem, & debitam cum omni honore reverentiam. Sanctitati vestræ significamus, nos Sacramentum corporaliter præstitisse, coram Venerabili Patre *Ottone*, Tituli Sancti *Nicholai* in carcere *Tulliano*, Diacono Cardinali, in *Anglia*, *Scotia*, & *Hibernia*, tunc Apostolicæ sedis Legato, ac Chartam nostram consecisse, quæ ita incipit: Sciant præsentēs & futuri, quod ita convenit in præsentia Domini *Ottonis* Sancti *Nicholai*, &c. Quæ Charta penes Dominum Regem *Anglia* & nos remanet chyrographata. Item aliam: quæ sic incipit: Ad omnium vestrum notitiam volumus pervenire. Cum ex forma præcedentium nostrarum pateat obligationum, subiecimus nos Jurisdictioni vestræ, ut nos et hæredes nostros per censuram Ecclesiasticam possitis coercere, si aliquo tempore contra memoratam pacem venerimus: Etsi nonnunquam contingit, quod quidam nostrum, omnes, vel unus, contravenire temere præsumerent, vel præsumere nituntur, & ex hoc tam animabus nostris quam hæredum nostrorum grave posset generare periculum, & corporibus nostris & rebus non minimum immineret detrimentum: Sanctæ Paternitati vestræ supplicamus, quatenus al. cui Suffraganeorum Archiepiscopi *Cantuariensis* detis in mandatis, ut nos hæredesque nostros ad præfatæ pacis observationem compellat, prout in instrumentis inde confectis plenius continetur. Alias, super eadem pace, quod Canonicum fuerit, auctoritate vestra statuat, contradictores, &c. Et ad istius petitionis nostræ consummationem, præsentis scripti sigilla nostra apposuimus. Hæc autem cum consummata fuissent, amici facti sunt, ut sperandum est, indissolubiles, Domini Rex *Anglia*, & Rex *Scotie*, absque simulatione & verborum scrupulosa contentione.

Soon after this League with the *Scots* thus ratified, \* *David* Prince of *Northwallis* invading and pillaging the *English*, against his forementioned Oath and Charter, (encouraged by the Popes Bulls of Exemption) thereupon the King in the Archbishops absence sent this Writ (together with a copy of the Archbishops delegation and *David's* Charter) to the Bishop of *Worcester*, to excommunicate him with his adherents and favourers, according to the clause in the Charter \* forecited.

\* Mat. Paris p. 628, 629.

\* Mat. Paris p. 605. Here p. 600, 601.

**R**EX *W.* eadem gratia *Wigorn*, Episcopo, salutem. Cum *David* filius *L. wellin* quondam Principis *Northwallis* summisserit se & omnes alios *Wallenses* qui sibi adhererent, & eorum terras Jurisdictioni Venerabilium Patrum *Cantuariensis* Archiepiscopi, & quorundam Suffraganeorum ipsius vel aliquorum ex ipsis in solidum, quorum nos ipsi examen eligere vellemus, quod si a forma pacis inter nos & ipsum initæ aliquando reslirer, liceret eisdem Archiepiscopo & Episcopis quibusdam eorum quos nos eligeremus, per sententias excommunicationis et interdicti ipsum *David* et alios *Wallenses* sibi adherentes coercere, donec ad condignam satisfactionem venirent, et super hoc corporale præstitisset Sacramentum: Nos quia prædictus *David* cum quibusdam complicitibus suis terram nostram & Baronum nostrorum, sprete Sacramenti sui religione, hostiliter invasit, coercionem super hoc invocavimus Venerabilium Patrum *B. Cantuar.* electi, & *P. Hereford.* Episcopi, qui cum profecti sint ad Curiam *Romanam*, suam nobis Jurisdictionem in hac parte, per Literas suas Patentes, quas vobis mittimus simul cum transcripto Literarum ipsius *David*, demandaverunt exequendam; super quo Paternitatem vestram rogamus quatenus prædictum *David* & complices suos, et fautores debita scriptis auctoritate prædicta coercionem, ut super eo quod contra formam pacis prædictæ, inter nos & nostros attemptavit, debitam non effugiat vindictam. Teste apud *Merleberg*. xxix. die *Novembris*.

Claus. 29 H. 3. m. 18, 19 dorso

\* Mat. Par. Hist. Angl. p. 632.

Mat. Westm. p. 180, 181, 189. *David* Princeps *Northwallis* cupit liberari a jugo *Anglorum*.

Hereupon to avoyd this Excommunication, and exempt himself from the Kings Allegiance: \* Eorum temporum curriculo, *David* Princeps *Northwallis*, neposque Domini Regis *Anglia*, timens vehementissime impetus Regis *Anglorum*, contra eum merito commotum, (qui ad Asylum Papale ut prædictum est fugerat, & favorem invenit ut collum de jugo Regis excuteret) misit ad Dominum Papam Nuncios solennes,

\* Here p. 273,  
274, 289, 290

solennes, per quos ei significavit, quod se suamque terram totam contra Regis Anglorum jus contuendam Ecclesie Romanæ resignavit, ipsi tamen David tenendam, suisque hæredibus, reddendam inde annuatim quingentas Marcas. (In imitation of King John's \* forecited Charter to Pope Innocent the 3d.) Et Literas super hoc, nacta occasione justitiæ, non sine maximæ pecuniæ inutili effusione, meruit obtinere, sub hac forma.

Literæ quas idem Princeps a Papa contra Regem Angliæ impetravit.

Illustri viro, Domino Henrico, Dei gratia Regi Anglorum, &c. Abbates. Habernonia, & de Kemere, Cisterciensis ordinis, Inquisitores dati a Domino Papa, salutem in Domino. Mandatum Domini Papæ recepimus in hæc verba.

\* Here p. 271,  
273, 326, 327,  
368.

\* See Gratian  
caus. 15. qu. 6.  
caus. 22. qu. 4.

Mat. Westm.  
p. 189.

Mat. Paris Hist.  
Angl. p. 640,  
661, 662, 663.  
Rex Angliæ  
parat expeditionem in Walliam.  
Mat. Westm.  
Anno 1245.

INNOCENTIUS Episcopus, servus servorum Dei, dilectis filiis Abbatibus de Habernonia, & de Kemere, Cisterciensis ordinis, Bangorum Diocesis, salutem & Apostolicam Benedictionem. Ex parte dilecti filii nostri, Nobilis viri David, Principis Northwallia, fuit propositum coram nobis, quod cum inter ipsum, quem parentes ejus in alumnum Romanæ Ecclesie donaverunt, & charissimum in Christo filium nostrum Regem Anglorum illustrem, bellum longo tempore perdurasset, tandem postquam fuit in Venerabilem fratrem nostrum Episcopum de Sancto Asaph, & collegas ipsius, de stando hinc inde eorum arbitrio super omnibus querelis, juramento a partibus præstito, concorditer, bonis viris mediantibus, compromissum. Idem Rex, non attendens, quod pendente illorum arbitrio, sibi super hoc aliquid attentare non licebat, in prædictum Principem ex insperato hostiliter irruit, ad præstandum quod super prædictis, de quibus compromissum fuerat, & juratum, ac aliis ipsius Regis, mandare per vim compulit, & metum, qui cadere poterat in constantem. Cum igitur ea quæ vi & metu hant, catere debeant robore firmitatis, (therefore King John's Charter of Resignation of his Crown and Kingdoms to Pope Innocent the 3d. \* by force and fear, must be voyd by this his Papal resolution) discretioni vestræ per Apostolica scripta mandamus, quatenus inquisita super hoc diligentius veritate, si rem inveneritis ita esse, auctoritate nostra prædictum Principem ab observatione sic extorti juramenti penitus \* absolventes, sententia, si qua occasione hujusmodi in ejus personam, vel terram, ab aliquo forsitan lata fuerit, juxta formam Ecclesie, sine difficultate qualibet, si cut iustum fuerit, relaxetis. Testes vero, &c. Datum Janua, septimo Calend. Augusti, Pontificatus nostri Anno secundo. Hujus igitur auctoritate muniti, vobis mandamus, quatenus in Vigilia Sanctæ Agnetis virginis, apud Keyru, in Ecclesia Guistefend, coram nobis compareatis, super contentis in autentico, dicto Principi responsuri, si vobis videritis expedire. Hæc cum ad audientiam Domini Regis, & suorum Magnatum pervenerunt, & cito post ad notitiam aliorum Principum fama referente pervolarunt, indignati vehementer, et Romanam avaritiam detestantes, ipsum Regem non attendere hujusmodi mandata Papalia tam injuriosa persuadebant, et ad hostile certamen animabant, ad reprimendam tam ingrati novam insolentiam, et ut ipsum David sine dilatione impeteret, accelerabant. (So little did the King or his Nobles value this Popes most insolent Bull, or his Delegates illegal summons.) Quod cum cognovisset Dominus Papa, conniventem hæc omnia dissimulabat: et conniventibus oculis dissimulando elabi permisit sub silentio, præmio tamen, quod acceperat ab ipso David, non restituto.

The King hereupon, instantibus Calendis Julii, omnibus Comitibus, Baronibus, Militibus, & aliis, qui ei servitium militare debebant, ut se convenienter in Walliam profecturum sequerentur, per Literas suas Regias stricteissime submonitis & convocatis, non valens, nec volens amplius subitis incursum & discursus Wallensium equanimiter tolerare, preparavit se, ut ad illorum terminos potenter expugnandos iter & vexilla dirigeret, milite stipatus copioso. Then marching with his forces to Gannok, they wasted Wales with fire and sword: Abbatiam de ordine Cisterciensi, Abercukunam nominatam, (whose Abbot was one of the Popes Delegates that summoned the King) omnibus bonis, etiam calicibus & libris irreverenter depradantes, officinas ejusdem combusserunt. And the

the English invading them on the one hand, and Irish forces on the other, he destroyed these Welsh rebels ( notwithstanding the Popes absolution and protection ) exterminio irreftaurabili. *Hybernenfes* enim in adventu suo totam *Englefiam*, quæ est omnium *Wallenfium* quafi nutrix & refugium, vultaverant, & in recessu fi quid refiduum infuerat, in ore gladii trucidarunt, & in favillam redigerunt; ita quod omnia quafi incultam & vultam eremum five folitudinem relicta vifa funt. The King walted the other parts of Wales in like manner, and prohibited any victuals to be brought from *England* or *Ireland* to the Welsh. *Wallenfes* igitur infelicitiffimi, hyemali ingruente rigore, multiformi inedia, cum domiciliis & omni victualium genere diftutiti effent, nec in fper ulla melioris fortunæ vel conditionis erigerentur, cum omnes terræ fuæ jacerent incultæ, in femetipfis contabuerunt, fame, & frigore, & desperatione, tam mente quam corpore miserabiliter perituri languerunt. Not long after, Anno. 1246. circa initium Veris, quando folent promptius fe accingere præliaturi, ad belli neceffaria, *David* Princeps *Northwallia*, & nepos Regis innumeras animi amaritudines, post terræ fuæ destructionem, variasque cædes, & famis in medias hominum fuorum, quafi variis tribulationibus laceffitus, de hac valle morientium, ad vallem tranfit mortuorum; *Walliam* perturbatam, & miserabiliter relinquens defolatam. In cujus loco *Wallenfes* filium *Griffini* fibi in Principem elegerunt. Quod cum idem *Griffinus* audiffet, Regem, qui eum in finu misericordiæ receptaverat, & jam per multum temporis honorifice aluerat & exaltaverat, relinquens, more leporino ad latibula *Wallenfium*, saltu confugit repentino. Where I fhall leave him.

To return from the Wars and proceedings againft the Welsh Rebels excited by the Popes Bulls, I fhall relate fome Differences between the King, Deanes, Chapters and others, arifing about the Elections and confirmations of Bifhops, wherein the King was very induftrious to prefervè and regain his ancient eclipsed Royal prerogative therein, as they were ftudious to entrench upon it.

Tempore autem Dominicæ Nativitatis imminente, ( Anno 1241 ) elegerunt Canonici *Londinenfes* in Epifcopum & Pastorem animarum fuarum Magiftrum *Fulconem*, Decanum *Eboracenſem*, virum discretum & circumſpectum, moribus compoſitum & genere præclarum: contra tamen Regis voluntatem, qui pro Epifcopo *Hertfordienſi*, Magiftro ſcilicet *Petro de Egueblanche*, capitulum Sancti *Pauli* iſtantiſſime petierat, ut ipſum in Epifcopum poſtulerent. Magiftrum quoque *Willielmum* de Sanctæ *Mariæ* Eccleſia, virum laudabilem ipſo eodem tempore, ſcilicet Canonico ejusdem Eccleſiæ & Cancellarium in Decanum unanimiter ordinarunt. But by reaſon of the Kings oppoſition againſt *Fulco* his election, he was not confecrated Biſhop till the year 1244.

After many tedious expenſive conteſts between the Monks of *Durham* and King *Henry* about the election of a new Biſhop, wherein the King prevailed ( as you \* heard before ) there was likely to hapen a difference at this new Biſhops confecration about his ſubjection to the See of *York*, which he at laſt thus publicely made and ſubſcribed.

Eodem Anno, magiſter *Nicholaus de Fernham*, electus *Dunelmensis* confecratus eſt in Epifcopum *Dunelmensem* apud *Gloverniam*, in Eccleſia Sancti *Oſwaldi*: quinto Idus Jun. ab Archiepiſcopo *Eboracenſi Waltero*, præſentibus Rege & Regina, Epifcopis, Abbatibus quamplurimis. Et quia ſuper profeſſione ſua mota fuit quæſtio ab aliquibus volentibus diſſidium ventilare, noluit idem *Nicholaus* illicitam ſibi uſurpare libertatem, ut ad inſolentiam prorumperet recalcitrando. Talemque in propatulo ſuam ſolemniter in confecratione ſua, coram cunctis Prælatiſ & Magnatibus, in præſentia ſui Metropolitani dicti Archiepiſcopi *W.* fecit profeſſionem diſtincte & articulatim elevata voce, in hunc modum, prout moris eſt: Ego *Nicholaus* Eccleſiæ *Dunelmensis* electus, profiteor *Eboracenſi* Eccleſiæ, tibi que Pater *Waltero* Archiepiſcopo, & ſucceſſoribus tuis canonice ſubſtituendis, canonicam ſubjectionem, reverentiam, & obedientiam, & hoc propria manu ſubſcribo. Et incontinenti coram omnibus ſubſcripſit crucem in capite chartulæ in cauſto, & tradidit Archiepiſcopo penes ſe in Theſauro reſervandam. This Biſhop falling ſick of an incurable Dropſy, is ſabled to be miraculoſly cured of it, by drinking ſome of the hairs of *St. Edmund* Biſhop of *Canterbury* in Water, which his Barber ſhaved from him in his life time: After which, Anno 1249. ſentiens ſe annuſum, valitudinarium, & infirmum, malens relinquere divitias, quam a divitiis derelinqui, Epifcopatum

Anno 1244.  
Mat. Paris Hiſt.  
Angl. p. 558.  
Godwins Catalogue of Biſhops p. 146.  
Edit Londini.  
Mat. Weſtm.  
Anno 1241.  
1244.

\* Here p. 565.  
566.

Mat. Paris, Hiſt.  
Angl. p. 546.  
Mat. Weſtm.  
Anno 1242, p.  
172.

Anno. 1241.  
Mat. Paris, Hiſt.  
Angl. p. 546.



patum suum *Dunelmensem*, obtenta tali a Domino Papa licentia, resignavit. Et datis ad hoc provisionibus, Archiepiscopo *Eboracensi*, & *Londonensi*, & *Wigornienſi* Episcopis, assignata sunt ei tria maneria, videlicet de *Hovedia* cum pertinentiis, *Stoſſon*, & *Eſingtona*. Recedens igitur a *Dunelmo*, accepta ibidem a fratribus licentia, ad alterutrum dictorum maneriorum mansurus perrexit, ut in pace ibidem sine querelarum vel causarum strepitu, exutus a sollicitudinibus mundanis, sibi jam expectanti donec ejus veniret immutatio, liberius vacaret orationi penitus intendendo. **Super hoc Dominus Rex certificatus, omnia residua non segniter haud inbitus, in suam coepit custodiam et potestatem,** ut ibidem uberimos pecuniarum fructus, semper tamen jejunos & avidus, **deglutiret. Ad quæ sibi amplexanda et congerenda,** illico misit unum de clericis suis, *Thomam* videlicet de *Newerca*.

*Anno 1241.* There fell out a great quarrel between the King, and the Prior and Covent of *Coventry* and the Bishop elected by them against the Kings Will, thus related by our Historians.

Mat. Paris Hist.  
p. 558. 579.  
Mat. West. An.  
1243. p. 171.  
Mors Hugonis  
de Pateſhulle.

Labentibus autem eorum dierum profluvii, obiit Episcopus *Cestrenſis*, *Hugo de Pateſhulle*, vij. Idus Decembris, vir viribus adhuc integer & ætate. Qui cum toto ætatis suæ tempore laudabiliter vixisset, demum iniquo fretus consilio, verſus est in arcum pravum, malleusque factus religionis, præcipue eorum qui ipsum creaverunt, in morte sua parum plangi meruit, licet parum plus quam per unum annum in Cathedra sedisset Pontificali. Quod cum audissent Prior & Monachi *Coventrenſes*, convocatis Canonicis *Lichfeldenſibus*, elegerunt Monachum & Præcentorem suum *Gulihelmum de Monte Peſſulano* virum sanctum, & moribus, & scientia prope Deum, *Coventrenſis* Ecclesiæ in Episcopum & pastorem animarum suarum, pro electo suo habent & protegent. **Sed Dominus Rex, sicut jam ei moris erat, altum malens in Episcopatum promovere, statim se opposuit, neque electionem, neque electum acceptans.** Et stantibus cum eo, aliquibus de Canonicis de *Lichfeldia* contradicentibus, & Abbatem de *Evesham* *Richardum*, qui tunc sigilli Regii bajulus, vices supplevit Cancellarii, pro quo Rex supplicaverat, eligentibus: unde Rex factus adversarius Ecclesiæ *Coventrenſis*, ipsum Priorem & Conventum in multis quibus potuit damnificavit. Adversantibus itaque tam Rege cum suis satellibus, quam quibusdam Canonicis *Lichfeldenſibus*, domus *Coventrenſis* magnam induit confusionem & jacturam, adeo ut Conventus dispergeretur, aliarum domuum subsidia petiturus. Domus autem Sancti *Albani*, charitatis & honestatis intuitu, ipsum Priorem cum aliquibus Monachis suis, & famulis & equis liberaliter, per annum & aliquot menses adjectos, cum summo honore sinum pandens misericordiæ, suscepit alendum. *Mattheum Westmisi* et subjoynes. Et lite ventilata, fiunt utrobique dispendia morosa & sumptuosa, viz. 245 lib. The Abbot by his own purse and the Kings favour notwithstanding the insufficiency of his election, having obtained the Popes favour for his confirmation. But he dying soon after, there grew a new contest about this Bishoprick, *Anno Dom. 1245.* thus related.

Mat. Paris Hist.  
Ang. p. 641,  
642.  
W. electus Co-  
ventrenſ. reſig-  
nat jus suum.

Et dum his mundus diebus volveretur, & secum mutabilis traheret mutabilia, electus *Coventrenſis*, videlicet *Willielmus*, cognomento de *Monte Peſſulano*, Monachus & Præcentor Ecclesiæ *Coventrenſis*, vir bonus & sine querela & ambitione, cum audisset quod magister *Willielmus de Dronhedale* lugubriter expirasset, qui suus fuerat diligentissimus Advocatus in *Anglia*, comperiensque quod Dominus Rex *Anglia* promotionem suam non acceptasset, & Magistrum *Laurentium*, de quo superius mentio facta est, ipsi electo potenter sentiens & efficaciter adversantem, & constanter accusantem, comperiens quoque Canonicos *Lichfeldenſes* ipsum inimicabiliter persequentes, considerans etiam quod domus sua *Coventrenſis* damnis & injuriis pro sua electione impetebatur, tactus dolore intrinseco inconsolabiliter doluit, quod electus unquam existisset. Tot igitur incessitus tribulationibus, Papalem adit præsentiam, & singulis sermonem prorumpentibus, ait: Pater sancte, impulsus undique, eversus sum, ut cadam. Dominus Rex *Anglia*, cum suis consiliariis, meam graviter infestat innocentiam: non enim ut novit Deus, hanc ipsius promerui persecutionem. Et si consequenter hanc, ad quam eligor rite, dignitatem, unquam pace in *Anglia* gratularer. **Omnia igitur in manus vestras reſigno.** (A loyal Practice of a Bishop elect, who would rather give this usurping Pope a power to dispose of this Bishoprick than the King, the right Patron thereof.)

Abſit

Abſit a me ut amplius Eccleſiæ meæ cauſa ſim jacturæ ac perturbationis. **Proinde** paternæ ſollicitudo veſtra ipſi Eccleſiæ tam diu cura Paſtorali viduatæ. Cui cum vix Dominus Papa annuiſſet, reſceſſit ipſe, quaſi gravi ſarcina liberatus. Quod videntes qui ſalutem animæ Domini Regis in veritate ſincero corde deſiderabant, voluerant periculum ſibi et Regno propter hoc et plura alia imminens, quia multus in cauſa fuiſt, vehementer formidantes et timentes.

Quo cognito, diligentiffime (in new affront of the King and his Prerogative) procurante primo & præcipue Epifcopo *Lincolnienſi*, loco ipſius *Willielmi de Monte Peſulano* prædicti (qui jam jus ſuum ultro, ut dictum eſt, penitus reſignaverat) electus eſt & ſubrogatus in Epifcopum *Ceſtreſem* ſive *Covenrenſem*, Magiſter *Rogerus de Weſeham*, Decanus Eccleſiæ *Lincolnienſis*, vir moribus & ſcientia eleganter inſignitus, Rege Angliæ irrequiſito: ne et ipſam Electionem cavillationibus, ut ſibi moris erat, exceptionibus impugnaret, et in leſionem animæ et famæ ſuæ amplius impediret. Epifcopus igitur *Lincolnienſis*, ſuum in hac parte conſequutus deſiderium, Eccleſiam de *Aillasberria*, quam ex multo tempore deſideraverat, a Decanatu *Lincolnienſi* (eo quod credebat Decanum ex ejus ubertate cornua audaciæ aſſumentem, contra Epifcopum *Lincolnienſem* recalcitrare) radicitus ſequeſtrare & abalienare, ſtatim & incontinenti ipſam Magiſtro *Roberto de Marifco* contulit, non ſine magno & multo Eccleſiæ ſuæ præjudicio, ut multis videbatur, & injuria, cum a tempore cujus non exſtat memoria, Decanatu *Lincolnienſi* ſemper dignoſcitur adhæſiſſe. Such was his Epifcopal uſurpation and injuſtice both to the King and Dean to advance his own Jurisdiction thus related by *Mat. Paris*.

Rogerus de Weſeham Decanus *Lincolnienſis* eligitur in Epifcopum *Ceſtreſem*.

Anno 1244. There aroſe a grand conteſt between the King, the Archbiſhop of *Canterbury* elect and other Biſhops, about their rejecting the Biſhop of *Chicheſter* duly elected, and approved by the King, thus related by our Hiſtorians. *Robertus Paſſeleve*, Regis theſaurum jam multis marcarum millibus inopinabiliter adaugens, ejus gratiam mirabiliter eſt adeptus. Quod videntes Canonici *Ciceſtreſes*, ipſum eſſe idoneum & perutilem, quia prudentem & circumſpectum, ad Eccleſiæ ſuæ regimen cenſuerunt; Et ſperantes Deo placere & Domino Regi, nec non & Regis gratiam & ſuam, & ſua Eccleſiæ promotionem ſe proinde conſequuturos, ipſum *Robertum Paſſeleve* in Epifcopum ſuum elegerunt. Quod comperientes Electus *Cantuarienſis* et Epifcopi Angliæ quamplurimi, indignati ſunt valde. Et ſpereto Regis ſimul timore et amore, eundem *Robertum* in nimis arduis quaſtionibus per Epifcopum *Lincolnienſem* examinantes, electionem et electum reprobarunt et caſſaverunt. Et Magiſtrum *Richardum de Wiltz* loco ipſius ſtatim, Regio aſſenſu irrequiſito, ſubrogarunt. (A very bold and almoſt unpreſented attempt) The King being then at *St. Albans*, ſupervenerunt rumores, qui tam aures quam cor regium perturbabant, ſcilicet de *Roberto Paſſeleve* clerici ſui, qui corpus & animam regio ſamulatu expoſuit, repentina caſſatione, qui ad Epifcopatum *Ciceſtreſem* electus fuerat, et alterius loco ipſius, videlicet Magiſtri *Richardi de Wiltz*, ſine aſſenſu regio, ſubrogatione. Dominus igitur Rex, cui derogatum fuit, iratus valde, Epifcopatum cepit in manum ſuam, non permit- tens novum electum aliquem habere ingreſſum in eundem Epifcopatum vel Dominum. So *Mat. Weſtm.* expreſſeth it; but *Math. Paris* thus; Unde Regis ira excaudit in Electum & Epifcopos vehementer, Protinusque redditus dicti Magiſtri *Richardi*, idoneis ac dignis perſonis poſtquam electus fuit, ſunt collati. Magiſter enim *Martinus*, Domini Papæ Clericus ad hoc conſtitutus, redditibus ejus vacantibus qui præſens fuerat, & promptus inhiabat. Quod cum auſuſſet Dominus Rex, iratus vehementer, prohibuit ne novo electo, qui eo inconfulto electus fuit, in ſui et Regni enorme præjudicium, introitus in Baroniam Eccleſiæ ſuæ pertinentem, vel poſſeſſiones ſeculares, aliquatenus concederetur:

*Mat. Paris Hiſt. Angl. p. 638. 652, 653. Edit. Lond. Mar. Weſtm. Anno 1244. p. 184.*

\* *Wiltz.*

Moreover the King juſtly incenſed by this affront, iſſued a Mandate to the Gardians of the Biſhoprick of *Chicheſter* and Sheriff of *Suſſex*, ſo ſtrongly to guard the

gates of the City day and night, that neither this new pretended intruded Bishop, nor any of his should enter into it, as this Record assures us.

Claus. 19. H. 3  
m. 10. dorso.

**M**ANDATUM est *B. de Sabaudia* Custodi Episcopatus *Cicestr.* Quod de die et de nocte, ita custodiri faciat januas Civitatis *Cicestræ*, quod nec *Richardus de Alisco*, qui se gerit Episcopum *Cicestræ*, nec aliquis suorum Civitatem illam ingrediatur. Teste Rege apud *Wind.* 21 die Aprilis.

Eodem modo Mandatum est Vicecomiti *Suffex.*

Flores Histor.  
1244. p. 184.

*Mat. Westminster, superaddis*; Rex insuper concepit magnam indignationem adversus omnes qui hæc procuraverant, præcipue adversus electum *Cantuariensem Bonifacium*, quem maxime redarguit ingratitude; imponens ei, quod esset læsor Regiæ dignitatis principio sue promotionis. Et ab imo trahens Rex suspiria, tacitus tandem ait, Merito hæc patior, quia impediens liberam electionem *Cantuar.* ubi tot sancti præcesserunt, prorsus indignum ibi censui promovendum.

Anno 1245.  
Mat West. p. 189, 190. Mat.  
Paris, Hist.  
Angl. p. 634.  
635.

Cum hæc agerentur, *Cantuariensis* electus *Bonifacius*, & *Wigorniensis* & *Herefordensis* Episcopi, qui inter omnes alios Angliæ Episcopos erant Domino Papæ specialiores, et Angliis suspectiores, ad voluntatem ejus perficiendam, etiam in detrimentum regni, quia ipse eos creavit, proniores, Dominum Papam propter quædam, (quæ nesciebantur ab universitate) secreta negotia subito adeuntes transfretarunt: ad votum facta dispositione in domo *Cantuariensi*, tam de conventu, quam curiæ familia, obedientiis, & obedientiis, plus quam alicui antecessorum alii ejusdem memorati *Bonifacii* unquam permissum existerat. Asserebat etiam idem Electus *Bonifacius*, quod facta diligenti inquisitione, obligata sunt Ecclesia sua *Cantuariensis* ex parte Archiepiscopatus, alieno ære plus quam quindecim Millibus *Marcarum*, et quasi irrestitabiliter compedita. Unde naves ascensurus apud *Dover* am in recessu suo, iussit nemoza Archiepiscopatus abscindi et vendi, et quasdam collectas et tallias, tam in Clero, quam in populo, fieri graviores. Et constituit quendam suum officialem natione *Pictaviensem*, Magistrum *Hugonem de Mortimer*, qui diligenter mandata sua exequabatur. Quas quidem Tallias multi factas esse dicebant ad quendam militem Provincialem expugnandum. Qui audito testamento Comitissæ *Reimundi* filiam ejus juniorem furto repentino ac nocturno surripere proponebat, &c. Electus igitur *Cantuariensis Bonifacius*, a prædecessorum suorum vestigiis imprudenter & impudenter exorbitans, cum fratre suo *Philippo Ball*, eo quod avunculi fuerunt Puellæ supradictæ, hinc negotio martio curam apposuerunt, *Anglicana* sumptuosum & damnosum Ecclesiæ, ad quæ sustinenda diversa acquirendi pecuniam argumenta consingentes, thesauros thesauris cumularunt, militibus stipendiis, & aliis viris sanguinum distribuendo. Asserebant itaque ut aliquo colore peccatum tegetetur, se hac pecunia necessario eguisse ad Ecclesiæ *Cantuariensis* liberationem, quam (ut dicebant, non sine magna injuria antecessorum sanctorum, Ecclesiæ eidem qui præerant eamque irreprehensibiliter rexerant) ære alieno fere irrestitabiliter præcedentes Archiepiscopi obligaverant. Impetravit electus *Bonifacius* a Domino Papa inauditum privilegium, quod nunquam alii meminimus præconcessum. Similiter effrater ejus *Philippus* in hoc negotio deditus armis, privilegium, non sine multæ pecuniæ effusione, scilicet ut liceret redditus, quos obtinuit in Angliæ, et Episcopatus *proventus Valentini* similiter, et quædam majora, quæ tunc sibi fuerant, pro futura, tenere a Curia Romana impetrabit.

Soon after the Bishop of *Chichester*, obtruded by *Boniface* and his suffragans into that See, without any election at all, against the Kings will and prohibition, departing privily out of *Engl.* resorted to *Boniface* and the Pope for protection & consecration; the like did the Bp. of *Country* secretly elected without the Kings privity, for fear he should



should have hindred their consecrations. Where the Pope in despite and contempt of the King and his Proctors Appeal against them : these two Bishops were consecrated by the Pope himself, together with Archbishop Boniface their Patron, as *Mat. Paris* and *Mat. West.* thus commemorate.

Anni quoque sub illius curriculo consecratus est a Domino Papa Lugduni in Archiepiscopum *Cantuariensem Bonifacius*, natione *Provincialis*, plus genere, quam scientia coruscus: plus armis Martialibus, quam spiritualibus formidabilis; qui procurantibus Rege *Anglia* & Regina nepte sua ad hanc promotus est, scilicet utinam dignitatem. Hujus irater *Philippus Bal.* electus *Valentia*, ipsis diebus ad Archiepiscopatus *Lugdunensis* promotus est possessionem: Priore cedente ob causas post dicendas. Qui tantam a Domino Papæ meruit obtinere dispensationem, ut Archiepiscopatus retenta cum suis commodis potestate, Episcopatus *Valentini Bal.* præventus perciperet, uberrimorumque reddituum quos in *Anglia* & *Flandria* possederat, quod plus ut videbatur, ob quasdam causas seculares fiebat, quam spirituales, libere & licenter asportaret, & præposituram *Brugensem* obtineret. Hic igitur elegans corpore, & armorum peritia præpollens, copiosisque redditibus saginatus, factus est quasi Princeps Papalis Militiæ, et Custos præpotens pacis in Concilio Lugdunensi celebrando. Et idcirco potissime, quod generis Claritate coruscabat. Consecrati sunt etiam Magister Richardus de *Witthz* in Episcopum *Cicestrensem*, et Magister Rogerus de *Weseham*, Decanus *Lincolniensis* in Episcopum *Cestrensem*, a Domino Papa Lugduni, viri moribus et scientia adornati. Nec est omissum pro appellatione procuratoris Regii constanter reclamantis, eo quod in horum promotione Regius assensus non requireretur. Imo in facie dictum fuit ei, quod quia Rex sibi concessa dignitate et privilegio abutebatur, indignum se reddidit hoc honore lætabundum. Et sic Regis et Regni ipsius, Regius peccatis erigentibus, dignitas vacillabat. Hæc igitur postquam Regi innotuerunt duorum Episcopatus, scilicet *Cicestrensis* et *Cestrensis*, bona temporalia jussit infiscari.

At last after much mediation, Anno 1246. Dominus Rex, precibus amicabilibus mitigatus, Domino Episcopo *Cicestrensi Rogero* (eo quod esset vir benignissimus, & omnium haberet favorem) Baroniam suam in pace benigne restituit.

*Matthew Westminster* thus briefly relates the story of those Bishops electionis and consecrations by the Pope, and Kings proceedings against them.

Eodem quoque tempore *Gulielmus de Monte Pessulano*, electus *Covenrent.* nolens amplius injuriosos impetus, quos a Rege diu sustinuerat, tolerare, jus suum in manus Papæ patienter resignavit. In cujus loco Magister Rogerus de *Weseham*, Theologus, videlicet Decanus *Lincoln.* electus est Episcopo *Lincoln.* procurante, Rege penitus irrequisito. Unde antequam plenam Episcopatus sui posset obtinere possessionem, multa sustinuit dispendia et pacis damnosam (nec immerito) dilationem. Simili quoque modo, ipso eodem tempore irrequisito Regio assensu, cassata electione Roberti *Pessuleu*, electus est in Episcopum *Cicestren.* Magister Richardus de *Witthz*, unde ne tanta Regis injuria remaneret inulta, Baronia ad Episcopatum pertinente privari meruit, multo tempore, donec multiplicatis intercessionibus impetravit, tam ipse quam electus *Cestren.* ut uterque ex Regis gratia suæ possessionis gauderet plenitudine. (A pregnant evidence of the Kings Ecclesiastical Prerogative over them and their Bishopricks.) Eodem Anno Consecrati sunt Lugduni, ubi ad huc Dominus Papa commorabatur, Bonifacius de Provincia in Archiepiscop. *Cantuar.* et Magister Richardus de *Witthz*, in Episc. *Cicestren.* et Magister R. in Episcopum *Cestren.* a Domino Papa, non sine Regni Angliæ magno damno ac periculo. Papa enim sic Episcopos attraxit, ut magis ei tenerentur obligati, et contempto Rege, fierent in damnum Reg. proutiores. The true reason of these Papal encroachments on the Crown.

Anno 1245.  
Mat. Westm. p.  
192.  
Mat. Paris Hist.  
Angl. p. 641.

Mat. Paris, p.  
685.  
Baronia Episcopo Cestrensi restituta.

Flores Historiarum p. 192.

Nota.

The Archbishop of *Armach* in *Ireland* committing two high contempes against, and Usurpations upon the Kings Royal Prerogative and Priviledges, both in holding Pleas of Advoufons and Patronages in the Ecclesiastical Court, belonging only and immediately to the Kings Temporal Court and Dignity, and drawing them into an Ecclesiastical Judicature, and out of the Realm, before the Popes Delegates, contrary to his dty and Allegiance, in a suit between the Prior of *Lanton* and him; the King thereupon issued this most memorable Prohibition, to prohibit him to proceed therein, under pain of seising all his Temporalties, since such proceedings tended to the utter prostration and overthrow of his Crown and Royal Dignity, which he neither would nor could permit, nor any Loyal Subject desire.

Claus. 28 H. 3.  
m. 7. dorso.

**R**EX *Armachano* Archiepiscopo, salutem. Non credebamus de vobis antequam hæc res gesta faceret manifestum, quod aliqua impetrare velletis quæ Regiæ dignitati generare possent præjudicium aut gravamen; sed in contrarium res est versa, quod sine animi anxietate non possumus referre. Ad præsens enim duo gravamina nobis intulistis, videlicet, a sede Apostolica impetrando, ut extra terram nostram quæ de terra nostra conveniatur, super terris et Ecclesiarum advocacionibus, quæ quidem causæ ad Regiam dignitatem spectare noscuntur sive personis Ecclesiasticis, sive Laicis, super hiis injuriâ irrogetur. Et etiam hoc contra dignitatem Regiam vos non latuit impetrare, cum impetratio vestra de privilegio nostro faciat mentionem. Cum igitur contra nos dupliciter delinqueritis in hac parte, tum quia causas ad dignitatem Regiam immediate spectantes ad forum Ecclesiasticum trahere volentes, tum quia contra privilegium nostrum, sic temere venientes, paternitati vestræ mandamus inhibentes, et firmiter injungentes ne super terris, aut Ecclesiarum advocacionibus extra terram nostram sive intra in foro Ecclesiastico Priorem de *Lanton*, vel quemcunque alium in causam trahere præsumatis, sicut gaudere desideratis omnibus possessionibus vestris, quæ de nobis tenetis: indubitanter enim scire potestis, quod hoc nullo modo poterimus sustinere; præcipue cum sic Coronam nostram prostrernere et Dignitatem nostram possitis penitus enervare, quod velle nullatenus deberetis si fidelitas sit in vobis. Teste Rege apud *Stanford*, septimo die Julii.

The King in further pursuit hereof, to preserve this his antient inherent Royal Dignity, enjoyed time out of mind, and the Popes special indulgence, issued forth this Appeal, in nature of a Prohibition, to the Popes Delegates in foreign parts, not to proceed in this cause between the Prior of *Lanton* and Archbishop of *Armach*, constituting a special Proctor to prosecute this Appeal by these Letters Patents.

Pat. 28 Hen. 3.  
m. 4. dorso.

**R**EX Abbati de *Pontinaco*, Decano & Archid. *Antissiod.* salutem. Cum a sede Apostolica nobis specialiter sit indultum, ne quis de Regno nostro in foro Ecclesiastico, extra Regnum nostrum, per Literas Apostolicas trahatur in causam, et Prior de *Lanton*, extra *Glouc.* super quibusdam non ad forum Ecclesiasticum, sed mere ad dignitatem nostram spectantibus, sicut in Regno nostro a tempore cujus non extat memoria est obtentum, conveniatur ab *Armachano* Archiepiscopo, coram vobis per Literas Domini Papæ, ne in causa illa procedatis, tum propter prædictum privilegium nostrum, tum propter ea quæ ad dignitatem nostram spectare noscuntur, sedem Apostolicam præsentibus appellamus. Ad quam appellationem in præsentia vestra, si necesse fuerit innovandam, procuratorem nostrum constituimus *Willielmum de Lanton* Clericum, præsentium portitorem. In cujus, &c. Teste Rege apud *Weshmonasterium*, Vicefimo sexto die Aprilis.

After

After the long contests \* formerly touched, and much money spent between the Bishop, and the Dean and Canons of *Lincoln*; at the Court of *Rome*; the Pope by advise of his Brethren gave sentence for the Bishop, against the Dean and Canons, which he ratified with this dear purchased Bull.

Eisdem vero temporibus, dum solis orbita circularis jam declinans versus tempus hyemale vicinaretur, Episcopus *Lincolniensis Robertus*, quietis nescius, multis adversans, quam plurimisque ei adversantibus, *Ismaeli* consimilis, post multos labores et pecuniarum inestimabilium effusiones, hanc a Domino Papa quem cum multis donariis respexerat, contra Canonicos suos meruit impetrationem obtinere.

Anno 1245.  
Mat. Parib. Hist.  
Angl. p. 667,  
668. Mat.  
Westm. p. 186.  
Episc. Lincoln.  
privilegium a  
Papa impetratū.

**I**NNOCENTIUS, &c. Venerabili fratri Episcopo *Lincolniensi*, salutem & Apostolicam benedictionem. Inter cetera, quæ nostrum animum qui universali regimini, quamvis immeriti, disponente Domino præsidemus, insultibus impetunt successivis; illud nos frequenti meditatione perurget, ut Ecclesiæ causarum agitata non deficiant sub dispendiis questionum & litibus, quæ propter concertationes & diffugia partium, videntur quodammodo immortales, finis debitus imponatur. Cum igitur inter te ex parte una, & Decanum & Capitulum *Lincolniensem* ex altera, super eorum & Ecclesiarum Præbendaliū & Ecclesiarum cæterarum de dignitatibus & communia, visitatione, & reformatione morum, ac correctione, tam Decani, quam Canonicorum, & Clericorum chori, & etiam ministrorum, ac vicariorum, & Capellanorum, & Parochianorum dictarum omnium Ecclesiarum, necnon reverentia & obedientia Canonica tibi ab eis præstanda, & quibusdam aliis dignitatibus, & officiis Episcopale contingentibus, suborta fuisset materia questionis; Nos post diversas commissiones hinc inde ab Apostolica sede ad Judices diversos obtentas, & processus habitos per easdem, causam ipsam, finem sibi cupientes imponi, ad examen nostrum durimus revocandam. Cumque tu & procurator partis alterius in nostra essetis præsentia constituti, fuit ex parte tua propositum, quod cum ex diligentia pastoralis officii tenearis de jure communi Capitulum *Lincolniensem*, & omnes Ecclesias Præbendales de dignitatibus & communia visitare; ac ea, secundum formam juris, quæ ad visitationis spectant officium, adimplere; cum tam Capitulum quam Ecclesiæ tibi sint de jure communi subjectæ, necnon excessus tam Decani, quam Canonicorum universorum, & singulorum Clericorum de choro, & ministrorum eorundem, vicariorum etiam Capellanorum & Parochianorum prædictarum Ecclesiarum corrigere, ac eorum mores, ne ipsorum sanguis de tuis manibus requiratur, reformare. Causam etiam omnium prædictorum, cum ad invicem eos movere contingeret, vel ipsos contrarios tuæ Diocesis, vel alii contra ipsos, sive sint civiles, sive criminales, examinare ac decidere, ad te, tanquam ad ordinarium, proprie pertineat, dum tamen ad Ecclesiasticum forum spectent: Decanus & Capitulum se tibi super his contra justitiam opponebant, propter quod præmissa libere non poteras, prout officii tui cura exigit, adimplere. Adjiciebas præterea, quod tu cum sis caput *Lincolniensis* Ecclesiæ, & a te, tanquam a capite, ante electionem Decani *Lincolniensis* celebrandam tuus de jure sit requirendus assensus; ipsa tua irrequisita licentia, se debere ad electionem Decani procedere, asseverant: super quo tibi petebas justitiam exhiberi. Dicebas præterea, quod cum Decanus in sui confirmatione, & Canonici cum Præbendæ ipsis conferantur, jurare tibi de jure Canonicam obedientiam teneantur; iidem id hæcenus indebite facere non caruerunt. Proponebas insuper, quod cum lege *Diocæsana* Decanatus, dignitatum, et Præbendarum vacantium sequestrationis ad te de jure pertineret; præfati Decanus & Capitulum se tibi super hoc contra justitiam opponebant. Quare petebas super præmissis jus tuum declarari, ac adjudicari tibi per diffinitivam sententiam, teque ad visitationis officium in Capitulo *Lincolniensi*, et Ecclesiis Præbendalibus de dignitatibus et communia, et ad correctionem excessuum, et morum reformationem omnium prædictorum, non obstante Decani et Canonicoꝝum reclamazione, admitti debere, diffinitive pronunciari, ac imponi eis perpetuum silentium, nisi sedis Apostolicæ privilegio, vel alio jure speciali, tueri se possent super impedimentis et obstaculis supradictis. Petebas etiam procuratorem



tionem ratione visitationis Capituli debitam, & expensas faciendas in lite: ac ut ipsi quotiescunque te ad Ecclesiam *Lincolniensem* venire contigerit, contra te Ecclesie campanas pulsare faciant, & exhibeant reverentiam tanquam Patri. Quodque Decanus aliquem Canonicum ad jurandum ei Canonicam obedientiam, nisi dignitas Episcopalis & auctoritas excipiat, de cetero non compellat: nec cogat Canonicos jurare aliquas consuetudines, quæ sunt contra Canonicas sanctiones: neque statuta, quæ sint contra Canones, & auctoritatem & dignitatem Episcopalem, ulterius in Capitulo ipso non edat. Petebas insuper, ut cum Præbendarum & Ecclesiarum de dignitatibus & communia visitatio, ad te de jure communi pertineat, quod Decanus de cetero ab earum visitatione desistere per sententiam cogeretur. Procurator vero partis alterius, litem contestando, respondit, Narrata non esse vera, ut narrabantur: & petita fieri non debere. Lite igitur super his legitime contestata, rationibus quoque ac allegationibus utriusque partis diligenter auditis: Nos postquam fuit causa conclusum, deliberatione habita diligenti, **de fratrum nostrorum consilio pronuntiavimus, te ad visitationem tam Decani et Capituli, quam Canonicoz Clericoz chori, ac ministroz, etiam Capellanoz Ecclesiarum et Parochianoz ad omnes prædictas Ecclesias pertinentium. Et ad correctionem excessuum, ac mozum reformationem libere admittendum. Pro visitatione autem in Cathedrali Ecclesia facienda, procuratio a Capitulo non præstetur. Excessus tamen Canonicoz Cathedralis Ecclesie, qui consueverunt corrigi per Capitulum, per ipsum, juxta Ecclesie consuetudinem hactenus pacifice observatam: ad communionem & iussionem tuam, successorumque tuorum, infra competentem terminum, eis præhendendum a te, vel eisdem successoribus, corrigantur. Alioquin extunc tu, vel successores ipsi, Deum omnipotentem præ oculis habentes, ipsos ut animarum cura requirit, per censuram Ecclesiasticam corrigatis. Mandamus etiam, ut prædicti Canonici tibi Canonicam obedientiam & reverentiam exhibeant & observent. Obligare se tamen ad hoc juramento, manuali præstatione, seu promissione, minime teneantur; cum ad hoc consuetudine non juberis. In cæteris potitis, ab impetitione sua, præfatos Decanum & Capitulum absolventes. Nulli ergo omnino hominum, liceat hanc paginam nostre diffinitionis infringere, vel ausu temerario contraire. Si quis autem hoc attentare præsumpserit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus, se noverit incursum.** Datum *Lugduni*, Octavo Calendas *Septembris*, Pontificatus nostri anno tertio.

The King this year issued his Writs to all the Sheriffs of *England*, to enquire what Lands any Archbishops, Bishops, Abbots, and other Religious persons, who were Aliens, or any *Normans* had in *England*, and to return the particulars of them, with their respective values.

Claus. 28 H.3.  
m. 13. dorso.

\* tua.

**R**EX Vicecomiti *North.* salutem. Præcipimus tibi, quod sicut te ipsum & omnia quæ habes diligis, diligenter inquiras per Sacramentum proborum & legalium hominum de Com. tuo, quas terras & quæ tenementa Archiepiscopi, Episcopi, Abbates, Priores, & alii viri religiosi transmarini teneant in Balliva \*: Et omnes terras illas & tenementa per eosdem Inquisitores extendi facias, quantum valeant terræ prædictæ instauratæ, omnimoda instaur. et quantum de instaur. et extentam illam distinde et aperte in scriptis redactam et inquisitione prædicta insertam sub sigillis eorundem Inquisitorum nobis sine dilatione mittas, et hoc breve. Diligenter etiam inquiras per Sacramentum eorundem, qui Comites vel Barones, Milites, viri religiosi, vel alii de Regno nostro *Anglia*, aliquas terras habeant de terris *Normannorum*, vel Alienigenarum in Balliva tua, exceptis terris illis quæ captæ sunt in manum nostram per aliam Inquisitionem quam de terris *Normannorum* fieri fecisti per præceptum nostrum, provisurus, quod prædicti Archiepiscopi, Episcopi, & viri religiosi transmarini, nec alii de Regno nostro disseiscentur, vel aliquod dampnum incurrant de hujusmodi terris vel rebus suis occasione harum Inquisitionum, vel hujusmodi extentæ, donec a nobis aliud habueris præceptum. Teste Rege apud *Windsor*, xxi. die *Martii*.

Eodem modo scribitur omnibus Vicecomitibus *Anglia*.

*Mansel*

*Matthew Paris* gives us this account of the Kings seising the Lands of *Normans* in England.

Circa dierum illorum curricula, Rex *Francorum Parisiis* convocatos omnes ultramarinos, qui terras habuerunt in *Anglia*, sic est affatus. Quicumque in Regno meo conversatur habens terras in *Anglia*, cum nequeat quis competenter duobus Dominis servire, vel penitus mihi, vel Regi *Anglia* inseparabiliter adhaereat. Unde aliqui terras & redditus habentes in *Anglia*, eas relinquentes, possessionibus, quas habebant in *Francia*, adhaeserunt; aliqui e converso. Super quo certificatus Rex *Anglia*, omnes de Regno *Francia*, praecipue *Normannos*, iussit terris suis, quas in *Anglia* habuerunt, disseisiri. Unde Regi *Francorum* videbatur, quod Rex *Anglorum*, quia non in adoptionem eorum statuit conditionem terris hinc vel inde suis privandorum, ut ad alterutrum Regum transmigrarent libere, sicut & ipse Rex *Francorum* fecerat, treugas initas inter eos confregisset. Sed quia nimis corpore debilitatus post reditum suum de *Pictavia* fuerat, noluit certamina suscitare, imo potius dissimulando pertransire, & impetuosas *Normannorum* querelas, & insurgendi in Regem *Anglorum* proterviam & avidam voluntatem, reprimere satagebat.

Mat. Paris Hist. Angl. p. 595. Normanni privantur terris suis in Anglia sita.

This Record and passage of *Matthew Paris*, will very well explain the Statute *De Prærogativa Regis*, An. 12 E. 2. c. 12. and *Stamford's* Glosses thereon, *Placita Corona* l. 3. c. 36. compared with *Bracton* l. 2. c. 35. sect. 12, 15. And l. 5. *De Exceptionibus*, c. 24. sect. 1. fol. 427. Est etiam & alia exceptio quæ tenenti competit ex persona petentis propter defectum nationis, quæ dilatoria est & non perimit actionem, ut si quis Alienigena qui fuerit ad fidem Regis *Anglia*, tali non respondeatur, saltem donec terræ fuerint communes, nec etiam si Rex ei contesserit placitare, quia sicut *Anglicus* non auditur in placitando aliquem de terris & tenementis in *Francia*, ita nec debet *Francigena* & Alienigena qui fuerit ad fidem Regis *Francia*, audiri placitando in *Anglia*, sed tamen sunt aliqui *Francigenæ* in *Francia*, qui sunt ad fidem utriusque, & semper fuerunt ante *Normanniam* deperditam & post, & qui placitant hic & ibi, ea ratione qua sunt ad fidem utriusque, sicut fuit *W. Comes Marr.* & manens in *Anglia*, & *M. de Feynes* manens in *Francia*, & alii plures. Et ita tamen si contingat guerram moveri inter Reges, remaneat personaliter quilibet eorum cum eo cui fecerint ligeantiam, & faciat servitium debitum ei cum quo non steterit in persona. And c. 25. sect. 3. Item respondere poterit, quia particeps de quo dicitur nihil capere potest, quia est ad fidem Regis *Francia*, & nihil capere poterit antequam fiat fides Regi *Anglia*, & cum terræ sint communes & concordēs, & ideo non est necesse quæ in brevi nominentur.

The Sheriff of *Cambridge* and *Huntingdon* seising the Lands of the Prior of *St. Neoth* and others, by pretext of the Kings Writs (the \* year before) to seise the Lands of all Prior Aliens into the Kings hands, the King upon the Priors complaint issued this Writ to the Sheriff, to restore the possession of their Lands unto them, and to shew by what warrant he seised them, and to hear his judgement.

\* Here p. 630.

**R**EX Vicecom. *Cantabrig.* & *Hunting.* salutem. Monstravit nobis Prior de Sancto *Neoth.* quod tu occasione præcepti nostri, quod nuper tibi fecimus de terris Abbatum & Priorum, & aliorum virorum religiosorum de partibus transmarinis, cedentium vel decedentium in manum nostram capiendis, ipsum Priorem de Prioratu suo Disseisivisti, in manum nostram capisti. Quod quidem ex dicto mandato nostro elicere non potuisti. Et quia fines ejusdem mandati nostri excecisti, tibi præcipimus quod eidem Priori de prædicto Prioratu suo, cum omnibus pertinentiis suis, & omnibus aliis de partibus transmarinis, quos de terris suis contra formam prædicti mandati nostri in aliquo Disseisivisti talem seisinam habere facias, qualem inde habuerunt ante susceptionem ejusdem mandati nostri. Et si quid de bonis eorum ea occasione capisti per pacem quam tecum fecerunt, vel alio modo, id eis sine dilatione reddi facias. Et tu nihilominus sicut corpus tuum diligis, coram nobis in crastino *Claus. Pascha*, ubicunque tunc fuerimus in *Anglia*, ad ostendendum, quo warranto ipsum Prioratum capisti in manum nostram, & terras quorundam aliorum, & ad audiendum inde judicium tuum. Ei habeas ibi hoc breve. Teste Rege apud *Westminsterium*, Undecimo die *Aprilis*, Anno Regni nostri *xxix*.

Claus. 19 H. 3 m. 10. dorso.

There

There being a Parliament summoned at *London* this year by the King, and the Bishops being likewise required by *Martin* the Popes Agent to repair thither about an Ayde to the King and Pope, the King thereupon fearing some designs from *Scotland*, commanded the Bishop of *Durham*, notwithstanding his former summons, to remain at home for defence of those parts, till further order, by this Writ.

Claus. 28 H. 3.  
m. 11. dorso.

**R**EX *N. Dunelmensis* Episcopo, salutem. Mandamus vobis rogantes, quod ne que occasione adventus *B. Cantuariensis* electi, cui ob nostram reverentiam, & ejus honorem occurrisset, proposueritis, neque occasione alicujus summonitionis nostræ seu quæstionis vobis hactenus factæ, a partibus vestris vos versus partes transferatis Australes, sed ad securitatem nostram & vestram, & ad tuitionem partium vestrarum, in eisdem propter quorundam insidias, de quibus ad vos rumor satis manifeste, ut credimus, pervenit, remaneatis, donec habitis cum fidelibus nostris tractatu pleniore & certitudine evidenti, aliud vobis duxerimus significandum. Nos autem super omni summonitione & quæstione facta, vos interim conservabimus indempnes. Teste Rege apud *Westm.* xxij. die *Aprilis*.

\* See the First Part of my brief Register, Kalender and Survey of Parliamentary Writs, p. 51, 52, 58, 112, 113, 218, 219.

The \* like Writs upon the like occasion I find issued to the Bishop of *Durham* and others, Claus. 30 E. 1. m. 7. dorso, Claus. 6 E. 2. m. 12. dorso, Claus. 20 E. 3. pars 2. dorso, 22. Claus. 46 E. 3. dorso. 11. Claus. 12 R. 2. m. 42. dorso.

The Sheriff of *Buckingham* distraining the Tenants of the Abby of *Westminster* for Hidage, and view of Frankpledge, against the Liberties granted them by the Kings Charters, as their supreme Lord, the King thereupon issued this Precept to the Sheriff for preservation of their Liberties.

Claus. 28 H. 3.  
m. 13. dorso.

**C**um inter Libertates quas Rex concessit Abbati & Conventui *Westm.* concesserit eis, quod quieti sint in omnibus Comitatibus *Angliæ*, de Hydagio, & visu Franciplegii: Mandatum est Vicecom. *Buck.* quod averia hominum suorum de *Cypham*, de *Estburnham*, de *Dilberst*, & de *Brickwell*, quæ capit pro Hydagio, & visu Franciplegii deliberari faciat. De cætero ab eis non exigens vel exigi permittens Hydagia, vel visum Franciplegii, vel aliquid contra libertates eis a prædecessoribus Regis concessas. Teste, &c.

The Pope having granted authority to the Bishop of *Hereford* to give special dispensations to such of King *Henries* meritorious Clerks as he should recommend unto him from time to time, (to receive more benefices then one, and exemption from residence on them) specially recommended *John Mansel*, and three more of his Clerks to the Bishop, to grant them the benefit of the Popes indulgence, by this Patent.

Pat. 28 Hen. 3.  
m. 7. dorso.

**R**EX Venerabili in Christo Patri *P. Hereford.* Episcopo, salutem. De promotione Clericorum nostrorum nobis fideliter obsequentium esse sollicitos nos oportet, & præcipue de ipsorum Provisione, sollicitiores esse debemus, quorum obsequium nobis est magis gratum & acceptum, sua gratitudine mediante. Cum igitur Dominus Papa vobis injunxerit, ut cum dilecto Clerico nostro *Johanne Mansel* dispenseretis, secundum formam vobis ab eo transmissam, cum a nobis fueritis requisiti, paternitatis vestræ dilectionem requirimus & rogamus attente, quatenus cum præfato Clerico nostro juxta mandatum Apostolicum misericorditer dispenseretis, ut idem Clericus noster qui multo majoribus quam ei possemus facere dignus esset, gratiam Apostolicam ad instantiam nostram sibi sentiat fructuosam, nosque vobis pro laudabili executione mandati prædicti gratias speciales impendere debeamus. Teste Rege apud *Westm.* Octavo die *Aprilis*.

Eodem modo scribitur eidem Episcopo, pro *Guidone de Russellum*, *Pet. Chaceport*, & Magistro *Henrico de Secus*.

The Freers Minorites having petitioned the King that none of their Order might be elected an Archbishop or Bishop in *Ireland* for the future, nor that he should assent to such election, if casually elected without the consent and testimonial of the Provincial and Freers of that Order, the King thereupon in pursuit thereof, issued this Inhibition to all the Chapters of that Order, and chief Justice of *Ireland*.

R E X



**R**EX Universis Capitulis Ecclesiarum Cathedralium & ordinis fratrum Minorum in *Hybernia*, salutem. Cum nonnulli boni viri de ordine fratrum Minorum nobis supplicarunt, quod concederemus eisdem, quod nullus frater ordinis sui ad aliquam dignitatem Archiepiscopatus sive Episcopatus in *Hybernia* eligatur de cetero, nec si aliquis eorundem fratrum forte sic eligatur, idem electus assensum præbere possit huiusmodi electioni sine consensu & testimonio ministri sui Provincialis & fratrum ejusdem ordinis discretorum; Huic petitioni suæ honestæ duximus annuendum. Vobis mandantes, et etiam firmiter inhibentes, ne fratrem aliquem ejusdem ordinis sic eligatis vel eligi permittatis, nisi in forma prædicta, pro certo scituri, quod electioni factæ de aliquo huiusmodi fratre in Archiepiscopum vel Episcopum nullo modo assensum Regium adhibebimus, nisi sub forma prædicta. Telle, &c.

Par. 28 Hen. 3.  
m. 2. dorso.

Et mandatum est *M. filio Gerald* Justiciario *Hibernie*, quod huiusmodi electiones de fratribus ordinis prædicti fieri prohibeat.

About this time there happened a great controversie between the Freers *Predicants* and *Minorites*, wherein their pride, avarice, ambition, extortions as the Popes instruments, and other vices are thus set out by each other, in their proper colours.

Et ne mundus turbinibus undique multiplicatis vacare videretur, inter fratres *Minores* & *Predicadores* controversia eisdem temporibus ventilata, multos, eo quod viam perfectionis, videlicet paupertatis & patientiæ, videbantur elegisse, movit in admirationem. Asserentibus enim *Predicatoribus* se fuisse Priores, & in hoc ipso digniores, habitu quoque honestiores, a prædicatione merito nomen & officium se sortiri, & Apostolica dignitate verius insigniri: respondent *Minores*, Se arctiorem vitam & humiliorem pro Deo elegisse, & idcirco digniorem, quia sanctiorem, & ab ordine *Predicatum* ad ordinem eorum fratres posse, & licenter debere, quasi ab inferiori ad ordinem arctiorem & superiorem transmigrare. Contradiciunt eis in faciem *Predicadores*, asserentes, quod licet ipsi *Minores*, nudi pede, & viriliter tunicati, cinctique funiculis incedant, non tamen eis esus carniū, etiam in publico, vel dieta propensior denegatur, quod fratribus est *Predicatoribus* interdictum: quapropter non licet ipsis *Predicatoribus* ad *Minorum* ordinem, quasi arctiorem & digniorem, avolare, sed potius e converso. Sicigitur, sicut inter *Templarios* & *Hospitalarios* in *Terra Sancta*, sic & inter illos humani generis inimico zizania seminante, ortum est discordiæ enorme scandalum, & quia viri literati sunt & scholares, universali Ecclesiæ nimis periculosum, in indicium magni iudicii præforibus imminens. Et quod terribile est, & in triste præsagium, per trecentos annos, vel quadringentos, vel amplius, ordo Monasticus tam festinanter non cœpit præcipitium, sicut eorum ordo, quorum fratres jam vix transactis viginti quatuor annis, primas in *Angha* construxere mansiones, quarum ædificia jam in Regales consurgunt altitudines. Hi jam sunt, qui in sumptuosos & diatim amplius ædificiis, & cellis muralibus, thesauros exponunt impreciables, paupertatis limites, & basim suæ professionis, juxta Prophetiam *Hildgardis Alemannie*, impudenter transgredientes. Morituris Magnatibus, & divitibus, quos norunt pecuniis abundare, diligenter insistant, non sine ordinariorum injuriis & jacturis, ut emolumentis inhiant, confessiones extorquent, & occulta testamenta, se suumque ordinem solum commendantes, & omnibus aliis præponentes. Unde nullus fidelis, nisi *Predicatum* & *Minorum* regatur consiliis, jam credit salvari. In acquirendis privilegiis solliciti in Curia Regum & potentum consilarii, & cubicularii & thesaurarii, paranympsi, & nuptiarum præloquutores, **Papalium ertozionum executores, in prædicationibus suis, vel adulatores, vel mordacissimi reprehensores, vel confessionum detectores, vel incauti redargutores.** Ordines quoque auctenticos, & a sanctis patribus constitutos, videlicet a sanctis *Benedicto* & *Augustino*, & eorum professores contemnentes (prout in causa Ecclesiæ de *Scardiburo*, in qua *Minores* turpiter ceciderunt, patuit) suum ordinem aliis præponunt. Rudes reputant simplices, & semilicos vel potius rusticos, *Cistercienses* Monachos: *Nigras* vero, superbos, & Epituros.

Mar. Paris Hist.  
Angl. p. 592.  
Controversia  
inter fratres  
Predicadores &  
Minores.

\* Mar. Par. Hist.  
Angl. p. 596.  
Correctio Or-  
dinum Predi-  
catorum & Mi-  
norum, exco-  
municatio S. Benedi-  
cti.

Soon after, \* Fratres, præcipue *Predicadores*, ordinis ignavos, a tramite disciplinæ Sancti *Benedicti*, nimis impudenter exorbitasse deprehendebantur: Whereupon,

M m m m

Papahs

Papalis severitatis moderamine corriguntur, & auctoritate Literarum talium in viam meliorem diriguntur. Pope *Innocents* Bull for their reformation you may read in *Matthew Paris*.

The Abbots, Priors, and other Ecclesiastical persons of the Diocese and Province of *Canterbury*, being summoned to a Convention at *Maydenston* in *Kent*, to contribute an Ayde to the Pope or Archbishop, when as they had not yet given any satisfaction to the King, as to the Ayde the Pope had by his Letters granted him, from the universality of the Clergy of *England*; the King thereupon issued this memorable Prohibition to them, not to grant any Ayde at all to the Pope, Archbishop, or any other, without his Royal assent thereto:

Par. 29 Hen. 3.  
m. 8. dorso.

**R**EX Abbatibus, Prioribus, & omnibus aliis personis Ecclesiasticis vocatis hac die Veneris in Septimana Pasche usque *Maydenston*, salutem. Cum Dominus Papa per Literas suas nuper nobis concesserit, quod universitas totius Cleri *Anglia*, subsidium nobis conferat, in quo nondum nobis est satisfactum: Et vos, sicut audivimus, auctoritate Domini *Canuariensis* Archiepiscopi convenire debeatis super auxilio eidem Archiepiscopo, sive Domino Papae præstando: Vobis mandamus firmiter inhibentes, ne dicto Archiepiscopo, seu Domino Papae, seu alii subsidium aliquod prætet assensum nostrum concedatis. Teste Rege apud *Windest.* xix. die *Aprilis*.

There being an Inquisition pending between the King, by Papal Authority, and the Bishop of *Bath*, the King by this Patent constituted a special Proctor therein, the business depending before two Abbots, to whom it was referred.

Par. 29 Hen. 3.  
m. 3. intus.

**R**EX constituit Magistrum *R. de Cantilupo*, procuratorem Regis in negotio Inquisitionis, quod vertitur inter Regem ex una parte, Auctoritate Apostolica, & *Bathoniensis* Episcopum ex altera, ratum, &c. quicquid idem Magister in dicto negotio Inquisitionis mediante justitia duxerit faciendum. Et diriguntur Literae Sancti *Edmundi*, & de *Perfor.* Abbatibus. Teste Rege apud *Wigorn.* primo die *Augusti*.

A baptized Jew turning an Apostate, the King upon information thereof sent this special Mandate to the Sheriff of *Oxford*, to apprehend and imprison him when he should be named to him, till the Ordinary of the place should order what belonged to him.

Claus. 29 H. 3.  
m. 12. intus.

**M**andatum est Vicecomiti *Oxon.* quod quendam Apostatum qui vitam Judæorum deseruit, & baptizatus fuit, & Acolitus postmodum factus, & postea Apostatavit, cujus nomen ei scire faciet frater *Robertus Bacon*, capi & in prisona *Oxon.* detineri faciat, donec loci Diocæsanus inde fecerit, quod ad se viderit pertinere. Teste me ipso apud *Waledon.* Quinto die *Aprilis*, Anno Regni nostri *xxix*.

Per *Paulinum Peyur.*

The Pope sending a Legatè into *Ireland* upon a particular occasion, the King thereupon granted a special Writ to his Chief Justice, to admit him into *Ireland* for that purpose, but not to execute any other Authority there whatsoever, without his special license, without which he could not so much as enter into *Ireland*.

Claus. 29 H. 3.  
m. 7. dorso.

**R**EX Justiciario *Hyberniae*, salutem. Ad duo Auctoritate Apostolica exercenda, Magistro *J. de Frussyn*, Clerico & Nuncio Domini Papae, concessimus licentiam in *Hyberniam* transire, viz. ad absolutionem impendendam hiis qui manus violentas in Clericos injecerunt, & ad pecuniam colligendam in subsidium *Terra Sanctae*. Et ideo vobis mandamus, quod ipsum ad exercenda præmissa benigne admittentes, a Prælati & aliis ad eadem permittatis admitti. Non sustinentes, quibus Prælati sustinere vellent, quod aliam Jurisdictionem exerceat, donec aliud a Rege habuerit mandatum. Teste, &c.

The

The Pope presuming by his usurped authority to ordain a Bishop of *Elfn* in *Ireland* without the Kings Royal assent, the King, although it tended to the derogation of his Royal Prerogative, upon which account the Archbishop of *Tuam* refused to consecrate him; yet notwithstanding because he had received a laudable testimony from the Pope and others touching the person, out of his meer special grace was content to give his Royal assent to his ordination and consecration; and thereupon to restore the Temporalities to him by this special Patent, without which the Popes Provision had been ineffectual to him.

**R**EX *M. filio Geroldi Justiciario Hibernia*, salutem. Sciatis, Quod etsi per ordinationem factam a Summo Pontifice de *F. quondam Archid. Elfn. in Episcopum Elfn. libertati Regiæ fuerit derogatum, eo quod præter assensum nostrum constat esse factam: Quia tamen de persona ejusdem F. testimonium laudabile perhibetur, sicut ex Literis Domini Papæ plenius audivimus, et M. Tuamensis Archiepiscopus munus consecrationis, sine assensu nostro ei noluerit impendere, ordinationi prædictæ de gratia nostra Regium assensum adhibuimus et favorem. Et ideo vobis mandamus, quod de omnibus terris & tenementis, & Regiis aliis ad prædictum Episcopatum pertinentibus, & in manu nostra existentibus, eidem F. plenam seisinam habere faciat. Teste Rege apud *Gannak in Castris*, Quarto die *Septembris*.*

Pat. 29 Hen. 3.  
m. 2. intus.

The Chief Justice in *Ireland* in a case of Assise of Novel Disseisin between two *Irish* Bishops, refusing to give Judgement against the Defendant, till he received the Kings direction therein, for fear of being excommunicated by the Defendant Bishop, who threatned to excommunicate him; the King thereupon checking him for his cowardice, commanded him to proceed to give Judgement and Damages in the cause, notwithstanding the threatned excommunication, and to Attach and imprison those Judges and others, who presumed against his expresse Prohibition to hold Plea of these Lands in the Bishops Court, to the contempt, prejudice, and disinherison of his Crown and Dignity, and not to suffer from thenceforth any suits of this nature to be held in any Ecclesiastical Court, or to suffer any of his Rights to be lost.

**R**EX Justiciario *Hibernia*, salutem. Auditis & plenius intellectis Literis vestris quas super processu Assise novæ disseisinæ quam venerabilis Pater *Cristianus Imlicensis* Episcopus arramiavit versus *Alannum* Episcopum *Clon.* de tenemento suo in *Kelcomyr*, nobis transmisistis; ut inde voluntatem nostram vobis responderemus, non potuimus non mirari quod metu alicujus excommunicationis, vel alia ratione super tam manifesta disseisina quam dictum *Clon.* Episcopum, fecisse ex confessione sua liquet aperte, judicium proferre distulistis, & dicto *Clon.* Episcopo amerciato, & ad damna dicto *Imlicen.* illata restituenda; condemnato secundum legem & consuetudinem terræ nostræ *Hibernia*, seisinam eidem *Imlicen.* Episcopo, de dicto tenemento rehabere non fecistis; volentes igitur quod super disseisina prædicta suppleatur, quod minus actum est hucusque: Vobis mandamus, quod non obstantibus minis dicti *Clon.* vel cujusquam alterius de sententia excommunicationis in vos, vel in dictum *Imlicensem* Episcopum lata, vel in alium de Ballivis nostris ferenda, ad judicium inde proferendum sine dilatione procedatis, disseisitorum prædictum amercientes secundum modum et qualitatem transgressionis; disseisito seisinam restitui faciat cum damnis suis ei inde adjudicatis. Iudices vero qui spreta Prohibitione nostra in foro Ecclesiastico super dicto tenemento processerunt, et hoc in Curia nostra recognoverunt, et dictum Episcopum *Clon.* contra Coronam nostram, placitum illud et dignitatem nostram prosequendo, capi, et in prisona nostra salvo custodiri faciat, donec super tanto contemptu et tam enormi transgressionem plenam et condignam nobis fecerint emendam. In casibus consimilibus cum ebenerint, in fide qua nobis tenemini, eodem modo vos habentes, et processum observantes, ita quod de jure nostro nihil per defectum vestrum nobis depercat. Teste meipso apud *Winds.* Anno Regni nostri xxix.

Claus. 29 H. 3.  
m. 10. dorso.



King *Henry* having the Patronage of the Priory of *Lewes* by reason of a Wardship, issued this memorable Inhibition to the subprior and Convent, nor to permit any person whatsoever to present to any Church belonging to the Priory which was or should be voyd, during the vacancy of the Priory, upon pain to forfeit all they had.

Claus 29.3.  
m 35. intus.

**R**EX Subpriori & Conventui de *Lewes*, salutem. Quia ex certa Relatione fide dignorum intellexerimus, quod existente domo vestra sine Priore sicut nunc est *W.* quondam Com. *Warren*. fuit in possessione presentandi ad Ecclesias de patronatu vestro, quas in huiusmodi vacationibus vacare contingebat, & Idem jus modo residet penes nos ratione Custodiae Heredis prefati Com. in manu nostra existentis. ~~Vobis firmiter inhibemus, quod sicut omnia bona vestra quae in de-~~  
~~stratenetis potestate diligitis, ad Ecclesias, quas vacaverint postquam~~  
~~fueritis Acephali, vel quas vacare contingeret, ad instantiam cujuscunque~~  
~~que nullatenus presentare praesumatis.~~ Teste Rege apud *Gloucester* 27. die *Januarii*.

The Archbishops and Bishops of the Realm in this age, could not make their last Wills and Testaments, nor devise any of the Corns sown, or stock or goods on their Bishopricks, nor their moveable or immoveable goods, without the Kings special Patent, grant and license, authorizing them to do it, and ratifying their wills against himself, his heirs and successors, as these two memorable Patents intimate. The first of them to the Archbishop of *York*,

Pat. 29 Hen. 3.  
m. 5. intus.  
Pro Domino  
Eborum Archi-  
episcopo.

**R**EX omnibus, &c. salutem. Sciatis quod concessimus *W.* Eborum Archiepiscopo, quod quandocunque voluerit, libere & licenter condere possit testamentum suum, & pro voluntate sua ordinare, tam de bladis seminatis in terris Episcopatus sui & Ecclesiae suae, quam de omnibus aliis mobilibus suis, & similiter immobilibus personam suam ratione Ecclesiae suae, seu ratione sui ipsius contingentibus. Ita quod si de eo humanitus contingat, quod nollemus, executores Testamenti sui liberam habeant administrationem omnium praedictorum ad executionem Testamenti sui faciendam prout inde ordinaverit, sine impedimento nostri & Heredum nostrorum & Ballivorum nostrorum. In cujus, &c. Teste Rege apud *Woodstock* 22. die *Maii*.

The second is to the Bishop of *Karlisle*.

Pat. 29 H. 3. m.  
4. intus.  
Pro Domino  
Karl. Episcopo.

**R**EX omnibus, &c. salutem. Sciatis quod Testamentum quod *W. Karl.* Episcopus condidit, vel conditurus est quocunque tempore, & quacunque hora tam de bladis in terra, quam de Wardis & firmis, & omnibus suis mobilibus, pro nobis & heredibus nostris *gratum habemus & acceptum, & illud concedimus & confirmamus*: prohibentes ne aliquis Ballivus, noster vel Heredum nostrorum, quae idem Episcopus reliquerit ad executionem Testamenti sui faciendam, manum mittat, vel in aliquo se inde intromittat, vel aliquo modo Testamentum illud impediat, quia tam Testamentum suum, quam executores Testamenti sui cepimus in protectionem & defensionem nostram, & heredum nostrorum. In cujus, &c. Teste Rege apud *Windsor* 5. die *Julii*.

Pope *Innocent* the 4. was one of the first Popes who presumed to summon a General Council by his own Papal Authority, without and against the Emperor, and that purposely out of malice to excommunicate and depose him, against all Laws of God and man, for which end he sent abroad his Nuncio's and Letters as to other Kings and Prelates, so particularly to the King of *England*, and all Archbishops Bishops and other Prelates, to summon them to a General Council to be held by him at *Lyons* in *France*.

Anno eodem circa medium Quadragesimae, venerunt Nuntij Domini Papae in *Angliam* de convocando Concilio generali, tale mandatum Papale bajulantes:

INNOCENTIVS

**I**NNOCENTIUS Episcopus, servus servorum Dei, dilectis filiis, Abbatibus & Prioribus per Angliam constitutis, salutem & Apostolicam benedictionem. Dei virtus, & Dei sapientia, cujus ineffabili subjecta sunt omnia Majestati, a foundationis initio splendore virtutum suam illustravit Ecclesiam. Et sic insignem reddidit singularis privilegio potestatis, ut per ejus ministerium suum iustitia consequatur effectum, & sedato bellorum turbine, mundo possit tranquillitas provenire. Huiusmodi enim præminentiam dignitatis dum nos reverenter attendimus, quæ regimini generali Ecclesiæ, licet immeriti, Divina providentia præstidimus, reddimur corde solliciti, quod tempestatis horroz qua ipsa turbatur Ecclesia, et religio Christiana conturbatur, per nostræ provisionis auxilium celesti pietate propitia propulsetur. Hinc est, quod nos, ut ipsa Ecclesia, per fidelium salubre consilium & auxilium fructuosum, status debiti possit habere decorem, ac deplorando Terræ sanctæ discrimini, & afflicto Romano Imperio propere valeat subveniri, ac invenire remedium contra Tartaros, & alios contemptores fidei, ac persecutores populi Christiani: nec non pro negotio quod inter Ecclesiam et Principem vertitur, Reges terræ, Prælatos Ecclesiasticos, & alios mundi Principes duximus advocandos. Rogamus etiam devotionem vestram & hortamur attente, per Apostolica vobis scripta præcipiendo mandantes, quatenus ad præsentiam nostram, omni prorsus occasione postposita, usque ad proximum festum sancti Johannis Baptiste, personaliter venire curetis. Ut ipsa Ecclesia ex vestræ visitationis honore spirituale gaudium, & ex nostra industria consilium percipiat profuturum. Scituri, quod nos dictum Principem in prædicatione nostra citavimus, ut per se, vel per suos nuntios in Concilio celebrando compareat, responsurus nobis, et aliis, qui aliquid contra ipsum duxerint proponendum, et satisfactionem idoneam præstiturus. De personarum autem & electionum moderato numero, illam cum veniriis providentiam habeatis, quod vestris Ecclesiis nimis non sitis onerosi. Datum Lugduni, tertio Calend. FEBRUARII, Pontificatus nostri anno secundo.

Mat. Paris Hist. Angl. p. 636. 637, 638. Mat. Westm. p. 190. Papa convocavit Concilium generale apud Lugdunum.

Nota;

Eisdemque diebus Dominus Rex enormiter, ut sibi suisque videbatur, passus injuriam, eo quod plures jam Episcopi sine suo assensu creabantur, super hoc conquesturus, et pro suo jure ab antiquis temporibus obtento et approbato, allegaturus ad Curiam Romanam Magistrum Laurentium de Sando Martino, Clericum suum, virum circumspertum, et Jurisperitum suum, destinavit Procuratorem; similiter etiam pro aliis arduis negotiis Regem et Regnum contingentibus prudenter ac fideliter cum diligentia expediendis. Maxime tamen pro negotio Roberti Passelebe Electi Elicestrensis, tam precipitanter, inconsulto tam Rege quam Capitulo Elicestrensi, in medio regni sui cassati, et per electum Cantuariensem Bonifacium, quem noviter, non sine multorum murmure & contradictione in Regnum suum vocaverat, & ad tantam promoverat dignitatem, depulsi. Promoverisset utique Dominus Rex non minimum in causa favorem. Sed quia multos viros idoneos, & precipue religiosos, quos potius promovere & tueri, sicut quondam sancti Reges fecerunt, teneretur, extortitis argumentis, et frivolis exceptionibus, falsis, ac potius malitiosis, toties repulsi, et cum esse eligerentur, in ignominiosam confusionem præcipitavit, merito procuratum est tanti mali remedium. Ut scilicet eo, qui tot mala machinabatur, ignorante vel etiam contradicente Ecclesiis viduatis providetur, quibus vix idonei, ne grex Dominicus detrimentum patitur, maturius præponantur, quod videtur consonum rationi. Sed de Regni potius quam de Regis perturbationibus, et ruinis Anglorum Nobiles doluerunt.

Cum autem hæc ad Concilium generalis convocatio, ad audientiam Prælatorum pervenisset, multi ad iter preparantur arripendum. Aliqui tamen Regis negotiis intenti excusantur.

Rex Angliæ mittit procuratorem ad Curiam Romanam.

Aliqua Prælati ne ad Concilium eant per Regem excusantur.

intendentes, aliqui valetudinarii, & senes, se per Regem, vel competentes Procuratores excusarunt. Regi etiam, qui pro aliquibus humiliter domino Papæ supplicaverat, Papa favorabiliter sic rescripsit.

Litteræ Papales,

**I**NNOCENTIUS Episcopus, &c. Charissimo in Christo filio, Regi Anglorum illustri, salutem & Apostolicam benedictionem. Erga personam tuam, tanquam filii & devoti Apostolica sedis, specialis paternum gerentes dilectionis affectum, precibus tuis, quantum cum Deo possumus, libenter attentum accommodamus auditum, & benignum impartimur assensum. Sane per dilectum Magistrum Laurentium Nuncium tuum apud sedem Apostolicam constitutum, & per Litteras Regias, a nobis humiliter postulasti, ut cum instanti astate proponens ad perfidiam quorundam inorum rebellium conterendam, exercitu congregato dirigere gressus tuos, Venerabilem fratrem nostrum Carleolensem Episcopum, & dilectum filium Abbatem Westmonasteriensem, custodia Regni tui, quamdiu in expeditione permaneris, providè deputaris, ipsos & Venerabiles fratrem nostrum Episcopum Landavensem, omnibus bonis Episcopatus sui, per inimicos Regios denudatum, & dilectos filios Sancti Edmundi, morbo podagrico laborantem, ac de Wautham senio confectum & confectum, Abbates, ne ad Concilium veniant, quod in instanti festo Nativitatis beati Johannis Baptistæ, Deo dante, celebrabimus, haberemus benigne ac misericorditer excusatos. Nos itaque Celsitudinis Regia Regni que tui propensum affectum, commodum & quietem, & tibi, ac pro te tuis, quantum pro Deo fieri potest, exhiberi parati, gratiam & favorem devotioni tue presentium auctoritate concedimus benignitate postulata: sublimitatem tuam hortantes attente, ut moleste non feras, quod petitionem tuam pro Venerabili fratre nostro Eboracensi Archiepiscopo, in Litteris Regiis prædictis expressam, & per memoratum Magistrum ex parte tua insuper nobis inculcatam, super excusatione consimili, non duximus admittendam. Quia cum ipse sit honorabile Ecclesia Dei membrum, ejus presentiam præfato Concilio credimus opportunam. Datum Lugduni, x. Calend. Junii, Pontificatus nostri anno secundo.

Quidam Prælati Angliæ excusati remanet sed Abbas de Burgo Curiam coactus adiens, accusatur, maleque tractatur.

Similiter quidam alii Angliæ Prælati, tam Abbates quam Episcopi, diversis causis expressis præpediti, & sese rationabiliter excusantes, quia valetudinarii, vel senes, vel infirmi, (utpote Episcopus *Elensis*, & Abbas Sancti *Albani*, & quidam alii) per procuratores suos, per quos Dominum Papam & Cardinales, sic volentes, salutarunt, & preciosis muneribus respexerunt, licenter remanserunt. Abbas autem de *Burgo*, vir sine querela, qui specialius aliis super hoc mandatum Papale suscepit, & non sine molestia ad Curiam Romanam cum pervenisset, per Magistrum Martinum Papæ Clericum, in Angliam commorantem, graviter accusatus est, pro eo quod quandam Ecclesiam, quam cuidam viro idoneo contulerat, ad opus cujusdam consanguinei Domini Papæ, ipsi Magistro Martino noluit, sicut nec debuit, conferre: (procuring a Prohibition from the King, forecited.) Unde dictus Abbas cum in Curia Papali apparuisset, ipsum Dominus Papa, vel per Papam, Papales, probosc objurgatum, a Palatio suo iussit ejici, tam turpiter et irreverenter, quod nunquam postea plenam admittens consolationem, contristatus, in incurabilem præcipitatus est infirmitatem.

\* Mat. Paris. 669.

Unde eodem anno, \* post multas indignas vexationes, tribulationes, & infirmitatem, quam in jura Romanæ ob id iniitaverat, in magnum Ecclesiæ suæ damnum, iacturam & perturbationem, quam prudenter rexerat, viam universæ carnis est ingressus. Such was the Tyranny of this peremptory, usurping, Antichristian Pope, trampling the persons, privileges, Crowns, Rights of all Christian Emperors, Kings, Princes, Prelates, Abbots, Nobles, Kingdoms under his Papal feet, and more particularly those who had either any courage or conscience to withstand his injurious Usurpations, as this Abbot did at first.

Mat. West. An. 1245. p. 193.

Per idem quoque tempus, Dominus Rex sano fretus Consilio, ex quo certificabatur de Concilio generali in proximo Lugduni celebrando, Nuncios solennes ad Concilium destinavit, videlicet Comitum Rogerum Bigod, Johannem filium Galfredi, Gulielmum de Cantilupo, Philippum Basset, Radulphum filium Nicholai, Milites, & Gulielmum de Powic, Clericum, ut Domino Papæ et toti Concilio gravamina exponerent, quæ Regno Angliæ in multis a Romana Curia diatim inferuntur: præcipue de Tributo in guerræ tempore extorto, cui



cui contraditum fuit, et aperte per *Stephanum Archiepiscopum Cantuar.* reclamatum.

Which *Matthew Paris* thus more largely expresseth. Tunc vero, licet sero, Dominus Rex *Anglorum*, aliquantulum conversus ad se, cepit detestari Romanæ Curie insatiabilem cupiditatem, et totius Regni, imo etiam et Ecclesiæ per eam factas injurias occupationes, illicitasque rapinas. Composita igitur per Regni universitatem eleganti Epistola, in qua extorsiones Papales nimis execrabiles, et exactiones multiformes Legatorum ejus, et quorundam Clericorum potestate inaudita fungentium, continebantur, ut sequens sermo declarabit. Cum qua viri nobiles ac discreti ad Concilium destinantur, gravem super his, et præcipue super exactione Tributi, in quod nunquam consensit Regni universitas, coram Concilio querimoniam reposituri, et tallium celebamen onerum importabilem Regno Angliæ miseris impendi, rogaturi: (which as the affaires of *England* then stood they should hardly redresse themselves, till this general Complaint and Petition first made against them in this general Council.) Electi sunt igitur, et ad hoc, nomine totius universitatis Regni Angliæ ad Concilium Lugdunense missi, Comes *Rogerus Bigod*, *Johannes* filius *Gulfridi*, *Willielmus de Cantelupo*, *Philippus Basset*, *Radulphus* filius *Nicholai*, & Magister *Willielmus de Poweric*, Clericus.

Mittuntur nuncii universitatis Angliæ ad Concilium.

I find in the Clause Rolls of 29 H. 3. this Letter sent by the King to the Pope, reciting his sending of these solemn Nuncios to this General Council, according to his command, who were then in their journey to his Court, from whence they should hasten to his Holy Paternity with all possible expedition; earnestly requesting him, that if before their arrival any thing should happen to be handled or mentioned in this Council concerning his affaires, or the state of the Kingdom, that it might be suspended till they presented themselves before him.

**D**omino Papæ Rex, salutem, & debitam tanto Patri reverentiam & honorem. Cum sollempnes Nuncii nostri quos ad Concilium per vos in proximo celebrandum, sicut nobis mandastis, duximus destinandos, in procinctu sint itineris veniendi ad Curiam, & quam cito poterunt illuc venire festinant, Sanctam Paternitatem vestram rogamus cum effectu, quatenus si ante adventum eorundem Nunciorum nostrorum in dicto Concilio contingat, aliquid tractari seu mentionem fieri de negotiis nostrum, & Regni nostri statum contingentibus, ea si placet teneri faciatis in suspenso quousque commode se possint vestro conspectui præsentare. Teste Rege apud *Westmonasterium*, viij. die Junii.

Clauſ. 29 H. 3. m. 9. dorſo.

He likewise directed another Letter by them to the Emperor, entred in the same Roll, reciting, that he had sent Embassadors to this Council, of the Noblest and discretest men of his Realm, who should use their uttermost endeavours to effect a laudable and desired peace between him and the Pope, to his honour; desiring him when they came to his Excellencies presence, to grant them a favourable reception and audience, that so by his desire they might procure a convenient encrease of his Imperial honour.

**D**omino Imperatori Rex, salutem. Ille novit qui nihil ignorat, & Imperialem Excellentiam non credimus ignorare, quod honorem vestrum totis visceribus affectamus, ad quod fraternæ dilectionis affectio nos excitat jugiter & inducit. Sane laborem animi nostri quo diutius laboravit Altissimus sui gratia consummabit; sicut enim ex voluntate vestra novimus processisse, ad Concilium *Lugduni* convocatum Nuncios mittimus sollempnes; de Nobilioribus & discretioribus Regni nostri, qui ad honorem vestrum super pacis reformatione, per Dei gratiam laudabiliter laborabunt & effectum consequentur optatum; vestram igitur Excellentiam exoramus, quatenus præfatos Nuncios nostros ad vestram præsentiam accedentes commendatos habere velitis, & eis benignam audientiam exhibere, qui utinam vestro desiderio conveniens honoris Imperialis augmentum procurent.

Clauſ. 29 H. 3. m. 9. dorſo.

The King did then likewise by his Letters Patents constitute three of these Embassadors, together with two others his Proctors general in that Council, to propose, impetrate and contradict on his behalf, whatever they should deem expedient, and ratifying whatever they should do according to justice.

Pat. 29 Hen. 3.  
m. 8. dorso.

**D**omino Papæ Rex, salutem. Cum dilectos & fideles nostros Nobiles viros *Willielmum de Cantilupo, Johannem filium Galsfridi, Radulphum filium Nicholai*, ad vestram præsentiam destinemus, ipsos una cum *Barthol. Pecche*, & Magistro *Laurentio de Sancto Martino*, Procuratores nostros constituimus, ad proponendum pro nobis quæ viderint proponenda, & ad impetrandum quæ viderint impetranda, & ad contradicendum quæ viderint contradicenda, ratum habituri & gratum quicquid iidem in hac parte mediante justitia duxerint faciend. Teste ut supra.

He then likewise granted special power to one of them by this Patent, to give his Royal assent to the translation of any Bishop, which by the advice of the Pope, his Cardinals, and his own Embassadors sent to this Council, should happen to be translated, for the benefit of the Realm; without whose assent neither the Pope, Cardinals, nor Council could translate any of his Bishops.

Pat. 29 Hen. 3.  
m. 8. dorso.

**O**mibus, &c. Rex, salutem. Ad universitatis vestræ notitiam volumus pervenire, nos Magistro *Laurentio de Sancto Martino*, potestatem nostram dedisse, ut si forsitan de Concilio Domini Papæ, & Cardinalium, & Nunciorum nostrorum processerit in instanti Concilio, aliquem Episcopum pro utilitate Regni nostri debere transferri, præfatus Magister *L.* ad translationem illam faciendam possit assensum Regium adhibere. Teste meipso apud *Westmonasterium*, Decimo die Junij, Anno Regni nostri xxix.

The Pope having called this General Council at *Lyons*, and given the King of *England* notice thereof, as aforesaid, he thereupon issued this memorable Patent and Writ to all the Archbishops, Bishops, and other Prelates of *England, Ireland, and Gascoign*, which should repair to that Council by the Popes summons, and his Royal License, that as they were obliged by their respective Oathes of Fealty to be faithful to him in all things belonging to his Royal Crown and Dignity, so they should use their utmost diligence and endeavours in this Council, both to acquire, conserve and defend the Rights of his Crown and Kingdom, and not do any thing therein against him, or those Rights which his Predecessors and he by ancient and approved custome had used, nor give their assent to any one that should attempt to procure or ordain any thing against the same, under pain of violating their Oathes, and forfeiting all the Temporalities they held of him. And so to demean themselves therein, that he might rather commend and render them special thanks for their benefit and virtue, then reprehend or reprove them for ingratitude, in due time.

Pat. 29 Hen. 3.  
m. 5. dorso.

**R**EX Archiepiscopis, Episcopis, & omnibus aliis Prælati terræ suæ *Angliæ*, conventuris ad Concilium *Lugd.* salutem. Vinculo juramenti nobis estis, ut nobis, affrici, quo nobis in omnibus ad Regiam dignitatem spectantibus et Coronam, omnem quam poteritis fidelitatem observare debetis. Quapropter vobis mandamus, in fide et fidelitate quibus nobis tenemini firmiter injungentes, quatenus tam ad acquisitionem, quam conservationem, necnon et defensionem Jurium nostrorum, et Regni nostri, omnem quam poteritis diligentiam adhibere curetis. Et ne in præjudicium nostri, vel ejusdem Regni in Concilio *Lugd.* et ne etiam contra nos vel jura nostra, quibus prædecessores nostri et nos ex antiqua et approbata consuetudine usi sumus, procurare vel attemptare aliqua præsumatis, nec etiam alicui hujusmodi procurare vel statuere volenti assensum præbeatis, sub vinculo juramenti memorati et poena amissionis temporalium quæ de nobis tenetis, vobis firmiter inhibemus. Sic igitur vos in hac parte grati, quod de beneficio vestro et virtute gratitudinis, vos debeamus

mus potius specialiter commendare, quam de contrariis a vobis attemptatis, quod abist vestram ingratitude inirepare et ultionem debitam, nobis opportuno tempore referbare. Teſte, &c.

Eodem modo ſcribitur Archiepiſcopis, Episcopis, & omnibus aliis Prælatiſ, &c. ut ſupra, de *Hybernia & Waſcomia*.

The King by former experiments having \* juſt grounds to ſuſpect they would rather comply with the Pope againſt their Oathes, then with him, to the betraying of the Rights of his Crown and Realm to his Papal Uſurpations, which God by his extraordinary providence thus prevented in a great meaſure.

Diebus vero Rogationum, in triſte præſagium, apud *Lugdunum* quædam Domini Papæ camera, quæ conclave, id eſt, Guarda robu dicitur, cum omnibus quæ in ipſa continebantur, combuſta eſt, aſſerentibus nonnullis ſiniſtrè interpretantibus, quod gratis accenſa eſt, ut ſic occaſionem Dominus Papa acciperet pecuniam petendi et extorquendi a Prælatiſ ad Conciliſum venire properantibus. Sed cum incendium plus quam credebatur deſæviret, combuſta ſunt etiam quædam quæ habebantur chæmora. Et ſuit multorum aſſertio, \* quod deteſtabilis illa Chæpta, quæ de *Reſcripto Angliæ*, annis *Anguſtiſ* Eccleſiæ Romanæ ſolvendo, ſub ſebiliſ memoria Rege *Johanne*, conſecta fuerat, eodem incendio in cinerem ibidem eſt redacta.

Cum autem Dominus Papa graviter conquereretur ſuis familiaribus, & quibuſdam magnis Prælatiſ, tum *Cluniacenſi* & *Ciſterciënſi* Abbatibus, ut ſic cito in propatulo talis ventilaretur querimonia, quod videlicet ære alieno Eccleſia *Romana* fere irreſtaurabiliter obligata prægravaretur. Et hac naſta occaſione, intelligi daret, ſe maxime auxilio indiguiſſe pecuniari, unde ab ipſiſ tanquam a filiis chariſſiſiſ & ſpecialiſ, ſubſidium pecuniare inſtanter poſtulavit. Venerunt ad eum Prælati multi, in ſaculo abundantes, & amplioriſ poſſeſſionibuſ inhiantes, gratiam Papalem, utpote paternam deſiderantes; labores, & pericula ſua deplorantes: ſed quod Imperiales laqueos evaſiſſet, & ad filioſ ſibi devotoſ appropinquaviſſet, alacriter eidem congratulantes, ſux obſulerunt paternitati munera in equiſ, vaſiſ, veſtibuſ, auro, argento, & omni ſuſpectili præcioſa & deſiderabili, inæſtumabilia. Ex quibuſ Abbas *Cluniacenſiſ* non ultimus eſſe deſiderans, ne deſes haberetur, impetrata licentia ac poteſtate cellas ſuas depauperandi, ut Papam ditaret: ſuam Eccleſiam depauperans, & ſuiſ Prioratibuſ prægravatiſ & ſpoliatiſ, tantam pecuniæ quantitatem præſentavit, quod audientibuſ admirationem magnam non immerito generavit: multa munera multaque xenia in equiſ deſiderabiliſ & præcioſe phalerariſ Papæ contulit, quorum etiam aliqui pecunia erant onerati. Unde in *Lingonenſiſ* Episcopatuſ dignitatem, a Domino Papa meruit ſublimari. Imò intelleximus ex relatu Prioriſ de *Weſtacre*, qui eſt Monachuſ *Cluniacenſiſ*, quod Dominuſ Abbas *Cluniacenſiſ* prædictuſ, dederit Domino Papæ tunc incontinenti, quater viginti elegantiffimoſ paleſtridoſ decentiſſime phaleratoſ; & cuilibet Cardinalium unum paleſtridum optimuſ, & unum ſummarium eleſtiſſimuſ: & erant Cardinales circiter duodecim. Papa autem, malens quod ipſe Abbas ſuiſ foret ſtabulariuſ, quam aliquiſ alter, præcepit Abbati, equoſ ſibi datoſ ad ſuum opuſ bene caſtodire. Contulit quoque dictuſ Abbas Domino Papæ in pecunia numerata, & vaſiſ præcioſiſ, Theſaurum non minimæ quantitatiſ. Quo exemplificatuſ, ſimiliter & Abbas *Ciſterciënſiſ*, non minora, ne ſecunduſ haberetur, munera, ſialiſ provocatuſ devotione, patri ſuo Domino Papæ aſſiſto, & indigenti aſſerit obſuliſſe. Archiepiſcopuſ vero *Rothomagenſiſ*, qui ſe ſuamque Eccleſiam non leviſ ob hoc debitiſ irretivit, ipſi Domino Papæ, ne quaſi ultimuſ redargueretur, complacere cupiens, Papaleſ Theſauſoſ non mediocriter adaugendo cumulavit. Quod audiens Abbas Sancti *Dionyſiſ*, Archiepiſcopalem adoptans & ambiens dignitatem, emunctiſ ac extortiſ ab Eccleſia ſua multiſ librarum miſſibuſ, Domino Papæ charitatiſ conferendiſ, in \* *Rothomagenſem* ſublimari meruit Archipræſulatuſ; hoc efficaciter prædeceſſore ſuo, jam Cardinali, procurante. Hoc autem cum audiret Rex *Francorum*, ſingulariſ & ſpecialiſ Eccleſiæ Sancti *Dionyſiſ* æconomuſ & patronuſ, coegit dictuſ Abbatem, quem ambitioniſ redarguit, memoratam pecuniam aſſunde mendicare. Et ſic uterque, videlicet tam Abbas, quam Archiepiſcopuſ, poſt ſe ſcæda relinquentes veſtigia, ut ad ſtatuſ deſiderabilioſ convolarent, ſuaſ, quaſ regendaſ ſuſceperunt, Eccleſiaſ depauperanteſ, per mul-

\* Here p. 268, to 282, 300, 301.

Anno 1244.  
Mat. Paris Hiſt.  
Angl. p. 638.  
Mat. Weſtm.  
p. 191.  
Combusta eſt camera Papæ.

\* Here p. 273, 274, 290, 291, 299, 300.

Mat. Paris Hiſt.  
Angl. p. 642, 643, 644. Mat.  
Weſtm. p. 193, 194.  
Papa munera præcioſa a multiſ Prælatiſ accepit.

\* This waſ no Symony in the Pope or them.



torum Regnorum spacium scandala generarunt. *Matth. Westwille* addit; Archiepiscopus autem *Rothomag. P.* & Abbas Sancti *Dionysii*, natione Anglus, cum hæc audissent, volentes Priores datores superare, tantam in moneta numeratam pecuniam Thesauris Papali addiderunt, ut hæc scientibus, quantitas & numerus stuporem non immerito generaret. Unde Archiepiscopus suam relinquens Ecclesiam, irrestitabiliter pecunia spoliata, in Cardinalem multo Domino Papæ specialem, meruit sublimari; Abbas autem Sancti *Dionysii* in Archiepiscopum *Rothomag.* simili conditione pomposius insulari: Abbas vero *Cluniacensis* in Episcopum *Lingonesem*, quod multum desideraverat, ut unus esset ex Paribus *France*, incathedrari. Cito etiam post, Archiepiscopus *Lugdunensis*, vir sine querela, & pacificus, & jam vergens in ætatem senilem & valetudinariam, nolens aliquatenus, ut Papam saginaret, suam Ecclesiam destruere, imò potius dolens, quod Papa totam Christianitatem & universalem Ecclesiam turbaturus, illuc adventasset, & suum Archiepiscopatum onerasset sua præsentia, & ad Concilium Prælatorum universalium advenientium, omnia in manus Domini Papæ sponte resignavit. Cujus loco, Papa procurante, vir bellicosus, & secularibus negotiis aptior quam spiritualibus, subrogatus est, *Philippus de Sabaudia*, frater Archiepiscopi *Cantuar. Bonifacii*, ut sic Papa tantis viris & tam generosis suam partem cautius roboraret, & genus eorum *Romana* Curie astutius confederaret;

\* This Pope and Prælates worldly policy, over-ballanced their piety.

\* **Curam animarum non sine multorum iurorum obloquutione postponendo.** Electus igitur *Lugdunensis*, *Philippus* memoratus, ex Papali indulgentia opimos redditus, quos in *Anglia* habuit & multis aliis locis, licenter retinens, ut fortius & efficacius Papalibus intenderet & secularibus negotiis, suam diu distulit consecrationem, nec officium Episcopale curabat exercere. Similiter & frater ejus, *Cantuar. Archiepiscopus Bonifacius*, suæ immemor Ecclesiæ, nec recolens sanctitatis suorum in Ecclesia *Cantuar.* prædecessorum, quasi nauta navem, curam omisit pastoralis; & se per multum tempus in partibus *Lugdunensibus*, multum a *Cantuar.* distantibus commorans, absentavit. Unde Ecclesia Anglicana, quæ per ipsum speraverat respirasse, pro consolatione induit confusionem et desolationem. Alii quoque Prælati, singulis diebus ad Curiam Papalem adventantes, munera impreciabilia, quæ stuporem intuentibus merito possent generare, festinanter ac certatim Romano Pontifici obtulerunt. Ita ut videretur multis, & ab eisdem palam affirmaretur, quod Dominus Papa propter hoc *Lugdunum* gratanter venisset potius, quam à facie alicujus aufugisset. Quibus omnibus Dominus Papa sinum, ne contemptus & elatio videretur, acceptationis aperuit: asserendo se multo pluribus indigere, honestas præferens suæ indigentia jugiter excusationes, cum secundum, nescitur si vera, ejus assertionem, *Romana* Ecclesia occultis de causis, plus quam in centum & quinquaginta millibus librarum approbatæ monetæ exceptis usuris, quæ serè ad numerum fortis ascendebant, teneretur obligata.

Mat. Paris Hist. Angliæ, Edit. Londini 1640. p. 638. Papæ volenti invadere quasdam Præbendas vacantes, resistunt Canonici Lugdunenses.

Eodem tempore, cum vellet Dominus Papa (for his kind reception at *Lione*, by his Provisions) quibusdam Præbendis *Lugdunensis* Ecclesiæ vacantibus quosdam alienigenas consanguineos vel affines suos, inconsulto Capitulo intrudere, resisterunt ei in facie Canonici *Lugdunenses*; comminantes, et cum juramento obtestantes, (most likely by the English Nobilities examples) quod si tales apud *Lugdunum* apparerent, non possent eos vel Archiepiscopus vel Canonici protegere, quin in *Rhodanum* mergerentur. Nec ipsi, qui beneficium fuerant accepturi, ultra usquam comparuerunt. Eisdemque diebus, dum quidam Ostiarius Domini Papæ protervius cuidam Civium *Lugdunensium*, introitum civiliter & humiliter postulanti, incivilius & frontosius, quam deceret, denegaret; idem Civis indignatus & iratus, manum prædicti Ostiarii penitus amputavit. Unde idem mancus, cum coram Domino Papa gravem reponeret querimoniam, brachium suum ostendens mutilatum, Dominus Papa, secundum legem Civitatis, vindictam sibi postulavit exhiberi. Quam *Philippus de Sabaudia*, custos pacis Ecclesiasticæ, procuravit quasi quasi modo, ut honoz Papalis saltem superficialiter salvaretur. Had his Papal Usurpations and Agents been thus resolutely opposed in other places, the world had never been so oppressed and molested by them, as they were to their intolerable vexation.

The day of the Session of the Council of *Lyon* summoned by this Pope, being come,

come, our Historians give us this account of the Inception thereof, and Proceedings therein.

Anno gratiæ millesimo ducentesimo quadragesimo (misprinted decimo) quinto, sub Innocentio tertio Papa, celebrabatur aliud Concilium generale proximum, in quo decretum & scriptum est, quod non deberet de jure Concilium generale celebrari, nisi semel infra quinquaginta annos, quod est spacium clausum jubileo. Anno enim jubileo, vel infra tempus contentum infra annos quinquaginta, semel celebrari habet generale Concilium: in quo omnia collapsa habent reformari, & in bono statu restitui & solidari.

Alius igitur Solis orbita cursum suum peragente, videlicet circa ætatis medium, cum jam festum Nativitatis beati *Johannis Baptista* advenisset, congregati sunt *Lugdunensi* ex totius fere Christianitatis latitudine Prælatorum venerabilium innumere multitudo, vel eorum idonei; Imperatoris quoque, & multorum Principum, aliorumque Procuratores, secundum Papalis mandati tenorem, Concilium celebraturi. Multo tamen, ne advenirent, impedivit Imperator *Fredericus*, præsciens quod ad suum impedimentum & dedecus ipsos Papa convocarat. Absentes autem quamplurimi Prælatorum, per eos quos promiserunt procuratores, sese ex legitimis causis sufficienter excusarunt. Multi etiam Prælati ex *Anglia* tum propter senium, tum propter infirmitatem, tum per Regias preces pacifice remanserunt, sese per procuratores suos destinatos rationabiliter excusantes, ut supra latius dictum est. Inter quos, Abbas Sancti *Albani*, corpore gravis, & jam ad senilem declinans ætatem, Magistro *Martino*, qui tunc temporis in *Anglia* prosperè commorabatur, testimonium veritatis suæ per hoc perhibente, se rationabiliter per quendam Monachum suum, *Johannem* videlicet de *Bulum*, & quendam Clericum suum, Magistrum *Rogerm de Holdene*, suam excusavit absentiam: & sic indemnis & quietus remansit, Domino Papa per ipsos civiliter salutato. Veruntamen de Regno *Hungaria*, quæ pro multa sui parte per *Tartaros* est vastata; nulli venerunt; & propter regionum distantiam nullus advenire valuit, aut voluit. De *Alemania*, bello Imperiali perturbata, pauci Prælati ad Concilium minimè convenire potuerunt. De *Terra vero Sancta*, quæ multo patuit discrimini, nullus penitus potuit illuc advenire, sed nec advocari. Occasionaliter tamen illuc advenit de *Terra Sancta* Episcopus *Beritensis*, totius *Syria* Nuncius generalis, & Syndicus omnium Christianorum *Terra Sancta*; mandatum bajulans lugubre, de exterminio, permittente Deo, in *Terra Sancta* perpetrato.

Initium actum in Concilio Lugdunensi.

Dum autem Dominus Papa multos jam Prælatos, licet tamen non omnes, vidisset congregatos, die Lunæ proxima post festum Nativitatis Sancti *Johannis Baptista*: intravit Dominus Papa cum fratribus Cardinalibus, Patriarchis, Archiepiscopis, Episcopis, & aliis Prælati ad Concilium convocatis, simul & procuratoribus absentium tam Principum quam Prælatorum, in refectorium Religiosorum Sancti *Iusti*, apud *Lugdunum*. Fuerunt itaque ibidem absque Cardinalibus, duo Patriarchæ, scilicet *Constantinopolitanus*, qui & *Antiochenus*, & Patriarcha *Aquilegia*, qui & *Venetia*: Imperator quoque *Constantinopolitanus*, Comes etiam *Tholosanus*, & procuratores *Anglia*, Comes *Bigod*, cum sociis suis Nobilibus; Archiepiscopi vero & Episcopi, Centum & Quadraginta. Proposuitque Patriarcha *Constantinopolitanus* statum & necessitates Ecclesiæ suæ, asserens, quod olim habuit sub se Suffraganeos plus quam triginta, quorum vix jam tres remanserunt. Subjungens insuper, quod *Ægi*; et quidam alii infantes Ecclesiæ *Romanæ*, totum jam Imperium *Romania* fere usque ad portas Civitatis *Constantinopolis* violenter occuparunt; qui in nullo *Romanæ Ecclesiæ* obediunt, ipsamque detestantes, hostiliter eidem adherant. Unde dolor & confusio omnium Christianorum imminet, cum ipsa sua Ecclesia primo fuisset privilegiata, et merito plus cæteris honoranda: primo enim constat, beatum *Petrum* *Antiochiæ* (quæ Civitas *Ægi*orum Imperio vel Regno subiecta est) ab antiquo sedisse: et inde *Simonem* *Magum*, et alios *Hæreticos*, confusos aufugasse. Ad quod Papa tacuit. (being unable to reply thereunto.) Consequenter propositus fuit sermo fidelis, & omni acceptatione dignus, de canonizatione scilicet beati *Edmundi Cantuariensis* Archiepiscopi: quem Dominus evidentissimis miraculorum signis illustravit. Cujus rei assertioni, cum constanter testimonium octo Archiepiscopi, & circiter viginti Episcopi perhibuissent, & instanter, ut in ipso Concilio veneranter, ad majorem solennitatem, canonizaretur, postularent: ait Domi-

Qualiter Papa prima die Concilium initiavit

Nota.

nus Papa, non suo, sed aliorum spiritu invidorum aversus, dicens; Urgent nos, dilationem non capientia Ecclesie nimis ardua negotia, quare hoc merito ad præsens tempus suspendere debeat expectatum. Sed, vita Comite, in posterum neglectui non commendabitur: & quis Deus & mundus sanctitati & virtutibus ejus perhibere testimonium, in Domino gaudemus, & gratias ipsi referimus uberiores. Affuit etiam præsens ibidem *Thaddæus de Suissa*, Domini Imperatoris *Frederici* procurator, vir prudens, & eloquentiæ singularis, Miles, & Legum Doctor, & Sacri Palatii Judex Imperialis: pro Domino suo Imperatore, tam constanter, quam diligenter responsurus. Imperator vero præsciens graves fore quaestiones movendas (nec immerito) contra ipsum, necnon & Papalem iram diutinam, jam versam in odium, discretos ac solennes suos procuratores & prolocutores ad Concilium destinavit, viz. *Thaddæum de Suissa*, *Petrum de Vineis*, & Magistrum *Walterum de Oera*, Clericos facundos & discretos, & cum eis Milites Nobiles & disertos. Congregata vero sancta & universali Synodo, in Ecclesia Sancti *Justi* apud *Lugdunum*, proposuit in medio Dominus Papa graves contra *Fredericum* querimonias, ita ut intelligerent liquido omnes **maxime propter hoc Concilium fuisse convocatam**. Inter quas graves querimonias gravissima contra Imperatorem *Fredericum* resonabat, quod Prælatos in mari truculenter invaserat, submerserat, cepit, & incarceravit. Procuratores vero, prout causa eorum toleravit, satis prudenter ad objecta responderunt. Pro cujus pace, & pristinae amicitiae reformatione, *Thaddæus* obtulit pro Domino suo Imperatore confidenter, ad unitatem *Romanae* Ecclesie totum *Romania*, id est, *Gracia* Imperium, revocare: & quod sese *Tartari*, & *Choroasmis*, & *Saracenis*, & aliis Ecclesie hostibus & contemptoribus, Christo fideliter militando, potenter opponet. Et quod statum *Terræ Sanctæ* discrimini magno & manifesto periculo jam patentem, suis sumptibus propriis personaliter, pro posse suo reformabit, & ablata *Romanae* Ecclesie restituendo, de injuriis satisfacere. Ad quæ omnia respondit Dominus Papa, dicens exclamando: O quam multa & quam magna sunt promissa, nunquam vel nusquam tamen adimpleta vel adimplenda. Sed & hæc nunc constat sunt promissa, ut securus jam ad radicem posita, illuso Concilio, & soluto, per dilationem avertatur. Pacem nuper in anima sua juratam, secundum formam præstiti sacramenti teneat, & adquisco: Porro

*Quo tenam nodo mutantem Protea vultus?*

Note the infolency of this Roman Pontiff.

Et si concederem sibi postulata, & resilire vellet, nec aliud spero, quis nunc pro eo cavens fidejuberet, ut cogeret resilientem? Et cum duos Reges, videlicet *Francorum* & *Anglorum*, *Thaddæus* ad hoc spondisset fidejussores, Respondit Dominus Papa: Nolumus, Quia si pacta commutasset, vel penitus infirmasset, nec aliud credimus, propter frequentiam, aliquo tempore in posterum, oppoteret nos animadvertere in eosdem: & tunc haberet Ecclesie tres, quibus non sunt in seculari potentia majores, imò nec pares, inimicos. Sed cum rationes Papales prævaluissent, omnes ferè in ipsum Imperatorem frenduerant, *Anglici* tamen dolentes de sua confusione, propter affinitatem, quæ inter Dominum ipsorum, Regem *Angliæ*, & ipsum Imperatorem contrahabatur, & sedus amicitiae inter ipsos initum, & prolem, quam ex *Isabella* Imperatrice, Imperator susceperat, diu dissimulantes siluerunt. Invaluerunt tamen undique insurgentes Imperatoris adversarii, nec poterant Imperiales Nuncii vel exaudiri, vel audiri. Et cum procuratio *Thaddæi* ad hoc non sufficeret, neque temporis satis habuerit, ut hæc consummarentur competenter, siluit contristatus. Unde *Thaddæus*, (soon after) videns damnationem Domini sui imminere ait, *Verè dies ista, dies ira, calamitatis, & miseria*. Thereupon, *Gulielmus de Powic*, qui cum Nobilibus Domini Regis *Angliæ* procuratoribus, Comite *Rogero*, & aliis sociis præsens affuit, volens hæc prædicta per interruptionem disferre, assidentibus ibidem *Anglicana* universitatis procuratoribus assurgens in medio, gravamina Regni *Angliæ*, ex parte universitatis *Angliæ*, proponens satis eleganter, conquestus est graviter, **Quod tempore belli (guetæ) per Curiam Romanam extortum est Tributum injuriose nimis a Rege Johanne**, dum summa mentis angustia torqueretur, cui etiam manifeste contradictum fuit, et ex parte universitatis Regni reclamatum, quod talia nullo modo facere poterat, per os venerabilis *Stephani Cantuariensis Archiepiscopi*, quo non erat tunc major in Regno. In quod Tributum nunquam Patres Nobilium Regni,

Nota.

vel



vel ipsi consenserant, nec consentiunt, neque in futurum in aliquo tempore consentient, unde sibi petit instanti exhiberi iustitiam cum remedio. Ad quod Papa nec oculos elevans, nec vocem, verbum non respondit, sed dissimulavit, donec quæ magis eum angebant primitus exuperasset. Et post paululum silentii, dictus Magister Gulielmus proposuit in medio gravissimam questionem de multiformi reddituum extortione et pecuniæ in Angliâ per Curiam Romanam factam, a Prælatiis Angliæ, quasi a servis ultimæ conditionis: hanc elegantem ostendens Epistolam ex parte universitatis Angliæ.

**R**everendo in Christo Patri, Innocentio Dei gratiâ Summo Pontifici, Magistro et universitas Regni Angliæ, recommendationem, cum pedum osculo beatorum. Matrem nostram Romanam Ecclesiam totis visceribus diligimus & amamus, ut debemus; & ipsius honoris incrementum & augmentum, affectione quanta possumus affectamus, ad quam habere refugium nos oportet temporibus opportunis; ut dolor aggravans filialis, materno solatio mitigetur. Quod quidem solatium, mater filio eo tenetur mitius & facilius impertiri, quo ipsum materna dulcedine alimento, gratum repetit & devotum. Et quidem non potest immemor mater illa illius gratitudinis, quam ei a longe retroactis temporibus Regnum Anglicanum impendit, concedendo eidem, ad exaltationem suam, et conservationem majorem, subsidium decens, et non modice fructuosum: ut per hoc inter Ecclesiam ipsam et Regnum prædictum, fœdus dilectionis firmius iniretur. Quod quidem subsidium, processu temporis beati Petri denarius extiterit nuncupatum. Ipsa vero Ecclesia huiusmodi subsidio non contenta, aliis temporibus tam per Legatos, quam per alios Nuncios multiplicatos, subsidia petebat diversa in Regno prædicto: quæ ei a filiis suis, tanquam devotis, et matrem suam sinceræ dilectionis brachiis amplectantibus, fuerunt concessa liberaliter et libenter. Paternitatem etiam vestram non credimus ignorare, quod Prædecessores nostri, sicut viri Catholici, creatorem suum diligentes pariter & amantes, animarum suarum, & Prædecessorum suorum, nec non & successorum salutem insisterere cupientes, Monasteria fundaverunt, & bonis suis, tam terris Dominicis, quam Ecclesiarum patronatibus ditaverunt: ut viri Religiosi in Monasteriis illis primam Religionem laudabiliter exercentes, & cum summa devotione altissimo famulantes, pace & plena tranquillitate possent gratulari, prout Religioni dignoscitur convenire, de dictis Dominicis necessaria capientes. Et ut Clerici sui patronatum suorum Ecclesias obtinentes, pro eis labores subirent exteriores, & eos defenderent, imbecilles Religioni secunda, ab incursum aliorum. Quapropter non sine magna molestia nostra, et gravamine intollerabili nobis valde, præfati religiosi possent patronatibus suis, aut Ecclesiarum collationibus, aliquatenus defraudari. Sed ecce per vos et prædecessores vestros, nullam considerationem habentes, quod præter subsidia supradicta, jam distantur in Angliâ Italici (quorum est jam numerus infinitus) Ecclesiis ad ipsorum religiosorum spectantibus patronatus, qui rectores Ecclesiarum dicuntur, præfatos religiosos, quos deberent defendere, relinquentes penitus indefensos, nullam curam animarum gerentes, sed Lupos rapacissimos gregem dispergere, et oves rapere permittentes. Unde vere dicere possunt, quod non sunt boni pastores, quoniam oves suas non cognoscunt, nec pastorum notitiam oves habent. Hospitalitati Eleemosynarumque largitioni, sicut statutum est in Ecclesia, non insistant: sed fructus tantum percipiunt, extra Regnum asportantes, Regnum non mediocriter depauperando, et redditus occupando. Quibus redditibus fratres, nepotes, consanguinei nostri, et ceteri bene meriti de Regno Angliæ prædicto beneficiarii teneantur; qui possent et debent dicta charitatis opera, et etiam

Mat. Pat. p. 646, 647. Epistola universitatis Angliæ super extortionibus Curie Romanæ.

Nota.

amplius aucta misericorditer et pie exercere, et Ecclesiis ipsis personaliter deservire; ut qui altari deserviunt, vivant etiam de altari, secundum dictum Pauli. Ipsi vero nunc necessitate compulsi, laici et exules sunt effecti. Ut autem vobis veritas plenius innotescat, Italici percipientes in Anglia sexaginta millia Marcarum, et eo amplius annuatim (aliis perceptionibus diversis exceptis) plus emolumentum meri redditus de Regno reportant, quam ipse Rex, qui est tutor Ecclesie, et Regni gubernacula moderatur. Porro, post creationem vestram firmiter sperabamus, et adhuc speramus, eam de vobis fiduciam reportantes; quod vestra paternitatis misericordia mediante, gaudebimus Eleemosynas nostras predictas, tempore vestro fore statui debito et pristino reformandas. Sed tacere non possumus gravamen nostrum, quo non solum gravamur, sed etiam opprimimur ultra modum. Videlicet, quod Hagister Martinus prefatum Regnum, sine Domini Regis licentia, cum majori potestate, quam unquam vidimus habere Legatum a Domino Rege postulatam, nuper ingressus (licet non utens legationis insigniis, multiplicato tamen legationis officio) novas quotidie proferens potestates inauditas, excedens excedit: quaedam beneficia jam vacantia, triginta Marcas, vel amplius, annuatim valentia, personis Italicis conferendo: quibus decedentibus, et patronis ignorantibus, alii supponuntur; et sic patroni suis collationibus defraudantur. Adhuc etiam idem Hagister Martinus beneficia consimilia, cum ea vacare contigerit, personis nititur assignare. Quorundam beneficiorum collationem Sedi Apostolicae reservando, et a viris religiosis pensiones immoderatas insuper extorquendo: contradictores et resistentes Excommunicationis et Interdicti sententis passim, non absque magno discrimine et animarum periculo, supponendo. Cum igitur prefatus Hagister Martinus, non sine totius Regni perturbatione non modica, jurisdictionem exercens memoratam, quam a conscientia vestra credere non possumus emanasse, eo quod in multis majori fungeretur officio, quam unquam fungi Legatum aliquem videremus, privilegio Domini Regis admodum derogando, per quod ei a Sede Apostolica specialiter indulgetur, ne quis in Anglia legationis fungatur officio, nisi a Domino Rege specialiter postulatus: Sanctae paternitati vestrae supplicamus quantum possumus humiliter et devote, quatenus, cum pius patet ad relevationem oppressionis filiorum manum misericordiae teneatur extendere; ab oppressionibus et gravaminibus memoratis, nos velit vestra paternitatis benignitas tempestivo ac efficaci remedio, cito relevare. Quantumcunque namque Dominus noster Rex, qui est Princeps Catholicus, et jugi vigilatione obsequiis divinis intendit, corporis sui consumptionem non considerans, in obsequio Jesu Christi sedem velit Apostolicam rebereri, et Ecclesiae Romanae, sicut filius ejus charissimus, commodi et honoris desideret incrementum et augmentum; jure tamen Regio dignitateque Regia plenius conservatis: nos tamen, qui in negotiis suis portamus pondus dierum et aestus, et quibus una cum ipso Domino Rege, intendere conservationi Regni diligenter incumbit, dictas oppressiones, Deo et hominibus detestabiles, et gravamina nobis intolerabilia, non possumus aequanimiter tolerare; nec per Dei gratiam amplius tolerabimus, vestrae pietatis remedio mediante; quod festinum et tempestivum, habere credimus et speramus.

Nota.

**mus.** Placeat igitur paternitati vestre hanc supplicationem nostram taliter exaudire, quod a Magnatibus et universitate Regni Angliæ, tanquam a filiis in Christo charissimis, speciales gratias de beatis merito reportare. A memorable Epistle, worthy the Magnanimity, Honour, Gallantry of the free-born English Nobility, Gentry, Nation.

Cum autem per prædictos Nuncios in medio Concilio legerentur, & in propatulo manifesto, facto optimo silentio, proponerentur, Dominus Papa non respondit: quia, ut asseruit, *tam arduum negotium morosa indignis deliberatione.* Suspendit igitur ad tempus responsum, licet urgerent inlittant Nuncii prædicti, tam solennes & magnifici, postulantes certam super his responsum, indultanter tamen se responsa daturum pollicendo. Addebant quoque idem Nuncii, prioribus querimoniam gravem & feriam; videlicet, de violenta oppressione, intolerabili gravamine, et impudenti exactione et injuria, quæ per hanc invisam adjectionem, Papalibus Literis frequenter insertam, Non obstante, &c. exercebatur; per quam jus pro nihilo habetur, et autentica scripta enervantur. Altiori igitur insultus negotio Dominus Papa, postquam se talia providè promiserat correcturum, in Dominum Imperatorem *Fredericum, sine aliqua palpatione, dissimulatione, vel dilationis indultu, sententiam depositionis in pleno Concilio, licet Thaddæus et ejus socii constanter reclamassent, plenam satisfactionem pollicentes, non sine omnium audientium et circumstantium stupore et horrore terribiliter fulminavit, as Matthew Westmister, or fulguravit, as Matthew Paris phraseth it.*

Papa differt respondere Legatis Angliæ.

Non obstante.

Before I proceed to the Popes Excommunication and Deposition of the Emperor *Frederick* in this General Council, formerly excommunicated by his Predecessor Pope *Gregory*, I shall by way of Introduction render you a brief account of Pope *Gregory's* death, the schismes amongst the Cardinals about the New Popes Election, long vacancy of the See by reason of it, and of this Popes malicious proceedings against the Emperor before this Council assembled.

Pope *Gregory* after many unchristian contests with the Emperor, dying suddenly of grief and discontent, because the Emperor had surprised a strong Castle he had newly built, and committed to the custody of his Bishops, \* *Quod Caltrum* Papa de novo, de pecunia Crucifignatorum construxerat ad parentelæ suæ tuitionem: Quod Caltrum Imperator subito oblectum subvertit, & omnes quos in eo invenit, suspendit. Et in signum talis subversionis, quandam Turrem semidirutam reliquit, ut memoria tam culpæ quàm vindictæ nequaquam moreretur. Quod Dominus Papa, conceptos, quos tamen ipse sibi suscitaverat dolores, impotens sustinere, undecimo Cal. Septemb. viam universæ carnis est ingressus, pro meritis à summo Judice recepturus. Thereupon the See continued voyd for some space upon this occasion, which hindred the Election. \* *Ipsorum dierum curriculo, mortuo, ut prædictum est, Gregorio* Papa, fuerunt decem Cardinales in Curia præsentibus, duobus existentibus in carcere Imperatoris. Qui cum, ut moris est, tractassent de electione, quia mutilata fuit conicio eorum, non poterant concorditer vel competenter in unum convenire. Miserunt ergo ad Imperatorem humiliter postulantes, duos Cardinales confratres suos sub quacunque vellet conditione ad Curiam destinaret, ne promotio universalis Ecclesiæ, quæ maximè consistit in electione Papali, per ipsum impeditur. Quod Imperator benignè concessit, mitigatus precibus Comitissæ *Richardi*, ita videlicet, ut de eorum reditu ad Carcerem & ad Priorem statum & conditionem, nisi *Otto* in Papam eligeretur, remearent. Convenientibus igitur in unum, in Palatio quod *Regia Solis* dicitur, Quinque Cardinales elegerunt sextum, scilicet *Gulfridum Medulanensem, et huic electioni fides Imperatoris congratulans.* Tres verò residui elegerunt quartum, scilicet *Romanum*, cui electioni opposuit se Imperator, habuit enim ipsum infamem, tum propter persecutionem universitatis *Parisiæ*, quando etiam dicebatur corrupisse Reginam *Francia B.* tum quia imponebatur ei, quod foverat dissidium inter Papam *Gregorium* jam defunctum, & ipsum Imperatorem. (A just cause of the Emperors refusing him, and vindication of his old Prerogative in the election of Popes.) Nomina eligentium primam sunt, *Egidius Aspinus, Stephanus filius Comitissæ, Episcopus Portuensis, Ramerus de Viterbio, Johannis de Columna, Robertus de Sumercost*

Anno 1241.

\* *Mat. Paris, p. 555, 556. See Balzus in his Life. Obitus Gregorii Papæ: causa acceleratio mortis ejusdem.*

\* *Electio Papalis impedita.*



*mercote Anglicum.* Nōmina autem eligentium alterum; sunt; *Richardus Hannibal*, Episcopus *Hoffiensis*, qui de more primam habet vocem in electione Papali, & *Symbaldus* Episcopus *Sabinensis*. Suscitatum est grave schisma inter fratres propter dictas electiones, quia debet haberi Papa & acclamari, cujus electioni duo partes consenserint electorum. Juxta decretalem illam *Alexandrinam* quæ sic incipit, *Licet de vitanda discordia, &c.* Et sic infecto tanto Ecclesiæ negotio, **divisi sunt, imo potius dispersi mentibus et corporibus.** (Such was the Unity of the Cardinals and Church of Rome in That Age, whereof they so much boast in This.)

Mors Roberti de Sumercote, Cardinalis.

Sub ejusdem temporis mutabilitate, Magister *Robertus de Sumercote*, Cardinalis, vir discretus & circumspectus, omnibus amabilis merito & graciosus natione *Anglicus*, dum in Palatio, quod *Regia Solis* dicitur, inclusus tenebatur, cum aliis fratribus de electione tractantibus, viam universæ carnis est ingressus, **potionatus, ut dicitur**, eo quod Papatui dignus videbatur & idoneus, ab æmulis suis *Romana* nationis, qui eum contemnebant. **Simili peste quidam alius perit, insidiis præventus invidorum.** *Johannes* quoque de *Columna*, Cardinalis, dirutis Castris suis & Palatio à *Romanis*, eo quod Imperatori favorabilis videbatur, captus est, et custodiæ carcerali mancipatus.

Mat. Paris, p. 557, 558. Redit Otto in carcerem Imperatoris.

**Divisis circa illud tempus omnibus fere Cardinalibus et dissidentibus, et electione Papali sub desperatione suspensa,** rediit *Otto* ad carcerem Imperatoris, ut interpositos obsides liberaret, & se a præstito sacramento & fidei interpositione adquietaret. Et hoc valde acceptavit Imperator. Veruntamen adhuc ipsum tenuit incarceratum offensus idcirco, quia ipsum Imperatorem in *Anglia* Legatus excommunicavit, et excommunicari permisit, et non mediocriter diffamavit. Sed mitius egit cum eo, quia invidus hoc fecisse perhibetur, obediendiæ Papalis coactus violentia.

Gafridus Mediolanensis Papa electus citò moritur.

Mat. Paris, Platina, Onuphrius, Sella, Barnes, Balzani, and others in Cælestino 4.

After this, Ipso quoque Anno, post multas disceptationes et diversa schismata, tam damnosa quam periculosa, inter Cardinales, *Sathana* seminante, suscitata, elegerunt fratres, jam pauci facti a tribulatione malorum et doloze, Magistrum *Gafridum Mediolanensem* in Papam, (who was called *Cælestine* the 4th.) virum moribus prædicitum & scientia, sed in ætatem senilem jam declinantem & debilitatum. Unde cum jam vix sexdecim diebus sedisset, præmatura morte præventus, naturæ debita persolvens, utinam non, ut dicitur, **potionatus, sedem Papalem, imo universalem Ecclesiam reliquit desolatam.**

Colloquium Episcoporum Angliæ.

Eisdem temporibus convenerunt Episcopi *Angliæ*, videlicet Archiepiscopus *Eboracensis*, *Lincolniensis*, *Norwicensis*, *Carleolensis*, cum aliis multis gravibus religiosis ac discretis Ecclesiasticis personis, tractaturi super multiplici desolatione Ecclesiæ, & divinam consolationem postulaturi. Statuerunt igitur quasdam orationes speciales cum jeuniis fieri ab Ecclesia generaliter per *Angliam*, ut Dominus Ecclesiam *Romanam* Pastoralis & Papali regimine destitutam, relevare & restaurare dignaretur. Exemplum accipientes in actibus Apostolorum, quando incarcerato *Petro* oravit Ecclesia pro eo sine intermissione. Consenserunt etiam in unum, ut ad Dominum Imperatorem mitterent universi Nuncios favorabiles cum precibus lachrymabilibus, quatenus rancorem & omnem animi indignationem pro salute animæ sincero corde remittens, deposita omni tyrannide, Ecclesiæ *Romana* promotionem non impediret, imò misericorditer respirare permittens, licet laceratus, studeret promovere. Mortui enim erant, qui ipsum ad iram provocaverant. Tyrannicum enim videbatur, & rationi dissonum, ut innocui culpam luerent nocivorum. Et eum circa electionem Nunciorum, qui etiam transitum facientes per *Franciam* & alias regiones intermedias, obiter Prælatos ad similia provocarent eleganter & diligenter, sollicitarentur, quilibet eorum causas cavillatorias prætendens, onus tantæ sollicitudinis ac periculosi laboris pro *Christo* & ejus Ecclesia assumere sibi recusavit. Tandem, quia

*Cantabit vacuum coram latrone viator;*

*Prædicatores & Minores*, quia vagi sunt, & norunt omnes provincias peragrarè expediti, ad hoc elegerunt, cum alios non invenissent. Quod cum ad Imperialem audientiam pervenisset, respondit Imperator: Quis promotionis Ecclesiasticæ processum impedit?

impedit? Profecto non ego. Imo pertinax Ecclesiæ Romanæ superbia, et insatiabilis cupiditas. Et si impeditoꝝ successum tam Anglicanæ quam Romanæ fozem Ecclesiæ, quis administraretur? Hæc enim summo pere me conatur ab Imperiali culmine præcipitare: illa me excommunicando, non mediocriter dissimando, pecuniam in meum detrimentum suam effundere non desistit. Et sic carebat præparatus costis Episcopozum Angliæ in hac parte efficacia, et profectu præbatur. Proceſſit igitur annus ille Curiz Romanæ inimicissimus, peccatis ejus illud manifeste promerentibus.

Nota.

Anno 1242. Fideles Imperatoris ceperunt habitu diffiguratum Archiepiscopum Colonia, verius Alemanniam à Roma repatriantem; qui conspiraverat ad Imperatoris defectionem simul cum ipsis Prælati, qui ad Concilium generale venire proposuerant. Sed audito eorum casu, qui per terram isse proposuerat, flexis loribus per alia diverticula remeans, postius insidias andique captus & retentus est. Sed quia is qui ceperat eum, Alemannus erat, & notus Pontifici, caute permisit eum abire, præstito sacramento & fide interposita, quod nunquam insidias vel gravamen Imperatori machinaretur. Sed illud male tenuit postea juramentum, ut in sequentibus declarabitur. (Such was the faith of Popish Prelates.)

Mat. Paris Hist. Angl. p. 563. Capitulum Archiepiscopus Coloniensis.

Tunc etiam temporis, Dominus Imperator Fredericus, significavit Cardinalibus corpore dispersis, & voluntate dissentientibus, ut in unum convenientes, unanimiter Papam eligerent. Asserebat enim, in hoc eorum crimine, etiam ipsummet notam infamiam non minimam contraxisse. Credebatur enim, & dicebatur à multis, veritatem rei ignorantibus, quod ipse principaliter Ecclesiæ Romanæ promotionem impediret, et vacationem sedis Apostolicæ procuraret. At ipsi Cardinales, non adhuc inter se saltem scintillantem sub cinere charitatis igniculum invenientes, (impediente Sathana antiquo humani generis inimico) nec concordēs, nec convenientes Pontificem Romanum eligere voluerunt. Veruntamen instantem Dominum Imperatorem Fredericum postulabant, ut si se pacis ac libertatis Ecclesiasticæ haberi cuperet amulatorem, sub bonæ pacis spe certissima, quos adhuc tenuit incarceratos Prælatos Ecclesiæ, liberos abire permitteret.

Mat. Paris, p. 579, 580. Dissidentibus Cardinalibus impeditur electio Papalis, & vacat sedes.

Imperator igitur, dictis Cardinalium fidem adhibens indubitatam, & firmiter credens, tam Papam eligendum, quam ipsos Cardinales pacem Regno et Sacerdotio congruam et honorabilem provisuros, omnes quos habebat incarceratos Prælatos et Legatos, liberos sine aliquo impedimento vel redemptione, liberaliter abire permisit.

Legati & Prælati captivi liberantur.

Cardinales autem adhuc obstinati, & in dissensione & odio mutuo permanentes, et Imperatorem quasi pro deluso habentes, semine zizania inter eos Sathana; nec adhuc voluerunt convenire, ut unanimiter Spiritus Sancti gratiam invocando postularent, ut Ecclesiæ universali & Papali sedi feliciter ac rite providerent: Cum, tamen, nuper liberati à carcere Imperiali, in districto veritatis examine, & verbo veritatis, quæ est Deus, promississent ipsi Imperatori, suo liberatori, ut ipsi efficaciter pacem Ecclesiæ, & Imperio convenientem, & sedi Papali consilium, pro posse suo procurarent.

Needum Cardinales possunt in electione Papali consentire.

Cum autem vidisset Imperator Fredericus, hæc effectu caruisse, & se sua spe defraudatum, in iram exarduit vehementem. Et congregato exercitu copioso, ex novem aciebus constituto, qualibet ex quinque millibus armatorum equitum existente, Romanam ex magna parte obsedit, ratione eorum qui dicti schismatis, in detrimentum Ecclesiæ & Imperii, tam Civium, quam Cardinalium, procuratores & fautores esse videbantur. At Cives, causa quorum Urbem expugnare proposuisset Imperator, se legaliter excusaverunt, suam sufficienter purgantes innocentiam, & asserentes, Cardinales tam locis quam cordibus dissidentes, in diversis Urbibus dispersos fuisse et latitantes. Jussit igitur Imperator obsidionem solvi, et edicto Imperiali per totum exercitum suum proclamari ac juberi: Ut omnes possessiones et Ecclesiæ Cardinalium, et Civitates Ecclesiæ, ab ipso exercitu depopularentur.

Imperator bona Cardinalium suis militibus depopulanda tradit.

Igitur quidam Saraceni, & alii vastatores, & malefici, tempore belli stipendiis Imperatoris militantes, irruunt in Albaniam, Nobilem Civitatem, eam feraliter devastantes, ita quod nec Ecclesiis in Civitate existentibus, videlicet centum & quinquaginta,

Cardinales timentes sibi conveniunt ad electionem Papam.

ginta, minime pepercerunt: Asportantes vestimenta, calices, & libros, imò etiam quæcumque videbantur eis venalia, vel quomodolibet profutura, Civibus datis in prædā, & miserabile exterminium. Et cum paratus fuisset exercitus, in alias possessiones Ecclesiæ simili furore debacchari, significaverunt Cardinales Domino Imperatori, humiliter deprecantes, ut parceret iræ suæ, jubereque cessare grassatores. Et ipsi indubitanter, secundum præceptum suum et desiderium, Deum habentes præ oculis, Ecclesiæ et Imperio idoneum quantocius Romanum Pontificem providerent. Instigatus igitur Imperator, rationem vastatorum edito compescuit Imperiali. All which proceedings were evidences of his Ecclesiastical Supremacy over the Cardinals and Church of Rome it self, and election of a New Pope.

Mat. Paris, p.  
582, 583.  
Franci volunt  
Papam eligi.

Per idem tempus, (upon the English Prelates forementioned instigation) miserunt Franci solennes Nuncios ad Curiam Romanam, significantes persuadendo præcisè & efficaciter, ut ipsi Cardinales Papam rite eligentes, universali Ecclesiæ solatium pastozale maturius providerent: vel ipsi Franci propter negligentiam eorum, de sibi eligendo et providendo summo Pontifice citra montes, cui obedire tenerentur, quantocius tractarent. Et hoc audacter significabant, consisti de antiquo privilegio suo, per Sanctum Clementem beato Dionysio concessis et obtento: qui concessit Apostolatum eidem Dionysio super gentem Occidentalem. Unde ipsi Cardinales, quasi quibuscumque stimulis, hinc Domini Imperatoris, inde Francorum agitati, Romanam convenientes adierunt, ut Papam eligerent in unum ibidem congregari.

The Cardinals thus assembled, there arose a Question amongst them, In whom St. Peters Primacy resided during the vacancy of the Roman See? At last they resolved it remained in them, and took upon them to dispose of Livings by Provisions, and to controll the Popes Provisions in England, made upon mis-information, which caused them to deferre the Election, to keep this power in their own hands the longer.

Mat. Paris, p.  
583.  
Potestas Papa-  
lis ad universi-  
tatem Cardi-  
nalem devolvitur  
sede vacante.

Dierum illorum circulis revolutis, quia multi dubitabant, si Papalis potestas, sede vacante, ad fratum, id est, Cardinalium universitatem devolveretur, an non? per has Literas, quas opusculo huic inferere duxi, plenius certificamur.

**M**issionem divinam, R. Ostiensis, & Velle J. tituli Sancti Praxedis, S. tituli Sancti Laurentii in Luc. S. tituli Sancti Mariz trans Tyberim, Presbyteri, R. Sancti Mariz in Cosmedin, E. Sanctorum Cosmæ & Damiani, O. Sancti Nicolai in carcere Tulliano, Diaconi, Sanctæ Romanæ Ecclesiæ Cardinales, Religioso viro Abbati de Wareduna, salutem in Domino. Ex parte Magistri Petri Apostolorum Principis Basilicæ Canonici, Rectoris Ecclesiæ de Morduna, nati Jacobi Johannis Capot, Civis Romani, fuit propositum coram nobis, quod dudum Sanctæ recordationis Dominus Gregorius Papa, falsis suggestionibus provocatus, Eliensis Episcopo suas direxit Literas, continentes, ut præfatus Magistro, vel alieius nomine, de proventus Ecclesiæ supradictæ minime responderet, nec etiam permitteret responderi, sed Ecclesiæ ipsam ad manum suam retinens, proventus ipsius perciperet & servaret, ut de utrisque juxta suum beneplacitum disponi deberet, contradictores per censuram Ecclesiasticam appellatione postposita compescendo. Decernens Dominus Papa prædictus, nullominus irritas et inanes omnes Literas super Ecclesiæ et proventus ipsius, nomine præfati Magistri obtentas a sede Apostolica, vel etiam obtinendas, ut scilicet nemo conveniri posset per illas, nec aliquis auctoritate posset procedere earundem. Et si processus esset habitus per easdem, esset irritus et inanis, nisi de præmissis plenam facerent mentionem; Decano Eboracensi, & Archidiacono Richemundix ad hæc omnia exequenda deputatis. Sed idem Episcopus, in hujusmodi mandati executione procedens, tibi per suas Literas dicitur injunxisse, ut si firma Ecclesiæ supradictæ, vel aliqua pars ipsius, apud te forsitan resideret, ipsam deponi faceres apud Berneville, in custodia Prioris & Sacristæ loci ejusdem, & ab inde in unum, dicto Magistro vel alieius nomine de proventus Ecclesiæ supradictæ, nullatenus responderes, sed eos deponi faceres ibidem, ut de eisdem possis secundum dispositionem hujusmodi summæ Pontificis responderi. Quare præfatus Magister nobis humiliter supplicavit, ut cum indignum sit, & omni rationi contrarium, ut pena ipsum alligare debeat à suggestionibus prorsus insontem, provideri super hoc ei misericorditer dignaremur. Nos autem, penes quos potestas residet, Apostolica sede vacante, volentes præfato Magistro gratiam facere



facere specialem ob suæ meriti probitatis, tibi districte præsentium auctoritate mandamus, quatenus eidem Adagistro, vel procuratori, vel Nuncio suo, de firma Ecclesiæ supradictæ, subtrahita sibi auctoritate mandati prædicti, plenam satisfactionem impendas, & ei de cætero, ut teneris, integre respondere procures, non obstantibus prædictis Literis, vel processibus habitis per eandem. Alioquin, ne mandatum nostrum ad nos vacuum revertatur, noveris nos Priori fratrum Predicatorum Norwicensium, & Petro de Arche, Canonico Ecclesiæ Sancti Angeli de Ferentino, nostras Literas destinasse, ut te ad id, si necesse fuerit, per censuram Ecclesiasticam debeant coartare. Datum, &c. Anno Dom. 1243. Apostolica sede vacante.

After this Act of the Cardinals Papal Authority, they proceeded to the Election of a New Pope, and on the Feast of the Nativity of St. John Baptist, An. 1243. elected and created Innocent the 4th. Pope, who being confirmed on the Feast of St. Peter and Paul, presently ratified the sentence of Excommunication, denounced by his Predecessor Pope Gregory the 9th. against the Emperor, and confederating with the Citizens of Viterbium, and the parts adjoining, raised an Army, routed the Emperors forces, took sundry Castles from him near Viterbium, and made the Emperor to retreat from thence. Videntes autem qui partes circumjacentes inhabitant, quod Imperator turpiter, non sine magno rerum dispendio & dedecore & hominum iactura secesserat, recesserunt multi à fidelitate ipsius, & Romanis atque Viterbiensibus sunt confederati; Secundum illud Poëticum:

Mar. Paris, p.  
585, 588, 589.

*Mobile mutatur semper cum Principe vulgus.*

Obscureta est igitur non mediocriter fama Imperatoris: captus enim erat Comes Simon de Tuscia, cui fiducialiter commiserat Viterbium custodiendum, cum suis complicitibus, qui Romam, captivus trahebatur, amissumque fuit ipsum Viterbium, cum quibusdam Civitatibus & Castris circumjacentibus, ipseque Imperator quasi fugaminiit. Denigrata est fama ipsius, & sinistro susurro divulgatum, quod nunquam divina officia audire dignabatur, vel orare, vel personas Ecclesiasticas digne venerari, vel in fide Catholica sane loqui vel sentire, a concubitu muliercularum Saracenarum abstinere, imo potius tam Saracenos, quam alios infideles in terram Imperii vocare, et Urbes construere permisit munitissimas. (A most notorious calumny, secretly dispersed by this Pope and his Predecessor, though abundantly refuted by the Emperors Answers to it, and Letters to Christian Princes.)

Imperatoris fama diminuta.

Recesserunt igitur ab Imperatore multi Nobiles et graves ac potentiores: Videlicet, Marchissi de Monte ferrato, & de Mala spina, Vercella, Alexandria, & multe Nobiles Civitates. Et multiplicati sunt inimici ejus, prout solent homines fortunæ sequentes serenitatem. In Alemannia etiam multi abierunt retrorsum; et nolentes amplius stare cum eo, alium sibi in Regem elegerunt, vel Imperatorem, videlicet Andegravium, virum elegantem & strenuum: cui Germania & Italia pars potissima consilium & auxilium usque ad caput expositionem, sponsionit indefessum. But he loving the Emperor, & Romana Curia odit civillationes; refused to consent to the Election the Papal party had made of him for their Emperor; and upon private conference with the Emperor, datis dextris confederati sunt, ut de suspecto factus est idem Andegravius amicus tutissimus, & omnibus qui eum elegerant manifestè significavit, quod tam temeræ præsumptioni non adquevit. Veruntamen, qui oderunt ipsum Imperatorem Fredericum, extulerunt caput. Intermediis igitur Nobilibus & profundi consilii personis, tractatum est diligenter de pace inter Ecclesiam & Imperatorem. Sed noluit aliquo modo Imperator jurare, ut sciret Ecclesiasticæ censuræ absolute, nisi præcognitis causis, et præbisa via, et omnibus conditionibus, nec quomodolibet quedam acquisita, ad Imperium jure antiquo spectantia, resignare. Et sic, procurante humani generis inimico, (or rather the Pope, his Vicar General, rather then Christ) ita rediit redibit. The Emperor was so desirous of Peace, that after this, se sponsionit Ecclesiæ & Ecclesiasticis Prælati satisfactum, Circa securitatem designanda, offert cautionem juratoriam, litterariam, & fidejussoriam

Ab Imperatore  
multi deficiunt  
Nobiles.  
Mar. Westm.  
An. 1245,  
1246.

per Reges, Principes, & Magnates, & Comites locorum. Præterea circa prædictas cautiones commisit se ordinationi Domini Papæ, & Tractatorum per præsens scriptum, (recorded at large by Matthew Paris) and Sealed with his Imperial Seal; but the Popes obstinacy would not rest satisfied therewith.

Mat. Paris, p. 592, 614. Discordia Imperatoris & Papæ omnibus necet.

Istud Papæ & Imperatoris mutuum dissidium, as it hindred him and all Christian Kings, Princes from ayding the Christians, against the cruelty of the Tartars, ad injuriam Christi, & universalis Ecclesiæ & totius Christianismi; so, totius mundi latitudinem perturbasset. Unde discordia eorum longè latèque per orbem ventilata (ucpote quibus non sunt majores, imò nec eis pares, in tota Christianitate) corda Tartarorum, imò omnium Paganorum, necnon & universorum Christi inimicorum, exhilaravit, & in spem erexit tutiorem. Adeo ut superbiendo & jactitando dicerent, Deum Christianis offensum, qui sese ad invicem impugnant & corroduunt: & sibi potius propitium Deum, qui ipsos multiplicavit, & eorum dominium dilatavit. Teæ, Sectæ pullulant, fide vacillante. Inter Ecclesiam & Imperium discordia, nunquam talis.

Via versus Romanam arctius custodiuntur.

Interim Dominus Imperator, videns Dominum Papam ex novo creatum, confirmata Prioris sententia, ipsi nequaquam velle parcere, nolens etiam stare mandatis Ecclesiæ absolute, jussit vias, portus, & pontes arctissime custodiri, ne quis portans pecuniam, quam scholæ Romanam Curiam insatiabiliter sitire, posset transmeare. Filius autem ejus Conradus huic operi impendens diligentem, adeo vigilanter tam per mare quàm per terras transire volentibus aditus præclusit, ut nec fratribus Minoribus, vel Prædicatoribus (the Popes and his Confederates Messengers and Intelligencers) vel alicui alii transfigurato, quem deprehendere posset, pepercisset, quin comprehensum, usque ad animæ exhalationem torqueret. In the mean time Cardinal Columna died at Rome; qui inter omnes Cardinales in possessionibus sæcularibus claruit potentissimus: unde efficacissimus discordiæ inter Imperatorem & Papam seminator exstitit & sustentator. The Emperor through the Popes perverse-ness, revolting from his former promises, \* Calcaneo Papali insidias tetendit, & laqueos absconditos: de quibus Dominus Papa præmonitus, Imperatoris vulpinos Mæandros, in quantum potuit, evitavit, & suspectos habuit, nec se credebatur ei, vel suis. Whereupon creating ten of his Creatures and Confederates Cardinals, he privily fled with them from Rome to Castellana, from thence to Sutrium, the Emperor informing him, Quod nihil faceret de conventis, nisi literis absolutionis prius habitis. Cui cum contradicendo respondisset Dominus Papa, hoc fore dissidium rationi, orta est discordia inter eos. Dominus igitur Papa, suæ præfagus perturbationis, extunc repentinam & clandestinam fugam arripere satagebat, nullo tamen confcio, ne fugienti Dominus Imperator repagula præpararet. Fuerunt tamen qui dicerent, \* ipsum magis amore munerum, quæ delatui erant illi Cissalpin, nec ausi erant terras transire Imperatoris, ut ipsis sinum aperiens occurreret, quàm pro timore alicujus persequentis. Unde sumpta qualiquali occasione versus Januam, quæ sibi patria fuit genialis, gressus impiger dirigebat. Eadem igitur die, significatum fuit Domino Papæ, (ut idem postea assererat) quod trecenti Milites Tusci erant in veniendo ipsa nocte, ut ipsum apprehenderent. Dominus igitur Papa, non mediocriter attonitus, & perturbationis vultum præferens, in hora primi somni, relictis Papalibus ornamentis, veterem induit Senebaldum, & leviter armatus equum ascendit velocissimum, manu non vacua, & vix cubiculariis consciis, clam subitoque discedens, non equinis pepercit lateribus: ita quod ante primum, triginta quatuor milliaria pertransivit, nemine comitante, vel ipsum sequi potente. Media autem nocte clamor factus, Ecce Papa recessit, nescientibus aliquibus, nisi aliquot sed paucis Cardinalibus. Petrus verò de Capua, cum uno solo Comite, non sine viarum discrimine, sequutus, invenit Papam ipso die apud Castrum supra mare, quod dicitur Civitas vetus. Venerant autem ibidem in occursum Papæ viginti tres Galeæ, quarum unaquæque sexaginta viros benè ferro armatos, & centum & quatuor remiges assignatos continebat, exceptis nautis, & sexdecim Bargæ. Propter quod argumentosi suspicabantur, hæc omnia diu antè prævisa Dominum Papam desiderasse. Fuerunt autem cum armatis, & eis præfuerunt, potestas Janua, quem Admiratum vocant, & majores Civitatis, qui se omnes jactabant esse vel affines vel consanguineos Papæ, propter retributionem. Intravit igitur unam Galeiarum illarum Dominus Papa, serò cum septem Cardinalibus, & paucis aliis comitantibus. Et vix magnum mare intraverant navigantes, ecce occupat ipsos tempestas validissima, non tamen ex adverso, et ereatis velis, non sine maximo timore et periculo, eadem via qua navigan-

\* The issue proved this to be a real truth.

tes capti erant *Prelati*, per centum *milliaria*; die Veneris sequenti, compellente tempestate rapti, applicuerunt in portu insulæ cuiusdam *Pisanorum*; and at last after many perils and difficulties he arrived at *Janna*; where, Receptus est à concivibus, consanguineis, & affinis suis, in Urbe ipsa qua natus est, in campanarum classico, in cantu & Musicis instrumentis, Dicentibus omnibus & conclamantibus: *Benedictus qui venit in nomine Domini*. Quibus & ipsi responderunt: *Anima nostra sicut passer de laqueo venatoris crepta est*.

Cum autem Domino Imperatori hæc innotuissent, morè Satyrico infrendit, & ait, scriptum est, *Fugit impius nemine persequente*. Obstupuit & doluit nimis, & suorum Portuum & Civitatum custodes ignavæ & desidæ redarguit, qui adversarios suos permiserunt liberè pertransire. Fecit igitur in circuitu *Jannæ*, præcipuè versus *Galliam*, exitus viarum, ne ad Papam pecunia portaretur, arctissime custodiri. Et jam acclamabatur Dominus Imperator manifestus Ecclesiæ persequutor. Nec reputabat Dominus Papa adhuc ipsam Civitatem *Jannam*, tutum forè refugium, non ignorans potentiam Imperatoris esse latissimam, secundum illud Poëticum:

*An nescis longas Regibus esse manus?*

Ipsis quoque temporibus, dum videlicet Dominus Papa moram apud *Jannam* continuaret, consentientibus *Mediolanensibus* simul cum *Liguribus Italicis* quibusdam, etiam *Romanis* & multis de Nobilioribus *Alemannia*, procurante Papa animatur quidam de maximis *Alemannia* potens, quem nominant *Andegravinum*; ut Imperialem sibi dignitatem assumens, donec plenius exaltaretur, ope fultus multiplici tam Prælatorum quàm Magnatum, bellum moveret contra Tyrannum *Fredericum*, persecutorem Ecclesiæ jam publicum & generalem. \* Denigrata est enim fama sua, non medio-criter, & dicebatur quod jam non firmo gressu in lege Domini ambularet, *Saracenis* confederatus, *Saracenicis* meretriculas sibi retinens concubinas, & alia quæ relatu sunt indigna & morosa. Cumque hæc attentaturus memoratus *Andegravinus*, secum & Optimatibus suis convocatis deliberaret, quid super hoc agendum, dixerunt ei amici sui, temerarium forè hoc aggredi, & ancipiti casui se, qui tranquilla pace gaudebat, committere, quicquid pars Papalis ei promitteret. Et dum super hoc penderet sententia, ecce Imperator rapido cursu illuc advolans, paucis & consciis & concomitantibus, cui hæc nota facta sunt, animum dicti *Andegravii* adeo effeminatum divertit ab hoc proposito, quod facti sunt Dominus Imperator & ipse *Andegravinus* amicissimi & confederati & affines: & dedit *Andegravinus* Imperatori munera & Imperator ei. Et hoc negotio consummato, sicut clanculo venerat Dominus Imperator & subito, sic recessit. Ipsorumque temporum curriculo, ut partem suam, quam credebant adversarii jam infirmatam, magis roboraret, Dominus Imperator dedit filiam suam nuptui cuidam Principi potentissimo *Gracorum*, nomine *Botatio Romana* Ecclesiæ exoso & inobedienti, & ideo schismatico. Quod audientes adversarii Imperatoris, siluerunt confusi.

The Popes Cardinals and Kinred repaired to him to *Janna*, exigentes redditus ad usus filiorum & Nepotum suorum, præcipue ex Regno Angliæ sibi conferendos; yet he thought himself not secure there, by reason of the Emperors Forces surrounding all passages by Land and Sea; Hereupon the better to provide for his Nephews.

Eodem tempore se transtulit Dominus Papa clam à custodibus Imperialibus, ad *Astensem* Civitatem. Et citò post raptim & noctu *Lugdunum* se contulit. Extunc igitur cogitavit Concilium generale congregare, præcipue ut Imperatorem deponeret, et ibi, vel in inferioribus *Gallia* partibus ignominiose eum ab Imperiali culmine præcipitaret. Rex autem *Francia* comperiens, quod Dominus Papa Regno suo appropinquavit, sciens, quod de adventu suo nihil boni Regi vel Regno proveniret, convocavit Magnates suos, consulens eos quid super his foret agendum? et cum convenissent, ecce Papalis petitio directa est ad ipsum Regem et proceres, ut liceret ei ad *Remensem* Civitatem, quæ tunc suo Antistite viduabatur, se transferre: (which he neither could nor durst attempt, notwithstanding his Papal pretended Supremacy over all Kings, Kingdoms, without the Kings previous license.) Quod cum *Franci* attoniti audissent, statim constanter responderunt; Hæc se nullo modo velle tollerare. Rescripsit ergo Rex *Francia* Domino Papæ moderatè; Proce-

Imperator Fredericus sibi multos potentes amicos conciliat.

\* By the Popes and his Occurrences calumnies.

Anno 1244.  
Mar. Westm.  
p. 187.



Nota.

res suos nullatenus velle consentire ut in *Franciam* veniret: timebant ne quasi mus in pera, anguis in sinu, hospites suos remuneraret: nec permetterent duo magna luminaria in suo climate apparere, ne, uno aliud absorbente, eclipsis fieret: nec valuisse verborum elegantia, in Epistola Papali composita, vel exemplum de sceleris memorie Papa *Alexandro* sumptum, constantiam *Francorum* enervare. Dicebant enim, quam dissimilis ille dicitur huic puero? Such unwelcome guests were Popes to their own most Christian Son the King, & his whole Kingdom of *France*; yea such pests and plagues were they to all Kingdoms, whether they or their Legates came, into whose Dominions neither they nor their Legates could nor durst enter without their Royal Assents, notwithstanding their pretended Sovereign Monarchy over all Kings and Kingdoms of the World, to dispose of them at their pleasures.

The Pope receiving this Answer from the *French*, by the policy of his Cardinals, greedy of English Gold and preferments, moved the King of *England* to entertain him in his Realm, enforming King *Henry*, what an extraordinary Honour and Benefit it would be to him and the whole Kingdom. Whereupon the King at first was desirous to grant this request, but upon serious advice of the Rapines, Simony and grievances that would ensue thereon, he upon second thoughts rejected it, as *Matthew Paris* thus attests.

\* Mat. Paris, p. 636.  
Consilium subdolum quorundam Cardinalium.

Ipsis quoque diebus, Domino Papa procurante, sed tamen dissimulante, quidam Cardinalium, qui solus erant amatores pecunie, Chartam quandam Domino Regi, sub specie multæ amicitie, transmisserunt, cujus tenor talis exstitit. Consilium dāmus vobis amicissimum, vobis salubre et honorificum, et Regno vestro gloriosum, nec mediocriter profuturum; Videlicet, ut preces Domino Papa per solennes Nuncios dirigatis, humiliter eidem supplicantes, quatenus dignetur Regnum Angliæ, in quo jus dignoscitur habere speciale, sua præsentia sceleriter illustrare: Et nos ipsum supplicationi vestre reddemus, pro posse supplicando, favorabilem, qui vestrum & Regni vestri felices successus desideramus. Excellentissimus enim vobis honor foret, & gloria immortalis, ut temporibus vestris, quod non recolitur aliquibus diebus evenisse, Dominus Papa, qui patrum pater esse dignoscitur, Angloz finibus personaliter appareret. Recolimus etiam eum dixisse, unde gaudemus, quod gratanter videret desicias Westmonasterii, et divitias Londinenses. Hac cum Domino Regi innotuissent, gaudebat, & huic subdolo consilio de facili incurvaretur, nisi peritorum consiliis ad contradicendum, vel dissentiendum erigeretur. Qui dicebant, quod satis, imo nimium, jam suorum Causinorum usuris, et Romanorum ac Italicorum rapinis et simonibus, Angliæ puritas maculatur, quamvis non ipse Papa præsentialiter bona Ecclesiæ et Regni dissipet et prædetur. Similiter & Regni *Francorum* introitus, quem per solennes Nuncios postulavit, & *Arragonum* denegabatur. Infamia enim Curie Papalis id promeruerat, cujus foetor usque ad nubes fumum teterrimum exhalabat. And could he be then Christs Vicar, or St. *Peters* Successor?

This Pope at last coming into *France*, much against the Kings and many of the Clergies wills, summoned the Council of *Lyons* on purpose to Excommunicate and depose the Emperor, as you heard before, pronouncing him Excommunicate the second time in *France*, before the Council. The form of the Excommunication denounced against him in the Council, sent into *England* and all other places to publish, is thus registred by *Matthew Paris*.

Anno 1245:  
Mat. Paris, p. 648, 649, &c.  
Papa Excommunicat Fredericum Imperatorem in Concilio Lugdunensi.

**I**NNOCENTIUS Episcopus servus servorum Dei, &c. Sacro præsentis Concilio, ad rei memoriam sempiternam, ad Apostolicæ dignitatis apicem, hoc insigni dignatione divine Majestatis assumpti, omnium Christianorum eam vigili sedulaque solertia gerere, ac intima considerationis oculo singulorum facta & dicta discernere, & provida deliberationis statera librare debemus, ut quos iusti virgoz examinis dignos ostenderit, congruis attollamus et evehamus favoribus; quos autem reos et culpabiles invenerimus, poenis debitis

bitis pro gravitate culpæ, afficiamus et deprimamus: appendamus semper meritum & premium aequa lance, retribuendo cuique juxta qualitatem operis, sive boni, sive mali, poena, vel gratia quantitate. Sanè cum àin bellorum discursum commotio, nonnullas professionis Christiana provincias & regiones graviter afflixisset; nos toto cupientes mentis affectu tranquillitatem & pacem Ecclesia Sancta Dei, ac generaliter cuncto populo Christiano restituere ac reducere: ad precipuum Principem sacularem, hujus dissensionis ac tribulationis auctorem, à solliciti reuerentia Gregorio Papa Prædecessore nostro, pro suis excessibus mathematicis vinculo immodatum, speciales Nuncios magnæ auctoritatis viros, venerabiles videlicet fratres nostros P. Abbatem Albanensem, tunc autem temporis Rothomagensis Archiepiscopum, & W. Sabinensem tunc, quondam vero Mutinensem, Episcopos, ac dilectum nostrum filium Gulielmum, Basilicæ duodecim Apostolorum Presbyterum Cardinalem, tunc Abbatem Sancti Facundi; qui salutem zelabantur ipsius, dñimus destinando. Facientes sibi proponi per ipsos, quod nos, & fratres nostri, quantum in nobis erat, pacem per omnia secum habere nitimur; ut cum omnibus hominibus parati sumus; optabamus pacem sibi & tranquillitatem dare, ac mundo etiam universo. Et quia Prælatorum, Clericorum, omniumque aliorum, quos designabat captivos, & omnium tam Clericorum, quàm Laicorum, quos ceperat in galcis, restitutio, poterat esse pacis & reconciliationis plurimum induciva; illam, ut eos restitueret, (cum hoc idem, tam ipse, quàm sui Nuncios, antequam ad Apostolatus vocati essemus officium, promississent) rogari & peti ab ipso fecimus per eosdem, ac proponi insuper, quod eisdem pro nobis parati erant audire & tractare pacem, ac etiam audire satisfactionem, quam facere vellet. Princeps de omnibus pro quibus vinculo erat Excommunicationis affricus, et offerri. Præterea, quod si etiam cum in aliquo contra debitum laeserat Ecclesia (quod tamen non credebat) parata erat corrigere, ac in statum debitum reformare. Et si diceret ipse, quod contra justitiam in ullo ipsum laeserat Ecclesia, vel etiam quod nos eum contra justitiam in ullo laessemus; parati eramus vocare Reges, Prælatos, & Principes, tam Ecclesiasticos, quàm saculares, ad aliquem tutum locum, ubi simul per se, vel per solennes Nuncios convenirent. Et quæ parata Ecclesia etiam de consilio Concilii sibi satisfactus, si cum laesisset in aliquo, ac revocare Excommunicationis sententiam, si quam contra ipsum injuste tulisset; & cum omni mansuetudine & misericordia, (quantum cum Deo & honore suo fieri poterat) tractare; & de injuriis & offensis ipsi Ecclesie suisque per eum irrogatis, satisfactionem ab ipso recipere. Voluit etiam Ecclesia omnes amicos suos, sibi que adhaerentes, in pace ponere, plenaque securitate gaudere; ut nunquam hac occasione possent aliquod in posterum subire discrimen, aut periculum. Sed licet sic apud eum pro pace paternis monitis & precum insistere curaverimus lenitate, idem tamen Pharaonis imitatus duritiam, & more Apud obtinens aures suas, hujusmodi preces & monita, elata obstinatione, ac obstinata elatione et superbia despectit ac contempsit. Et licet processu temporis, in die carna Domini, proximo nuper præterita præcedente, coram nobis & fratribus nostris Cardinalibus; presentibus charissimo in Christo filio nostro Constantino-politano Imperatore illustri, cætu quoque non modica Prælatorum, & de senioribus ac sanioribus Senatoribus Populoque Romano, & juxta multitudinem aliorum, qui eodem die, propter solennitatem ipsius, de diversis mundi partibus ad Apostolicam sedem convenierunt; quod sciret mandatis nostris & Ecclesie, per Nobilem virum Comitem Tholosanum, ac Magistros Petrum de Vineis, & Thaddæum de Sueffa, Curia sua Judices, & procuratores fuit, speciale super hoc ab ipso mandatum habentes, præstiterit juramentum, postmodum tamen quod juraverat, non implevit. Quomodo ea intentione ipsum præstiterit juramentum probabiliter creditur, sicut ex factis sequentibus colligitur evidenter, ut eidem Ecclesie ac nobis illuderet potius, quam pareret; cum anno & amplius jam elapso, nec ad ipsius Ecclesie gremium revocari potuerit, nec sibi de illatis ei damnis & injuriis curare satisfacere, licet super hoc extiterit requisitus. Propter quod non volentes, nec etiam valentes, absque gravi Jesu Christi offensa, ejus iniquitates & scelera amplius tolerare: cogimur, urgente nos conscientia, animadvertere in eundem. Et ut ad præsens, de cæteris ejus sceleribus & iniquitatibus taceamus; quatuor gravissima, quæ nulla possunt celeri tergiversatione, commisit. Dejeravit enim multoties pacem quondam inter Ecclesiam & Imperium reformatam, temerè violavit; Perpetravit etiam sacrilegium, capi faciens Cardinales Sanctæ Romanæ Ecclesie, ac aliorum Ecclesiarum Prælatos et Clericos, religio- sos, et saculares, venientes ad Concilium, quod idem prædecessor duxerat

\* As he did the Emperors in reality.

\* And did not Popes do the like to him?

\* The Emperors seising of Rebels & Traitors to him, declared Sacrilege by this Pope.

**duceret condonandum.** De haresi quoque non dubitis & levibus, sed difficilibus & evidentibus argumentis suspectus habetur: plura siquidem eum commisisse perjurya satis patet. Nam olim cum in Sicilia partibus commorabatur, priusquam esset ad Imperii dignitatem electus, coram bona memoria G. Sancti Theodori Diacono Cardinali, Apostolica sedis Legato, felicis recordationis Innocentio Papa, predecessori nostro, & successoribus ejus, Ecclesiae Romanae, pro concessione Regni Siciliae, ab eadem Ecclesia sibi facta, fidelitatis praestitit juramentum. Et sicut dicitur, illud idem postquam ad eandem dignitatem electus esset, & venit ad Ordinem, coram eodem Innocentio suisque fratribus Cardinalibus & aliis multis praesentibus, ligum homagium in ejus faciens manibus innodavit. Deinde, cum in Alemannia esset, eidem Innocentio Papa, & ipso defuncto, bona memoria Honorio Papa, predecessori nostro, & ejus successoribus, ac ipsi Ecclesiae Romanae, praesentibus Imperii Principibus ac Nobilibus, juravit, honores, jura, et possessiones Romanae Ecclesiae, pro posse suo, servare ac protegere bona fide. Et quod quaecunque ad manus suas devenirent, sine difficultate restituere procuraret, nominatis expresse dictis possessionibus in hujusmodi juramento, quod postmodum confirmavit, Coronam Imperii jam adeptus. Sed horum trium juramentorum temerarius exitit violator & transgressor, non sine prodicionis nota, et laesa crimine Majestatis. Nam contra praesatum predecessorem nostrum Gregorium, & fratres suos Cardinales, comminatorias Literas eisdem fratribus destinare; ac dictum Gregorium apud fratres ipsos, sicut apparet per Literas ab eodem tunc directas: eisdem etiam, prout fertur, per universum fere orbem terrarum multipliciter diffamare praesumpsit. Ac venerabilem fratrem nostrum Ottonem Portuensem, tunc Sancti Nicholai in carcere Tulliano Diaconum Cardinalem, & bona memoria J. Praenestinem Episcopos, Apostolica sedis Legatos, nobilia & magna Ecclesiae Romanae membra, personaliter capifecit, et bonis omnibus spoliatos, ac per diversa loca non semel ignominiose deductos et circumductos, carceribus mancipari. Privilegium insuper, quod Beato Petro, et successoribus ejus in ipso, tradidit Dominus Iesus Christus, violaret; Quodcunque ligaveritis super terram, erit ligatum & in caelis; quodcunque solveritis super terram, erit solutum & in caelis, (in quo auctoritas et potestas Romanae Ecclesiae consistit) pro viribus diminueret, vel ipsi Ecclesiae auferre satagit, scribens se praefati Gregorii Papae, predecessoris nostri, non vereri latam ab eo Excommunicationis sententiam in ipsum, non solum contemptis clavibus Ecclesiae non servando, verumetiam per se, ac officiales suos, et illam, et aliam Excommunicationis vel Interdicti sententias, quas idem omnino contempsit, cogendo et compellendo alios non servare. Possessiones quoque praefatae Ecclesiae Romanae, videlicet, Marchiam, Ducatum Beneventum, (cujus muros & turres dirui fecit) ac alias quas in Tusciae & Lombardiae partibus, & quibusdam aliis obtinebat locis, paucis excerptis, occupare non metuens, eas detinet adhuc occupatas. Et tanquam ei non sufficeret, quod manifeste, contra juramenta praesumendo talia, veniebat, per se, vel per suos officiales, earundem possessionum homines dejerare compulsi: ipsos a juramento fidelitatis, quibus tenebantur ratione Ecclesiae, de facto, cum de jure non posset, absolvens, et faciens eisdem fidelitatem nihilominus abjurare praedictam, sibi quoque fidelitatis hujusmodi juramenta praestare. Pacis vero ipsum violatorem existere plane constat; Quia cum olim tempore pacis, inter ipsum & Ecclesiam reformata, jurasset coram bona memoria J. de Abbatis Villa, Episcopo Sabinienensi, & Magistro Thomaio, tunc temporis Sanctae Sabinae Presbytero Cardinali praesentibus, cum multis aliis Praelatis, Principibus, & Baronibus, quod sciret & pareret precise, absque ulla conditione, omnibus mandatis Ecclesiae, super his, pro quibus erat vinculo Excommunicationis expressis per ordinem coram eo: tunc temporis etiam omnibus Teutoniarum hominibus, Regni Siciliae, ac quibuscumque aliis, cujuscunque conditionis aut status, qui Ecclesiae contra eum adhaererant, omnem remittens offensam et poenam: et quod in nulla tempore offenderet, vel offendi faceret ipsos,



pro eo quod Ecclesiæ assiterant, præstari in anima sua per Comitem Acerrarum facient iuramentum; postmodum pacem et iuramenta huiusmodi, nequaquam erubescens irretitæ perjuris, non servabit. Nonnullos enim etiam ex ipsis hominibus prædictis, tam Nobiles, quam alios, postea capi & incarcerari fecit; & eis bonis suis omnibus spoliatis, uxores eorum & filios captivare; ac insuper terras Ecclesiæ, contra promissionem, quam eidem J. Sabinensi Episcopo, & Thomasio Cardinali fecerat, irreverenter invasis: licet ipsi ex tunc in eundem præsentem, si nullo modo prædictis articulis aut conditionibus contraveniret, Excommunicationis sententiam promulgaverunt. Et cum iidem Apostolica auctoritate sibi commissa, ipsi mandassent, ut nec per se, nec per alium impediret, quin postulationes, electiones, & confirmationes Ecclesiarum & Monasteriorum, in Regno præfato, libere de cætero fierent, secundum statutum Concilii generalis: et quod nullus deinceps in eodem Regno viris Ecclesiasticis, ac bonis aut rebus eorum, imponeret tallias vel collectas, quodque nullus ibidem Clericus vel persona Ecclesiastica de cætero in civili vel criminali causa conveniretur coram Iudice sæculari, nisi super feudis quæstio civilis haberetur; ac Templariis, Hospitalariis, & aliis personis Ecclesiasticis, de damnis & injuriis irrogatis, eis satisfacere competenter: ipse mandatum huiusmodi adimplere contempsit. Liquebat namque undecim, aut plures, Archiepiscopales, & multas Episcopales sedes, Abbatias quoque, & alias Ecclesias, ad præsens in Regno vacare prædicto; easque procurante ipso, sicut aperte patet, fuisse diutius Prælatorum regimine destitutas: in grave ipsarum præiudicium, & periculum animarum multarum. Et licet forte in aliquibus ejusdem Regni Ecclesiis, electiones sint à Capitulis celebrata: quia tamen per illa eadem familiares Clerici sunt electi, probabili potest argumento concludi, quod facultatem non habent liberam eligendi. Ecclesiarum autem ipsius Regni, non solum facultates et bona fecit prout voluit occupari, sed et cruces, calices, thuribula, et alios sacros earum thesauros, et pannos sericos, velut cultus Divini contemptor, auferri: licet, ut dicitur, ipsis Ecclesiis (exacto tamen prius pro eis certo pretio) in parte fuerint restituti. Clerici quippe collectis & tallis, multipliciter affliguntur. Nec solum trahuntur ad iudicium sæculare, sed, ut asseritur, coguntur subire duella: incarcerantur, occiduntur, et patibulis cruciantur, in confusionem et opprobrium ordinis clericalis. Præfatis autem Templariis, Hospitalariis, & personis Ecclesiasticis, non est de damnis illatis eisdem & injuriis satisfactum. Eum quoque certum est, sacrilegium esse perpetratores. Nam cum præfati Portuensis & Prænestinensis Episcopi, & quamplures Ecclesiarum Prælati & Clerici, tam religiosi, quam sæculares, ad Apostolicam sedem, pro celebrando Concilio (quod prius ipse petiverat convocari) per mare venirent, viis omnibus terra ipsius, de mandato ejus, omnino præclusis, idem destinato Henrico filio suo cum multitudine galeiarum, & per alias quamplures longe antea serio preparatas in partibus Tusciæ, maritimis insidiis positis contra eos, ut gravius posset virus vomere præconceptum, ipsos ausu sacrilego capi fecit, quibusdam Prælatorum ipsorum, et aliis in huiusmodi captione submersis; nonnullis etiam interemptis, et aliquibus hostili insequutione fugatis: reliquis autem bonis spoliatis omnibus, et de loco ad locum in Regno Sicilia opprobriose deductis, et circumductis, ac ibidem diris carceribus mancipatis; quorum aliqui macerati squaloribus et inedia pressi, miserabiliter defecerunt. Merito insuper contra eum de hæretica pravitate suspicio est exorta, cum postquam Excommunicationis sententiam a præfatis J. Sabinensi Episcopo, et Thomasio Cardinali, prolata incurrerit, et prædictus Gregorius Papa ipsum anathematis vinculo innodavit, ac post Ecclesiæ, Romanorum Cardinalium, Prælatorum, et Clericorum, a qua diversis partibus ad sedem Apostolicam venientium, captiones, claves Ecclesiæ contempserit et contemnat, sibi faciens celebrari, vel potius, quantum in eo est, prophanari divina: et constanter asseruit, ut

Nota.

\*And were they not more oppressed in this kind by Popes then Emperors?

Pppp

superius

superius est narratum, in se præfati Gregorii Papæ sententias Excommunicationis non veteri. Præterea, conjunctus Saracenis amicitia detestabili, Nuncios & munera pluries destinavit eisdem, & ab eis vicissim cum honorificentia & hilaritate recepit: ipsorumque ritus amplectitur, illos in quotidianis ejus obsequiis notabiliter secum gerens, eorundem etiam more uxoribus, quas habuit de stirpe Regia descendantibus, & nunchos, præcipue quos, ut dicitur, serio ipse castrari fecerat, non erubuit deputare custodes. Et quod execrabilius est, olim existens in partibus transmarinis, facta compositione quadam, imò verius collusione, cum Soldano, Machometi nomen, in templo Domini diebus ac noctibus publicè proclamari permisit. Et nuper Nuncios Soldani Babyloniz, postquam idem Soldanus Terræ Sanctæ, ac Christianis habitatoribus ejus, per se ac suos damna gravissima & inestimabiles injurias irrogaret: fecit per Regnum suum Siciliæ cum laudibus, adejusdem Soldani excellentiam, sicut fertur, honorificè suscipi, & magnificè procurari. Aliorum quoque infidelium perniciosi & horrendis obsequiis contra fideles abstinens, & illis qui damnabiliter vilipendentes & contemnentes Apostolicam sedem, ab unitate Ecclesiæ discesserunt, procurans affinitate ac amicitia copulari, clara memoria Ducem Bavariz, specialem Ecclesiæ Romanæ & devotum; fecit, sicut pro certo asseritur, Christiana religione despecta, per assisinos occidi: & Battacio, Dei et Ecclesiæ inimico, a communione fidelium per Excommunicationis sententiam, cum adiutoribus, conciliatoribus, et fautoribus suis solenniter separato, filiam suam tradidit in uxorem. Catholicorum vero Principum auctus & mores respuens, neglecta salutis suæ & famæ integritate, pietatis operibus non intendit. Quinimò, ut de suis nefariis dissolutionibus sileamus, cum didicerit \* tantum opprimere, non curat oppressos injuriis relevare, manijus, ut decet Principem Christianum, ad elemosynas non extenta: cum destructioni Ecclesiarum insisterit, & religiosas ac alias Ecclesiasticas jugi attriverit afflictioni & persecutione personas. Nec enim & Ecclesiæ, nec ulla Monasteria, nec Hospitalia, seu alia pia loca cernitur uspiam construxisse aut fundasse. Nunc igitur hæc non levia, sed efficaciac sunt argumenta de suspensione hæresis contra eum: cum tamen hæreticorum vocabulo eos jus Civile continere asserat, & latis adversus eos sententiis debere succumbere: qui vel levi argumento à judicio Catholica Religionis & tramite detecti fuerint deviare. Præter hoc, Regnum Siciliæ, quod est \* Spirituale Patrimonium beati Petri, quod idem Princeps ab Apostolica sede tenebat in feudum, jam in tantam Clericis & Laicis exinanitionem servitutemq; redegit, quod eis penè nihil haberentibus, & omnibus exinde ferè probis ejectis & expulsi, illos qui remanserunt ibidem, sub servili quasi conditione vivere, ac Romanæ Ecclesiæ, cujus principaliter sunt homines & vassalli, offendere multipliciter & hostiliter impugnare compellit. Posset etiam meris reprehendi, quod mille squinatorum annuam pensionem, in qua pro eodem Regno ipsi Romanæ Ecclesiæ tenentur, per novem annos et amplius solvere prætermisit. Nos itaq; super præmissis, & quam pluribus aliis ejus nefandis & execrandis excessibus ac flagitiis, cum fratribus nostris Cardinalibus & Sacrosancto Concilio deliberatione prahabita matura & diligenti, cum Domini nostri Jesu Christi vices, licet immeriti, teneamus in terris, nobisque in beati Petri Apostoli persona sit dictum: \* Quodcunque ligaveris super terram, erit ligatum & in cælis, &c. memoratum Principem, qui se Imperio, et Regnis, omniq; denique honore, ac dignitate reddidit tam indignum, quique propter suas iniquitates atque scelera a Deo ne regnet vel imperet est abjectus, suis ligatum peccatis a Deo ac abjectum, omniq; honore ac dignitate privatum a Domino offendimus ac denunciamus, et nihilominus sententiando privamus. Omnesque qui ei juramento fidelitatis aliquo modo tenentur affricti vel obligati, a juramento hujusmodi perpetuo absolvimus et liberamus: auctoritate Apostolica firmiter et strictim inhibendo, ne quisquam de cætero sibi tanquam \* Imperatori vel Regi pareat, vel quomolibet parere intendat. Decernendo quolibet, qui desinceps ei, velut Imperatori, vel Regi, consilium præstiterint, seu favorem, ipso facto Excommunicationis vinculo subjacere. Illi autem, ad quos in eodem Imperio, Imperatoris spectat electio, eligant libere alium in ejus locum successorem. De præfato vero Sicilia Regno providere curabimus, cum eorundem fratrum nostrorum Cardinalium consilio, sicut viderimus

\* Was not this this Popes own practice, rather then the Emperors?

\* Popes Temporal are now become their Spirituals.

\* To depose Kings and Emperors from their Dignities, Crowns, is Popes binding & loosing, but not Christs nor St. Peters.

Nota.

\* Against both St. Peters, St. Pauls, & Christs expresse commands, Mat. 22. 21. Rcm. 12. 1, to 10. Tit. 3. 1, 2, 4. 15. 1 Tim. 2. 1, 2, 3.

**mus expedire.** Datum *Lugduni*, decimo septimo Calend. Augusti, Pontificatu nostri anno tertio.

Hæc igitur in medio Concilio prolata, *cunctis audientibus ad instar corruscantis fulguris, non mediocriter timorem omnibus incusserunt.* Magistri igitur *Thaddæus de Suesa*, & *Waltherus de Ocra*, & alii procuratores Imperatoris, & qui cum ipsis erant, emissio ejulatu flebili; hic femur, hic pectus in iudicium doloris percutientes, vix à profluvio lacrymarum sese continuerunt. Et ait magister *Thaddæus memoratus*, Dies ista, dies ista, calamitatis, et miserie. Dominus igitur *Papa*, et *Praelati assidentes Concilio*, candelis accensis, in dictum Imperatorem *Fredericum*, qui jam jam Imperator non est nominandus; terribiliter, recedentibus et confusis ejus procuratoribus, fulgurarunt.

Procuratores  
Imperatoris  
recedant con-  
fusi.

The Pope and his Prelates in this *Council* published these two Canons to Regulate the Abuses of Excommunications, which they violated in an high degree by this their Excommunication against the Emperor.

Ecclesiastica censura Judices damnabiliter abutuntur, cum de matris Ecclesiæ gremio ex alterius culpa indiscretè per eam attentent evellere innocentes, ex qua illicitè notatus non læditur, sed errante clavi converti dicitur in damnantem. Volentes igitur insolentia, vel potius insolentia talium obviare, constitutionem præsentis decreto sancimus, ut iudicium nullus excommunicato ab eodem participantes in locutione & aliis quibus ligatur particeps, excommunicatione minori, ante communicationem canonicam excommunicare præsumat: salvis constitutionibus contra illos legitime promulgatis, qui in scelere præsumunt alieno participare damnato.

Mar. Paris, p.  
657.  
De sententia  
excommunica-  
tionis.

Quod si ex locutione, & aliis, quibus excommunicato participans labitur in minorem, notati majoris divina in vaferit contemnendo, ut facilius revocetur ad absolutio-  
nis beneficium, satisfactione præmissa, misericorditer obtinendum; poterit iudex post commonitionem canonicam, huiusmodi participes eidem consimili damnare cen-  
sura. Aliter autem, in participantes excommunicatio non teneat; & proferentes, penam legitimam poterunt formidare.

Cum excommunicatio sit medicinalis, non mortalis, disciplinans, non eradicans, dum tamen in quem lata fuerit non contemnat; cautè provideat iudex ecclesiasticus, ut in ea ferenda ostendat se prosequi quod corrigentis est & medentis. Quisquis ergo excommunicat, in scriptis proferat; & causam expressè conscribat, propter quam excommunicatio proferatur. Exemplum verò scripturæ huiusmodi teneatur excommu-  
nicato tradendum infra mensem post diem sententiæ, si fuerit requisitus: super qua sigillo authentico consignatas. Si quis autem iudicium huiusmodi constitutionis temerarius violator existat; per mensem unum ab ingressu Ecclesiæ & divinis, no-  
verit se suspensum. Superior verò, ad quem recurritur, sententiam ipsam sine diffi-  
cultate relaxans, latorem excommunicationis ad expensas omnes & interesse condem-  
net, & aliàs puniat animadversione condigna, ut poena docente discant iudices, quam grave sit excommunicationum sententias sine maturitate debita in aliquem ful-  
minare. Et hæc eadem etiam in suspensionis & interdicti sententias, volumus observa-  
ri. Caveant autem Praelati, & iudices universi, ne prædictam suspensionis poenam in-  
currant. Quoniam si contigerit eos sic suspensos divina officia exequi, sicut prius; ir-  
regularitatem non effugient, juxta canonicas sanctiones, super qua non nisi per sum-  
mum Pontificem poterit dispensari.

Ibid. p. 658.  
De sententia  
excommunica-  
tionis.

Solet autem à nonnullis in dubium revocari, san cum aliquis per superiorem absolvi postulat ad cautelam, dum in se latam excommunicationis sententiam asserit esse nul-  
lam, sine contradictionis obstaculo, munus debeat ei absolutionis impendi. Et ante ab-  
solutionem huiusmodi, qui se offert in iudicio probaturum se post appellationem legiti-  
mam, in excommunicatione notatum, vel intolerabilem errorè in sententia fuisse pa-  
tenter expressum, sit in cæteris, excepto probationis illius articulo, evitandus. In pri-  
ma igitur dubitatione sic statuimus observandum, ut petenti absolutio non negetur;  
quamvis in hoc excommunicator, vel adversarius se opponat. In quo casu, tres tan-  
tummodo octo dierum indulgebuntur dilationes sic dicenti: ut si probaverit, quod op-  
ponit, nec relaxetur sententia, nisi prius sufficiens præstetur emenda, vel competens  
cautio, de jure parendo, si offensa dubia proponatur. In secunda verò quæstione statui-  
mus, ut si is qui ad probandum admittitur, pendente probationis articulo, etiam cæte-  
ris quæ ut actor in iudiciis acceptaverit, interim evitetur. Extra iudicium verò, in

De eodem



officiis, postulationibus, & electionibus, & aliis legitimis actibus nihilominus admittatur.

In this Council the Pope to raise monyes and therewith forces to oppose and depose the Emperor, published a Croysado, with sundry Indulgences under the usual pretext of releiving the Christians, then pretended to be greatly distressed by the Saracens and Tartars, thus registred in the Canons of this Council.

Mat. Paris, p.  
658.  
De negotio  
Crucis.

De Crucis vero negotio, nonnulla sunt in Concilio salubriter & prudenter constituta: sed cum de contributione pecuniæ facta fuit mentio, contradiçtum fuit Domino Papæ in facie, maxime propter hanc adjectionem omnibus invidiam: Conferant subsidium per manus eorum, qui ad hoc Apostolica fuerint probentia ordinati: (By which means the Pope would have fingered and converted, all the mony to his own use :) Quia multoties et multipliciter conqueruntur fideles Ecclesiæ; se de pecuniâ sua Terræ Sanctæ in auxilium contributa, per Romanam curiam fuisse defraudatos: (And might they have resisted him to his face upon as just a ground in his Excommunication, yea deposition of the Emperor, to defraud him of his Rights and Prerogatives of his Imperial Crown?) Cætera verò fideliter ac salubriter ordinata, auribus & cordibus fidelium placentia anno Domini 1234. de Papa Gregorio de verbo ad verbum sunt conscripta: ubi etiam invenies Sermonem elegantissimum, ab eodem Papa Gregorio compositum: Et ille idem sermo, in hoc Concilio à domino Papa Innocentio quarto, quasi recens resumptus est. (As the Emperors \* Excommunication was) Affirmavitque Dominus Papa, hæc omnia, maxime autem quæ de Principe statuit, se irrevocabiliter observaturum.

\* Here, p. 409.  
410, &c.

Hæc autem cum intellexisset magister Thaddæus ab imo trahens suspiria, ait: Inteligo nullum remedium patere discrimini. Ejulansque & flens subintulit: Verè dies ista, dies iræ: sicut antea dixerat, cum ad Concilium plenum omnes Prælati candelas suas accensas inclinarent; & extinguerent; excommunicatum Imperatorem Fredericum deponentes. Et in calce sermonis adjunxit idem magister Thaddæus: Ex hoc tempore cantabunt hæretici, regnabunt Chorofmini, & insurgent Tartari. Et hæc nunciaturus ad Dominum suum Imperatorem Fredericum est reversus. Dominus autem Papa omnibus in propatulo ait: Quod meum est feci, faciat & prosequatur super his Deus quod voluerit.

Anno 1245.  
Mat. Paris, p.  
658. 659, 660.  
Fredericus depositus a Papa  
seipsum coronat.

Cum autem hæc omnia audivisset & intellexisset Dominus Imperator Fredericus, vit se præ indignatione capiens, in vehementissimam iram exarduit. Corvoque vultu omnes circumsedentes adspiciens intonuit, dicens: Abiecit me Papa in Synodo sua, privans me Corona mea; Unde tanta audacia? unde talis temeraria præsumptio? Abinam sunt clitellæ meæ, thesaurum meum portatilem continentes? Et cum allatæ fuissent, et coram eo ejus jussu referatæ essent, ait: Vide si jam sunt amissæ coronæ meæ. Repertam igitur unam imposuit capiti suo. Et coronatus erexit se, et minacibus oculis, voce terribili, et insatiabili corde, dixit in propatulo: Non adhuc Coronam meam perdidisti, vel Papali impugnatione, vel Synodali Concilio, sine cruento perdam certamine. Ad tanta prozumpet fastigia vulgaris superbia ut me præcipuum Principem, quo non est major, imo cui nec est par, ab apice dignitatis Imperialis valeat præcipitare. In hoc tamen conditio mea melioratur. In aliquo tenebar illi obedire, saltem venerari; Nunc autem ab amore et veneratione, nec non et ab omnimodæ pacis absolvo; aduersus Papam obligatione. Et tunc igitur efficacius et vigilantius, ut Dominum Papam grabaret, in thesauris, consanguineis, et amicis ejus damna et injurias irrogabit (as he had just cause.) Cogitavit igitur ut partem suam magis roboraret, filiam Ducis Austriæ sibi matrimonio copulare. Et ad hoc consummandum solennes nuncios destinavit, & festinos ad eundem Ducem. Quod cum ad noticiam puellæ pervenisset, amplexus & nuptias ipsius Frederici donec absolveretur, constanter resistit. Hoc autem cum Pater Puellæ etiam approbasset & dicto Frederico nunciasset, erubuit spretus ab utroque. Sed tamen induratus, volens avertere corda Regum & Principum

cupum, tam à devotione quàm veneratione Ecclesiæ & Prælatorum præcipuè Domini Papæ scriptis Epistolam, quandam nimis reprehensibilem, in ea enim virolium propositum suum quod diu occultaverat, evomuit. But his Epistle, how ever censured by Papal parasites, was worthy this Emperor, and all Christian Kings had reason to thank; honor him for his prudent advise and magnanimous resolution therein, then to lessen their affections towards him; for defending all their Crowns and regal rights, against Papal usurpations, and shewing them the readiest way to support them for the future.

**F**REDERICUS, &c. Regi Angliæ, &c. Illos scilicet describit antiquitas quibus ex alieno paratur cautela periculo. Statu enim sequentis firmatur ex principio præcedentis. Et ut impressionem cera recepit ex sigillo, sic humana vita formatur mortalitas ab exemplo. Hanc utinam felicitatem vestra serinitas anticipasset, vel præcipisset: & quàm cautela solertiam vobis, ô Christiani Reges, ex nostra Majestatis nimia laesione relinquimus, nobis potius alii Reges et principes læsi similiter reliquissent. Porro, qui clerici nunc censentur, parum elemosynis impinguati filios opprimunt donatorum; Ipsique nostrorum filii subditorum paternæ conditionis oblitæ, nec Imperatorem, nec Regem aliqua veneratione revereri dignantur, quoties in Patres Apostolicos ordinantur. Quod autem ex circumloquutionibus nostris innuitur, ex Innocentii Papæ quarti præsumptione comprobatur. Qui vocata Synodo, ut asserit, generali, contra nos, nec citatos, nec super aliqua fraude vel præbitate convictos ausus est sententiam depositionis statuere, quàm præter omnium Regum enormæ præjudicium, non poterat stabilire. Quid enim nobis singulis Regibus singulorum Regnorum, a facie talis principis sacerdotum timendum non superest, si nos et principum electione solenni, et approbatione totius Ecclesiæ, dum clerici fide ac religione vigeant, Imperiali Dlademate divinitus insignitos, et alia regna nobilia magnifice gubernantes, ille deponendos aggreditur; cujus quoad temporalium detrimenta, non interest in nos aliquid exercere rigoris, etiam si causæ legitimæ probarentur. Verum, quos Sacerdotalis sic infestat abusus potestatis, et a summo conatur præcipitare deorsum; nec primi sumus nec ultimi. Et hoc quidem vos facitis obediētes simulatozibus sanctitatis, quozum sperat ambitio, quod totus Fordanis influat in os suum. ¶ Si vestre credulitatis simplicitas, a Scribarum & Pharisaorum fermento quod est hypocrisis, juxta Salvatoris sententiam, sibi curaret attendere! quot illius curiæ turpitudines execrari possetis quas honestas et pudor prohibet recitare. Sane redditus copiosi, quibus ex plurimum depauperatione Regnorum ditantur, quemadmodum ipsi nostis, ipsos faciunt insanire, Apud vos Christiani, vel peregrini mendicant, ut apud nos Paterini manducant. Ibi vestrorum domos obruitis, ut hic adversariorum vestrorum oppida construatis. Sic de vestris decimis & elemosynis tales pauperes Christi sustentati; quæ beneficii recompensatione, quæ saltem gratitudinis exhibitione se præbent obnoxios? Quanto manus largiores extenditis, tanto non solum manus, sed etiam cubitos abditius apprehendunt, suo nos laqueo detinentes, sicut aviculam, quæ quanto ad evasionem fortius nititur, firmius alligatur. Hæc vobis ad præsens scribenda curavimus, insufficienter exprimentia votum nostrum. Cetera verò secretius intimanda; videlicet in quos usus divitiarum pauperum, expendat prodigalitas avarorum. Quid super impetratione conceperimus obligando, quam per magnos mediatores intendimus, ut inter nos & Ecclesiam saltem pax superficialiter reformetur. Quid de Regum communibus specialibusq; negotiis disponere proponamus: Quid super Insulis Oceani fuerit ordinatum: quid contra Principes universos quibusdam consiliis; quæ nos, & quæ nonnullos, quos habemus ibidem familiares & subditos, licet clandestina, latere non possunt, illa curia machinetur. Quantis viribus, quot virorum, qualiter instrumētum ad bella in hoc ipso Vere, quod instat, omnes illos qui modo nos opprimunt, opprimere posse speremus, et si se nobis totus mundus opponeret. Quicquid fideles nostri latores præsentium vobis retulerint, certè credatis, & ac si Sanctus Petrus juraſset firmissimum reputetis.

Epistola Imperatoris.

Ret

Nota.

Nec vobis, petimus, videatur, quod per latam in nos sententiam Papalem, nostræ magnitudinis Majestas aliquatenus incurbetur. Habemus enim conscientie puritatem, ac per consequens, Deum nobiscum, cujus testimonium invocamus. Quia semper fuit nostræ intentio voluntatis, clericos cujusque ordinis ad hoc inducere, et maxime marimos: ut tales perseverarent in fine, quales fuerunt in Ecclesia primitiva, Apostolicam vitam ducentes, humilitatem Dominicam imitantes. Tales namque Clerici solebant Angelos intueri, miraculis coruscare, agros curare, mortuos suscitare; et sanctitate, non armis, sibi Reges et Principes subjugare. At isti, seculo dediti, delictis inebriati, Dominum postponunt; quorum ex affluentia divitiarum et opum, omnis religio suffocatur. Talibus ergo subtrahere nocentes divitias, quibus damnabiliter onerantur, opus est charitatis. Ad hoc vos, et omnes Principes una nobiscum, ut cuncta superflua deponentes, modicis rebus contenti, Deo deserviant, debetis diligentiam adhibere.

Mat. Paris, p.  
660.  
Fama Frederici diatium detestatur.

Hæc cum ad Christianissimos Francorum & Anglorum Reges nunciata pervenissent, patuit luce clarius ipsis & eorum Magnatibus, quod Fredericus libertatem ac nobilitatem Ecclesie, quam ipse nunquam auxit, sed magnifici antecessores ejus malo grato suo stabilierunt, toto conamine studuit annullare & de hæresi per idipsum se reddens suspectum, merito omnem quam hætenus habebat in omni populo igniculum famæ propriæ prudentiæ & sapientiæ, impudenter & imprudenter extinxit atque delevit. Reges tamen memorati, quia muliebri videretur & inhonestum statim infestare, quem prius protexerant, non sine murmure siluerunt adhuc dissimulantes. Ac per hoc domini Papæ conditio, meliorata respiravit.

Nota.

Anum insuper omnes angebat tam Principes quam Prælatos vulnus angustie, futura pericula ratione prævia ponderantes. Et quod etsi dignus multipliciter Fredericum deprimi, et omni honore privari, tamen si eum, Deo jubante, auctoritas Papalis irresistibiliter deponeret, Romana Ecclesia, gratia Dei abutens, in posterum in tantam elationem, et intolerabilem superbiam sublevaretur, quod Principes Catholicos insontes et justos, et præcipue Prælatos, quavis levi causa vel deponeret, vel deponere probolese comminaretur, loquendoque sublimia, glorizandoque dicerent Romani licet a plebeia stirpe procreati: Nos ipsum maritimum Dominum et Imperatorem Fredericum conculcavimus, et quis es tu, qui nobis temere credis resistere? Et ita provocati nobiliores, contra eos levabunt calcaneum: Deoque vindice, auctoritas Romana poterit deperire.

Mat. Paris, p.  
660. 661.  
Mandatum Papæ ad Capitulum Cisterciense.

Hæc autem mundi volubilitate secum rapiente, Abbates diversorum climatum Cistercienses Capitulum suum instante exaltatæ Crucis solennitate, sicut moris est, ceteratim adierunt. Et cum ad Capitulum generaliter convenissent, mandatum Domini Papæ susceperunt. Cujus tenor fuit hic:

Noverit universitas vestra statum Ecclesia formidabiliter periclitantem precum instantia solito vigilantius indigere. Subest enimurgens causa, qua toti Christianitati terribiliter comminatur. Nec curabimus de cætero gladio uti materiali, sed tantum spiritali, contra Fredericum aliquando Romanorum Imperatorem, validum Ecclesia Christi & obstinatum inimicum. Obstructum est os loquentium iniqua. Non vos moveant imperitorum, & veritatis ignarorum, precamur, obloquia; ut à nobis quasi precipitanter putetis, & absque deliberato fratrum nostrorum & multorum peritorum moroso consilio contra ipsum Fredericum fuerit sententiatum. Non enim meminimus unquam, causam cum tanta deliberatione & diligenti examinatione fuisse excessam; & peritorum atque sanctorum mentibus, libratam extitisse; adeo quod in secretis, aliqui fratrum nostrorum induerunt personam Advocati pro ipso: Aliqui autem è contra personam adversantis: ut ex objectionibus & responsionibus inquirentium & disputantium, ut solet



folet in Scholis, causa veritas radicatus hinc indeque disenteretur. Nec aliquam viam invenimus, sine Dei injuria, & gravi ejus offensa, & Ecclesie ejusdem latione, & nostrarum conscientiarum vulnere, aliter procedendi quam ut processimus, licet inviti, & ejusdem laevis miseria condolentes. Parati igitur sumus in hac causa, et pro illa, usque ad mortem stare; et pro ea, et in ea, tam omnes fratres nostri, quam nos mortui, immutabiliter pro causa Dei et ejus Ecclesie dimicantes. Hæc postquam ad audientiam totius Capituli & universorum fratrum plenius pervenerunt, partem Frederici detestantes, mirabiliterque Papali parti inclinantes Deum deprecabantur, ut Ecclesiam suam, quam supra firmam petram stabilivir, etsi laberetur, labi nullatenus sineret in æternum.

But to leave these contests between this Domineering, Tyrannizing, Oppressing Pope and the Emperor, and return to those between the King; Kingdom; Nobles of England, and the Pope, in and after this Council, concerning their forementioned grievances, where they prayed redress by word of mouth; and their forecited Letter.

Expectantibus autem universitatis Anglicane procuratoribus, videlicet Comite Richar<sup>do</sup> Bigod, cum suis consortibus prænominatis, placabile Domini Papæ, prout promiserat, responsum; tandem expressum est, quod postulata ab eorum non reportarent. Irati igitur nimis procuratores memorati, recesserunt cum comminatione: terribiliter jurantes, se nunquam Tributum Romanæ cupiditati omni sæculo detestabile soluturos, nec solvere permitturos; vel amplius reddituum Ecclesiarum (præcipue quarum Nobiles Regni esse patroni dignoscuntur) proventus extorque-ri non passuros. Veruntamen Dominus Papa animo patienti & oculis conniventibus hæc omnia dissimulando pertransiens, tempus rigidius agendi, respiciente prosperitate, tacitus expectavit. Misit igitur ad singulos Episcopos Angliæ, præcipiens duriusculissime, ut quilibet eorum illi chartæ detestabili, quam lachrymabilis memorie Rex Anglorum Johannes, reclamante Archiepiscopo Cantuariensi Stephano, infeliciter confecit de Tributo, signum suum appenderet, ut magis roborata perpetuaretur. Quod ipsi Episcopi timore inexcusabiliter effodinati, non sine enoymi Regis et Regni, proh dolor, fecerunt præjudicio. Unde cum Dominus Rex hoc audisset, in maximam iram excandens, juravit, quod etsi etiam Episcopi turpiter sint incurvati, ipse firmiter staret pro Regni libertate: nec unquam dum vitales carperet auras, censum sub nomine Tributi Curie Romanæ persolveret. Porro Episcopus Londinensis Fulco ultimus & invitus, in arcum pravum versus, signum suum dictæ chartæ apponens, minus aliis meruit reprehendi. Simili quoque modo, euidam amplæ chartæ transcriptæ de verbo ad verbum, secundum chartam Bullæ Papali communitam, de sententia depositionis in Imperatorem Fredericum lata, apposuerunt omnes Prælati signa sua, tam ad majorem roborationem, quam memoriam rei sempiternam. (Such was the English Bishops Treachery, Timidity, Baseness both towards the King, Kingdom, Emperor, which made the Pope more intollerably insolent.)

Anno gratiæ 1246. qui est annus Regni Henrici III. Regis 30. fuit idem Rex ad natale Domini Londini, ubi convocatis multis Regni Nobilibus una cum fratre suo, Regina quoque & Comitissa Cornubie sorore Regine, multisque Magnatibus; qui cum eodem Rege in Wallia pondera & æstus dierum sustinuerant, festa natalicia gaudenter celebrarunt, ut qui fuerunt in tribulatione consortes, participes fierent in exultatione. Eodemque tempore, ne gaudia mundi impermixta mœroribus mortalibus arderent, ortus est rumor sinister, & ex rumore suspicio non modica, quod Dominus Papa rancorem in corde retinuit, cum tamen non subfuisset causa rationalis: iratus est valde, et multiformiter ampullose coepit comminari Anglorum Regi et Regno, ut si posset Fredericum edomare, et per consequens recalcitrantium Anglorum, qui de oppressionibus Romanæ Curie et maxime de Tributo, in Concilio conqueſti sunt, insolentem superbiam conculcabit. Non enim, ut ei videbatur, licuit miseris Anglis, pro multiformi etiam injuria flagellatis, lachrymari vel mutire. Conabaturque in illo diuturno ac secreto

Mat. Paris Hist. Angl. p. 660. Conatus procuratorum universitatis Angliæ irritus

Nota.

Anno 1246. Mat. Paris, p. 669, 670. Papa indignatur Anglis, quod de eo conqueſti in Concilio ausi sint.

Nota.

secreto colloquio; quod habuit apud *Cluniacum* cum Rege *Francorum*, persuadere et acuere Regem ipsum; ut insurgeret ad tantæ injuriæ vindictam, tantam ut ipsum Regulum *Anglorum*, vel usque ad exheredationem impugnaret: vel enozmiter læsum, sese omnimode voluntati *Romanæ Curie*, vellet, nollet, inclinaret. Et ad hoc jubaret eum omni conatu, *Ecclesia* et *Papalis auctoritas*. Quod constanter Rex *Francorum* dicitur renuisse, tum quia ipsi Reges consanguinei sunt, et eorum Reginae sorores: tum quia jus non habet Rex *Francorum* in Regnum *Angliæ* manifestum: tum quia treuga inter ipsos Reges inita sunt, quas maluit prolongare, ratione peregrinationis suæ, quam proditiose rescindere: tum quia instabat validior inimicus, et *Ecclesiæ Romanæ* nocivior, videlicet *Fredericum* edomandus: tum quia ante Regnum *Angliæ* *Francis* cederet, non modicus sanguis *Christianus* effunderetur: tum quia *Christiani* in *Terra Sancta* jam a *Paganis* oppressi et oblessi; Regis *Francorum* adventum desideratum, quasi naufragantes auræ lenioris prosperitatem, præsolantur.

*Matthew Westminster* thus relates the Prologue to, and grievances occasioning this Parliament, and therein complained of by the King.

Mat. Westm.  
Anno 1246.  
p. 205, 206.

Peridem tempus convocati sunt Nobiles Regni, ut die, qua cantatur *Latare Hiernusalem*, *Londonis* de arduis Regni negotiis diligenter, prout necessitas urgens postulabat, contrerectarent. Papa enim indignatione, quam concepit contra Regem et omnes Regni Nobiles, manum suam ad gravamina quotidianæ, diversis excogitatis argumentis ad emungendam pecuniam extendit, et quotidie aggravabit. Intumuit enim et excanduit ira *Papalis* contra miseros Anglos, eo quod ausi erant de oppressionibus et injuriis sibi diutius illatis conqueri in Concilio. Multiplicabantur autem sine intermissione in Regno injuriæ: et in conspectu ejus, videlicet in *Curia sua*, villuerunt Angli plusquam alii etiam ultimarum nationum. Unde fertur dixisse: Expediit ut componamus cum Principe (id est, cum *Frederico*) ut conteramus illum regulum *Angliæ*, \* *Vassallum* nostrum jam recalcitrantem. Præterea quia Dominus Rex obtinuit privilegium ut non veniat Legatus in Regnum nisi rogatus, misit quosdam sophisticos Legatos et transformatos, habentes potestatem magnam in extorquendis redditibus et pecunia, et in omnibus, Legatis potenteriores, licet insignia Legatorum non haberent, nunc Clericos, nunc fratres *Prædicatores*, nunc *Monachos*: de quibus Papa fecit suos bedellos et thelonearios, in læsionem et detrimentum ordinis et professionis eorum, qui spontaneam paupertatem et humilitatem Deo vovendo promiserunt. Unde quamplures eorum, sanas habentes conscientias, præcordialiter suspirantes doluerunt, dicentes: Heu quam cito, invidente Diabolo, noster ordo desipit! Per mille annos ordo Sancti *Benedicti* tantum non suscepit detrimentum. Misit etiam Dominus Papa manum ad ulteriora, ut scilicet bona sine testamento decedentium, non sine principum injuria et jactura, in gremio suæ avaritiæ amplecteretur: etiamsi infirmus, propter imbecillitatem non potens vel nolens loqui, pro se relinqueret testatorem, quæ injuria et leges dicitur contrahere. Præterea, quod est inauditum, *Davidis*, Nepotis ac *Vassalli* Domini Regis *Angliæ*, \* terram sibi injuriose usurpabit, sub gravi Tributo possidendam. Et citari fecit Dominum Regem, ut eidem *Davidi* satisfactorius super quibusdam, ut dicebat, injuriis sibi ab eodem Rege illatis responderet: in multorum sannam, et sibilum, et derisiones. Et cito post memoratus *David* medio sublatus, in morte sua paucos pro prodicione sua meruit habere lamentatores. Convenerunt igitur (ut præcep-

\*Mat. Paris, p.  
607, 660. See  
here, p. 621,  
622.

tum urgebat Regium) Magnates Angliæ universaliter, ut de prædictis efficax consilium haberent & festinum, prout necessitas non levis nec mediocris postulavit.

Medio verò Quadragesimæ; videlicet die qua cantatur *Latare Jerusalem*; edito Regio convocata, convenit ad Parlamentum generalissimum, totius Regni Angliæ totalis Nobilitas Londini, videlicet Prælatorum tam Abbatum & Priorum quàm Episcoporum; Comitum quoque & Baronum; ut de statu Regni jam vacillantis, efficaciter, prout exegit urgens necessitas, contractarent. Angebat enim eos gravamen intolerabile, a Curia Romana incessanter illatum; quod non poterant sine nota desidiæ, et imminente ruina tolerare. Qui eo anxius mentibus sauciabantur, quod Papa promissionis suæ transgressor, gravius quam ante eorum querimoniam manum dextram erasperans, aggravabat. Hæc enim ejus promissa in Concilio Lugdunensi extiterunt.

Mar. Paris, p. 674. 675.

**INNOCENTIUS**, &c. *Universis tam Cathedralium quàm aliorum Prælatibus, necnon patronis Ecclesiarum Clericis & Laicis, per Regnum Angliæ constitutis, salutem & Apostolicam Benedictionem.* Cum noluerimus per nos, aut alios, auctoritate nostra vobis inferri gravamina, sed à quorumlibet molestiis defendere vos potius, ut ad nos pertinet, intendamus, presentium tenore vobis innotescat, quod si dilectus filius Magister Martinus Camera nostra Clericus, de mandato nostro aliquos vestrum à collatione beneficiorum seu presentatione suspenderit, suspensionem hujusmodi, nisi specialiter pro certis personis, quas duodenario tamen numero comprehendere volumus, facta fuerit, duximus relaxandam: ita quod inter ipsas personas, illa quibus jam aliqua de prædictis beneficiis sunt collata, vel qua super obtinendis eisdem Literas ab ipsorum patronis, vel eis ad quos illorum collatio spectat, habent, minimè computentur.

Privilegia impetrata in Concilio Lugdunensi.

**INNOCENTIUS**, &c. *Venerabilibus fratribus, Archiepiscopis & Episcopis, per Regnum Anglorum constitutis, salutem & Apostolicam Benedictionem.* Cum sedes Apostolica illo affectu Anglicos prosequatur, ut ipsos inter alios consilios multiplici favore proponat attollere, ac speciali dono gratia honorare; magno desiderio cupimus, eosdem Anglicos devotionis studio perseveranter insistere, ac laudabiliter exercitio proficere bonitatis, ut accepti & digni merito inter ceteros habeantur. Hinc est quod universitatem vestram monemus, rogamus & hortamur, auctoritate Apostolica mandantes, quatenus vestrarum Civitatum & Diocesum Clericos, & eos qui ascribi desiderant militia clericali, præsertim Nobilium & Magnatum filios, attentis & sedulis exhortationibus inducat, ut honestati morum, scientia literarum & virtutum cultui ferventer intendant, studentes omni diligentia se gratos & idoneos exhibere, ac sedis prædictæ gratiam, aliorumque benevolentiam, probitatis merito vendicare. Nos enim parati sumus Clericis Angliæ bene meritis, Provisionis Ecclesiasticæ dexteram liberaliter aperire; ac etiam cum illis, quos velut nobiliores et probiores, ampliori gratia noverimus esse dignos, super beneficiorum pluralitate honorifice dispensare. A subtil policy to retain the power of Provisions, and such Dispen-  
sations complained against, in his own hands.

Aliud Privilegium.

**INNOCENTIUS**, &c. *Universis Archiepiscopis & Episcopis per Regnum Angliæ constitutis, salutem & Apostolicam Benedictionem.* Vestra meretur devotio, ut vos Apostolica sedes opportuno favore muniat, & gratiæ privilegio efferat specialis. Hinc est, quod nos vestris supplicationibus inclinati, volentes jura vestra illasa servari, universitatem vestram monemus, rogamus, & hortamur, auctoritate Apostolica mandantes; ut beneficia Ecclesiastica, ad collationem vestram spectantia, cum ea vacare contigerint, personis idoneis conferre, qua velint & possint in eis utiliter deservire, absque cujuslibet contradictionis obstaculo, libere; prout ad vos pertinet, auctoritate prædicta, indulgemus. Nulli ergo hominum, &c.

Aliud.

**INNOCENTIUS**, &c. *Dilectis filiis, Ecclesiarum universalium Patronis, per Regnum Angliæ constitutis, salutem & Apostolicam Benedictionem.* Fervens Anglorum meretur devotio, ut eos Apostolica sedes, tanquam speciales filios, brachiis maternelæ affectionis amplectens, & favore ipsos muniat opportuno, ac efferat gratiæ privilegio potioris. Hinc est, quod nos vestris supplicationibus inclinati, volentes jura vestra illasa

Aliud.



*servari; ut ad Ecclesiastica beneficia, in quibus jus habetis patronatus, cum eas vacare contigerit, presentare illos, ad quos eorundem beneficiorum spectat collatio, personas idoneas, quæ velint & possint in eis utiliter deservire, absque cujuslibet contradictionis obstaculo, libere, prout ad vos pertinet, auctoritate prædicta, indulgemus. Nulli ergo hominum, &c.*

Aliud.

**INNOCENTIUS**, &c. *Illustri Regi Angliæ, &c. Excellentia tua præsentium tenore innoscat, quod licet Cruce signati in subsidium Terræ Sanctæ, sint in multis exempti; nos tamen hujusmodi Cruce signatos Regni tui, quoad salutas ejusdem Regni consuetudines exemptos haberi, quin eas teneantur, sicut alii, observare.*

Causa contradictionis in Concilio pleno.

**INNOCENTIUS**, &c. *Illustri Regi Angliæ, &c. Excellentia tua præsentium tenore innoscat, quod cum nuper sacro approbante Concilio, vice simam omnium Ecclesiasticorum proventuum in subsidium Terræ Sanctæ, ac medietatem hujusmodi proventuum quarundam Ecclesiarum, personarum quarundam verò tertiam, & aliquarum vice simam, in succursum Imperii Romani statuerimus deputandas, (prout in constitutionibus super hoc editis expressius continetur) Nuncios tui, quos ad prædictum Concilium destinasti, pro tuo totiusque Regni tui parte, hujusmodi constitutionibus in eodem Concilio contradicere curaverunt. Causa autem contradictionis hæc fuit, quia scilicet decreverat Papa censum colligendi fore tradendum cui ipse volebat, quod suspectum fuit.*

Aliud.

\* Commendat.

Iterum eidem Regi, præsentium tenore magnitudini tuæ notum fieri volumus, quod etsi hætenus forte aliquibus Ecclesiarum Prælati, ut beneficia Ecclesiastica, quæ in Regno tuo ante suam promotionem habuerant, \* possent usque ad certum tempus libere retinere, fuerit ab Apostolica sede concessum, de cætero tamen non intendimus aliquibus similia indulgere.

Præterea unum Privilegium, ne scilicet Italicus Italice immediate succedat, et hoc impetratum est propter fraudes eorum, qui mortuis beneficiatis, alios furtim supponebant, sed omnia hæc et alia, per hoc repagulum non obstant, infirmantur: ubi ergo fides? ubi jura, quæ scriptis solebant solidari? exularunt. Such was the detestable Injustice, fraud, falshood of the Pope and Court of Rome, whereby they illuded all their Oaths, Bulls, Concessions of just ancient Rights or Priviledges, repugnant to their ambitious Usurpations, or filthy lucre, and subverted all Laws, Customs, Liberties of the Realm, and invaded all the Rights of the Crown at their pleasures.

Mat. Paris Hist. Angl. p. 677. Conventus omnium Nobilium Angliæ.

Convenientibus igitur ad Parlamentum memoratum totius Regni Magnatibus, in primis aggressus est Dominus Rex ore proprio Episcopos per se, postea verò Comites & Barones, deinde autem Abbates & Priores. Videlicet super his, pro quibus miserat Nuncios suos solennes ad Concilium Lugdunense, & quasdam indulgentias & Literas Papales, prænotatas, quas dicti Nuncii reportarunt, eis ostendit, & qualiter Dominus Papa dictis Nunciis, pro Rege & Regno multa bona promisit ac præmisit. Sed quia Dominus Rex post indulgentias memoratas, dictaque promissa, magis sensit Papam, prout communiter audivit, et vere postea didicit, manum aggravare, et quasi per contemptum plus solito in Regnum potervire, Ecclesiam opprimendo, offendit eis articulos super gravaminibus et oppressionibus Ecclesiæ et Regni sui, quorum tenor talis est.

Gravamina Regni Angliæ.

Gravatur Regnum Angliæ, eo quod Dominus Papa non est contentus subsidio illo quod vocatur denarius beati Petri, sed a toto Clero Angliæ gravem extorquet contributionem, et adhuc multa graviosa nititur extorquere, et hoc fecit sine Domini Regis assensu vel consensu, contra antiquas Consuetudines, Libertates, et Regni jura, et contra Appellationem et contradictionem Procuratorum Regis et Regni, in generali Concilio factam.

Item,

Item, gravatur Ecclesia et Regnum, eo quod patroni Ecclesiarum ad eas cum vacaverint Clericos idoneos presentare non possunt, prout Dominus Papa per litteras suas eis concessit; sed conferuntur Ecclesie Romanis, qui penitus idioma Regni ignorant in periculum animarum, et extra Regnum pecuniam asportant; illud ultra modum depauperanda.

Mat. Paris, p. 677, 678.

Item, gravatur in Provisionibus a Domino Papa factis, in pensionibus exigendis, contra litterarum suarum tenorem. In quibus continetur, quod ex omnibus retentionibus factis in Anglia non intendebat conferre nisi 12 beneficia post predictarum consecrationem litterarum; sed credimus, multa plura beneficia ab eodem postea esse collata et Provisiones factas.

Item, gravatur quod Italicis succedit, et quod Anglici extra Regnum in causis auctoritate Apostolica trahuntur contra Regni consuetudines, contra jura scripta, quod inter inimicos conveniri non debent, et contra indulgentias a predecessoribus Domini Papae Regi et Regno Anglia concessas.

Item, gravatur ex multiplici adventu illius infamis nunciis, Non obstantes, per quem juramenti religio, consuetudines antiquae, scripturarum vigores, concessionum auctoritas statuta, jura et privilegia debilitantur et evanescent, quod infiniti de Regno Anglia oppressi sunt graviter et afflicti, nec se Dominus Papa versus Regnum Anglia in plenitudine suae potestatis reducenda, curialiter ita vel moderate gerit, prout procuratoribus Regni ore tenus dederat in promissis.

Non obstante.

Item, gravatur in tallis generalibus collectis et assis sine Regis assensu et voluntate factis, contra appellationem et contradictionem procuratorum Regis, et universitatis Angliae.

Item, gravatur eo quod in beneficiis Italicorum, nec jura, nec pauperum sustentatio, nec hospitalitas, nec divini verbi praedicatio; nec Ecclesiarum utilis ornatus, nec animarum cura; nec in Ecclesiis divina fiunt obsequia, prout decet; et moris est patriae, sed in aedificiis suis parietes cum tectis coeunt, et penitus lacerantur.

Hec autem attendentes universi ac singuli, unanimiter consenserunt, ut adhuc ob reverentiam sedis Apostolicae, domino Papae humiliter ac deprecatum, tam per Epistolas, quam per solennes nuncios supplicarent; ut tam intolerabilia gravamina et jugum subtraheret importabile. Scripserunt igitur Domino Papae in haec verba.

The Archbp. and his suffragans, writ and sent an Epistle to the Pope by themselves; The Abbots, Priors and Covents of the Provinces of Canterbury and Yorke by themselves; The Nobles and Universality of the people and Clergy of England by themselves, and the King by himself.

The Archbishop and his suffragans Letter runs in these Words.

**R**everendo in Christo Patri, Innocentio, Dei gratia summo Pontifici, Episcopi Cantuariensis Provinciae suffraganei, cum recommendatione pedum oscula beatorum. Sedis Apostolica benignitas, qua nos nuper in Concilio Lugdunensi constitutos, in signum honoris & specialis dilectionis collocavit, nec non ejus sublimitas, quas tot affectibus nostra condescendit parvitas, ad zelum honoris & optata prosperitatis sanctae matris nostrae, populi peculiaris, & spiritualium quodammodo adoptionis filiorum animos nostros; cor, & affectum, fervore fidei & affectu sinceritatis reuocant; utpote qui pro ea & ejus honoribus

Querela omnium Anglorum super praedictis oppressi-  
onibus.

honoribus animo lubenti laborare disponimus, & ejus tranquillitati pro viribus studere, ut tenemur. Sanè, quanto magis in devotione optamus reperiri ferventiores, tanto profectò, nostrum populum & Regnum in unitate Ecclesia matris nostra tenemur confovere studiosius. Quod utique absque dicta sedis adjutorio speciali, nulla prorsus via per nos poteris adimpleri. Nuper siquidem cum in Concilio illastris Principis & Domini Angliæ Regis in media Quadragesima, essemus presentes, quedam audivimus qua vestra sanctitati referimus dolentes, Regem scilicet & proceres, nec non populum quasi universum rodere, ac multiplicatis querimoniis murmurare, quod in collationibus beneficiorum, qua per provisores in Anglia sunt incunctanter, Nobilium atque aliorum vocationibus, contra eorum & Regni Privilegium, ad judicia extra Regnum, necnon aliis plerisque molestiis, quas vestra beatitudini, ut credimus plenius insinuare proponunt, ipsi & Regnum atque populus universus jugo oppressionis intolerabilis existunt pragravati. Et hæc publice objurgantes proponebant in cordibus, quasi se malle mori, quam ea cum magis ac magis de die in diem pullulare viderantur, diutius tolerare; præsertim cum eadem gravamina, ipsos et eorum populum sæpius, ut asserunt, ac durius affligant, promissione moderaminis, quam ipsorum procuratoribus a vestra sanctitate in supradicto Concilio factam esse dicunt, jam non obstante. Clamor insuper et tumultus tot et tantorum, quambis nobis periculosus videretur, et ad diu tolerandum gravis, tamen per nos, qui ad hoc diligentia qua novimus laborare curavimus, ulla prorsus ratione nequiveras sedari. Sanè cum hæc si procedant, dolorum initia & multorum malorum in Anglia, ut perpendimus & timemus, erunt fomenta, pedibus vestra sanctitatis lachrymosis precibus prostrati deprecamur: quatenus fidei Anglicanæ fervorem attendentes, et quod idem regnum sacrosanctæ Romanæ Ecclesiæ specialiter extiterit devotum, turbationem ejusdem Regni Paterno occurrentes solatio, illis de Regno in his quæ ad salutem et tranquillitatem pertinent ipsorum, ob Dei reverentiam prospicere velitis. Et nos eosdem quorum sitimus salutem & quietem, sic in unitate fidei, & devotione Ecclesia studebimus conservare, quod Deo & Ecclesia nec non vobis, pater Reverende, Christo propitio, cedat ad honorem. Ad hoc placeat Sanctitati vestra præfati Principis nostri, & fratris ejusdem Comitum Cornubiæ, animos sub honestatis forma pacificare, qui in facto pro invicem, se fore proponunt, non modicum gravatos, & causam asserunt gravaminis memorati, favorem Ecclesia Romanæ parti adverse nimis attributum.

The Epistle of the Abbots, Priors and Covents of England to the Pope ran in this stile.

Litteræ Abbatum Angliæ ad Papam.

**S**ANCTISSIMO Patri ac Domini in Christo Charis. Innocentio Dei gratiâ universalis Ecclesia Summo Pontifici, Devoti filii sui Abbates & Priores, eorumque Conventus provinciæ Cantuariensis & Eboracensis, salutem & pedum oscula beatorum. Divinæ Providentiæ Majestatis in numero, pondere, & mensura disponens universa, Ecclesiæ sponsæ suæ sic jecit in Petra solida fundamentum, ut super structura stabilis fundamenti cemento sanguinis filii sui fortius solidati, facilius & felicius surgeret paries erigendus. Ecclesia quidem universalis, quia sanguine Christi, qui plus clamat veniam, quam vindictam, sic suo sponso disponenti sub uno Patre regitur ac pastore, sicut arca in catalysmo regebatur in cubito consummata. Sanè Christus, Dei virtus & sapientia, Ecclesiam universalem, tanquam sponsam universalem, tanquam sponsam unicam, sibi copulavit, quia una est columba sua, electa sua, quæ licet in particulares sit divisa, non tamen esse debet à cultu divino discrepans aut diversa: Ecclesia quidem Anglicana se semper sponso suo, qui cum ea traxit in utero virginali absque macula sive ruga, incessanter exhibuit gloriosam. De Civitate enim Dei, scilicet Ecclesia Anglicanæ, usq. ad tempora novissima dicta sunt gloriosa, quæ sacrosanctæ Romanæ Ecclesiæ membrum speciale, Mons Libani, deor Carmeli & Saron, in divinis obsequiis frequens ac sollicita, cum candore munditia, tanquam aquam cor effundens puras ad Deum levat manus, orationis thura ad consistorium Trinitatis jugiter dirigendo. Licet autem divinis obsequiis sit intenta non modicum, condolet, tristatur, turbatur, propter exactiones, oppressiones,

et



et tribulationes multiformes, qua inveniunt eam nimis. Quia; ut ex assertionem magnatum, necnon et clamore populari accepimus; ventus irruens a deserto quatuor ipsius angulos, tanquam domum Job, vehementer impulit et concussit. Unde ipsa plausum in planitium, et lætitiā commutabit in lamentum, quia anima ejus in amaritudine est, nisi per vestra gratiam Majestatis, caput ipsius jam demissum, sublimius elevetur. Ad vos igitur, Pater Reverende, tanquam ad columnam, quam fixit Deus & non homo, Ecclesia Anglicana recurrit; confidenter sperans in Domino, qui facit bonitatem, quod contra oppressiones ipsius salubrem adhibebitis medicinam, et per justitiam, quæ de Cælo prosperit, mediante Dei et hominis unione, unicuique jus suum tribuetis, et in sua justitia conservabitis universos. Cum igitur sumus sacrosancta Ecclesia filii fideles ac devoti, ut jacula minus ledant, prævisa, sedi Apostolica duximus intimanda, videntes eidem multiplex periculum imminere, et nisi in multis a vobis contingat remedium adhiberi, timendum est ne tumultus fiat in populo, scandalum orietur, et schisma multipliciter generetur. Commovetur enim populus contra Regem, ab ipsius fidelitate paratus recedere, nisi contra morbos imminentes per potentiam Regiam citius occurratur. Asserunt enim Proceres et Magnates, quod si Ecclesiæ collatæ Monasteriis, ab eisdem, Clericis Italicis conferantur, ipsas Ecclesias, et alia beneficia in proprietatem suam jure potuerunt revocare, quia ex eis fructus provenientes ad usus pauperum, et peregrinorum, debent de jure deputari, cum hæc fuisset intentio conferentium, et causæ conferendi. Provideat ergo sanctitas vestra, ut regnum et sacerdotium nullatenus sint divisa. Quia si Ecclesia Anglicana, quæ quondam fuit posita in superbia sæculorum, secundum verbum Propheticum; quasi terra Gigantum detrahatur in ruinam, inter Regnum & Sacerdotium divisione facta, gemat tam populus quam sacerdos, et ex hoc strages multorum posset subsequi sine mora. De injuriis, de quibus Proceres ac Magnates conqueruntur, per latores presentium poteritis edoceri, ut correctione subsequente, moeror eorum in gaudium convertatur.

Nota.

The Epistle of the Nobility and Commonalty of England is thus recorded to posterity.

**S**anctissimo, &c. Devoti filii sui Comes Cornubiæ Richardus, Simon de Monte Forti, Comes Legrecstria, de Boun, Comes Herfordia & Essexia, R. le Brigod, Comes Norfolkie, R. Comes Wyntonia, W. Comes Albamarlia, H. Comes Oxoniensis, et alii totius Regni Angliæ Barones, Proceres et Magnates, ac Nobles Portuum maris habitatores, necnon et Clerus, et populus universus, salutem, & debitam tanto Pontifici in omnibus reverentiam. Sic mater Ecclesia tenetur filios suos confovere, ipsos sub alas suas congregando, ut filii sui non degenerent in obsequio matris suæ, sed pro matre, si necesse fuerit, manum suam mittant ad fortia, & arma & scutum assumentes pro defensione sua cuilibet discrimini se opponat, de cujus uberibus lac sugunt consolationis, & ad ipsius dependent ubera pietatis. Mater enim filiorum uteri sui debet reminisci, ne si secus fiat, lactis pabulum subtrahendo, videatur novercari. Pater etiā à filiis suā subtrahens pietatem, non pater, sed vitricus merito debet appellari, cum filios naturales, spurios reputat aut privignos. Idcirco Pater reverende, curru Israel & auriga ejus, ad asylū vestrae pietatis recurrimus confidenter, clamantes post vos. Implorantes etiā humiliter & devotē, quatenus ob spem retributionis divinæ, voces clamantium post vos dignemini misericorditer exaudire, et gravaminibus, injuriis et oppressionibus regno Angliæ, et Domino nostro Regi multipliciter impositis

Litteræ Universitatis Angliæ ad Papam.

positis ac illatis, velitis salubre remedium adhibere. Alioquin necesse est ut veniant scandala, clamore populi tam Dominum Regem quam nos intolerabiliter impellente. Quoniam nisi de gravaminibus Domino Regi et Regno illatis, Rex et Regnum citius liberentur, oportebit nos ponere murum pro domo Domini, et libertate Regni. Quod quidem ob Apostolicæ sedis reverentiam hucusque facere distulimus, nec ultra editum nuntiorum nostrorum, qui propter hoc ad sedem Apostolicam mittuntur, dissimulare poterimus quin Regni *Anglia* tam clero quam populo, qui talia nullatenus, sustinebunt, pro viribus nostris subveniamus. Et nisi citius prædicta per vos corrigantur, pro certo teneat vestra Sanctitas, quod non immerito timeri potest, quod tam Ecclesiæ Romanæ, quam Domino Regi tale periculum imminet, quod eidem remedium, quod absit, de facili non poterit adhiberi.

*Nota.*

A discreet Heroick Letter and Resolution in that age, worthy the Gallantry, Piety and Prudence of the oppressed *English* Nation. These Letters were backed with two more Epistles from the King himself, the one to the Pope, the other to his Cardinals, in these words.

Litteræ Regis ad Papam pro liberatione Angliæ ab oppressionibus Papalibus.

**S**anctissimo, &c. Novit ille qui nihil ignorat, quod matrem nostram Romanam Ecclesiam semper habemus in visceribus dilectionis sincere; sicut eam quam non diligere valeamus, & ad quam imminentibus necessitatibus articulis, ut filius ad matrem, quem suis lactavit uberibus, fovere tenetur, sub sua protectione specialiter militantem, confugimus confidenter. Verum clamorem incomparabilem Magnatum Angliæ tam cleri quam populi non possumus obaudire, quantumcumque dilectionis affectionem erga dictam matrem gerimus et gerere jugiter per Dei gratiam intendamus. Dicti namque Magnates magis solito invaluere clamantes, ut nos ab oppressionibus aliis per nuncios suos sollemnes vobis ostendis, quæ sicut fuerunt, novissima magis gravant majestatem Regiam faceret liberari. Quapropter cum dicti Magnates ad presentiam nostram merito destinent nuncios speciales, sanctitati vestre supplicamus attentè, ut eorum supplicationibus taliter velitis annuere, quod tam matri nostræ quam vobis filiis nos reddatis benevolos & devotos. Ne si secus agatur, Ecclesia Romana, et nos in tali simus periculo constituti (quod avertere dignetur sua misericordia Deus mediante) quod nos oporteat in perpetuum subiacere.

Aliæ ejusdem ad Cardinales de eadem.

**V**enerabilibus in Christo Patribus universis & singulis, Dei gratia Sanctæ Romanæ Ecclesiæ Cardinalibus, H. ejusdem gratia Rex Angliæ, &c. salutem & sinceram dilectionis affectum. Quantumcumque Romanam Ecclesiam diligamus, & ipsius affectemus commodum & honorem, clamorem Magnatum nostrorum Angliæ tam cleri quam populi, qui magis solito invaluere, clamantes super oppressionibus, tam Domino Papæ quam vobis alia significatis per sollemnes nuncios eorundem, dissimulando non possumus pertransire. Quapropter ipsi Domino Papæ supplicant humiliter & devotè, ut justis supplicationibus eorum ei faciendis per nuntios iteratos taliter condescendat, quod ipsos dicta Ecclesia & nobis reddat magis favorabiles & devotos, & à fidelitate vestra nullatenus alienos. Paternitatis etiam vestræ dilectionem attentè rogamus, quotenus partes vestras velitis interponere diligenter, ut iterati nuntii dictorum Magnatum à Domino Papæ & vobis possint taliter exaudiri, quod præfata Ecclesiæ et nobis non videatur periculum imminere, cui nos oporteat in perpetuum subiacere, quod timeatur non medicum ab universis et singulis regni nostri. Teste meipso apud *Westmonast.* Vigesimo octavo die Martii Anno Regni nostri Trigesimo.

Com

Cum autem Dominus Rex supra prædictis oppressionibus quotidie superuegentibus, (de quibus querelæ multiplicabantur circumquaque) accesserunt multi per Curiam Romanam enormiter læsi et damnificati, sperantes Dominum Regem et suos in conceptu proposito firmiter permansuros, multas injurias sibi illatas ad recentem memoriam Regis et Regii consilii conquerendo suscitarent. Et quædam quæ prius non recolebantur, per querulos articulos articulis prioribus addebantur injuriæ, non minimum Regi et Regno derogantes. In hunc modum:

Nuper etiam ab Apostolica sede emanarunt Literæ, non modicum Regis et Regni præjudicium continentes. Videlicet, quod aliqui Prælati decem Milites strenuos, etiam aliqui quinque, & aliqui quindecim invenirent Domino Papæ, qui in servitio Ecclesiæ Romanæ starent per annum integrum, & Prælatorum stipendia militarent, cum equis & armis sufficienter instructi, ubi Dominus Papa duxerit providendum. Quod servitium militare nulli nisi soli Regi et Regni Principibus debetur, nec ab aliquo usque ad nostra tempora, aliquo tempore exactum fuisse recollitur. Et si summo Pontifici placuisset, absque assensu Regis hujusmodi exactionem fecisse, aut pro ea non modicam redemptionem recepisse, nullatenus debuisset. Præterea, ne Dominus Rex contra hoc sibi prospicere potuisset, fraudulenter fuit à quibusdam Nunciis Ecclesiæ provisum, & singulis Prælati ab eisdem mandatum, quod hujusmodi exactionem et pro ea gravem redemptionem receptam, usque ad dimidium annum, sub poena Excommunicationis, nulli omnino revelarent. Item, in universorum & singulorum patronorum Ecclesiarum Angliæ, præjudicium non modicum & gravamen, his diebus Domino Cantuariensi concessum est, ut obventiones sive fructus unius anni beneficiorum, quæ vacare contingerint in provincia Cantuariensi, eidem Domino Cantuariensi conferantur. Such were the daring insolencies, and strange new encroachments of this usurping Warlike Pope, upon the Church, Clergy, and Crown of England; quite contrary to Christs doctrine, Mat. 26. 51, 52. Tit. 1. 7. 2 Tim. 2. 24, 25. Gal. 6. 1. Ephes. 6. 10, to 20. To which he superadded these avartitious demands.

Eisdemque diebus, Dominus Papa videns in aliquorum Anglicorum ornamentis Ecclesiasticis, utpote in capis choralibus & infulis, aurisfrisia concupiscibilia, interrogavit, ubinam facta fuissent? Cui responsum est: in Angliæ. At ipse: Vere horum noster deliciarum est Angliæ. Vere puteus inexhaustus est, et ubi multa abundant, de multis multa possunt extorqueri. Unde idem Dominus Papa, concupiscentia illectus oculorum, Literas suas Bullatas sacras misit ad omnes fere Cisterciensis ordinis Abbates in Angliæ commorantes, quorum orationibus se nuper in Capitulo Cisterciensi commendaverat, ut ipsi aurisfrisia, ac si pro nihilo ipsa possent adquirere, mittere non differrent præelecta, ad planetas et capas suas chozales adornandas. Quod mercenariis Londinensibus, qui ea venalia habebant, non displicuit, ad placitum vendentibus: unde multi manifestam avaritiam Romanæ Ecclesiæ detestabantur.

Eodemque tempore, cum audisset Dominus Papa, qualiter quidam in Angliæ opulenti Clerici, videlicet Magister Robertus de Hailes, Archidiaconus Lincolnienfis, qui paucis elapsis annis obierat intestatus, plura millia Marcarum, cum vasis multis argenteis, sæculo & sæcularibus infeliciter dimiserat: Archidiaconusque Bedesfordiæ Almaricus, quod pecunia abundans maxima post se indecenter relictæ, obierat. Nuper quoque Magister Johannes de Horoff, Archidiaconus Northamptonienfis, morbo repentino correptus, circiter quinque millia Marcarum cum triginta cuppis argenteis vel aureis & infinitis jocalibus, indecenter & improvise obijisset intestatus, statum super hoc novum et inauditum, non sine nota manifestæ cupiditatis, suscitavit in Angliæ promulgandum; ut si Clericus ex tunc decederet intestatus, ejusdem bona in usus Domini Papæ converterentur. Quod negotium, Fratribus Predicatoribus & Minoribus præcepit diligenter exequendum. Quod cum audisset Dominus Rex, detestans Romanæ Curie argumentolam

Mat. Paris, p. 680.  
Quæra querelis adduntur.

Querelæ super Curia Romana.

Nota.

Mat. Paris, p. 683.  
Papa jubet sibi mitteri aurisfrisia qualia quidam Anglici portabant.

Mat. Paris, p. 685.  
Novum & inauditum statum Papæ.



mentosam ac multiplicem et multiformem avaritiam, hoc fieri pro-  
hibuit, compertens illud in damnum Regni, et suum redundare præ-  
judicium.

The Popes Agents notwithstanding the Kings, Nobles, Bishops, Abbots, and Commons Letters to the Pope, and Inhibition forementioned, presuming to levy a Tax for the Popes use upon the Clergy, which the Bishop of London and other Prelates (such was their Treachery to the King, Kingdom and Church of England, out of flattery, servility to this usurping Pope, or to gain future preferments) promoted by their Warrants and Excommunications; the King thereupon issued forth his Prohibitions to inhibit the collecting thereof, thus related by *Matthew Paris*.

Mat. Paris, p.  
685, 686.  
Mat. Westm.  
Anno 1246.  
Prohibet Rex  
Angliz solvere  
tallagium Papæ.

Dierum etiam ipsorum curriculum, Dominus Rex Literas suas misit prohibitorias Prælati Angliæ, ne Domino Papæ tallagium contri-  
buerent. Domino etiam Abbati Sancti Albani, sicut & aliis, scripsit in hæc verba.

**H**ENRICUS Dei gratiâ Rex Angliæ, &c. Dilecto sibi in Christo Abbati de S. Albano, salutem. Audivimus, quod Venerabilis in Christo Pater F. Londini (Episcopus) compellit vos ad tallagium ad opus Papæ persolvendum. Super quo miramur plurimum et movemur maxime, cum in prædicta convocatione provi-  
sum fuerat communiter per dictos Prælatos et Magnates, quod ni-  
hil fieret de tallagio illo ante reditum Nuncioz eorum a Curia Romana, ad quam iidem Nuncii sunt, sicut nostis, pro specialibus totius Regni nostri negotiis destinati. Quapropter vobis manda-  
mus, firmiter inhibentes, quod nec ad mandatum præfati Episcopi, nec alterius, aliquid attemptetis contra Provisionem prædictam, sicut Baroniam vestram, quam de nobis tenetis, diligitis pacifice possidere. Quoniam attentationem huiusmodi, non possumus nec volumus sustinere. Teste meipso apud Westm. primo die Aprilis, Anno Regni nostri trigesimo.

Notwithstanding these unsatiable *Roman Harpies* proceeded boldly in their Rapines, without shame or moderation.

Literæ Papales  
executoriæ An-  
gliæ Episcopis  
missæ.

Et ne miseranda afflictorum *Anglorum* cessaret tribulatio, infra eosdem dies exegit Dominus Papa instantissime non sub minima quantitate pecuniam, ponens hæ-  
chium confidentiæ in auro et argento, contempta Domini Regis Angliæ, ac universitatis ejusdem Regni præcordialiter scribentium, et de talibus exactionibus conquerentium, lachrymabili querimonia, spætoque illo sapientiæ salubri documento: *Beatus vir qui post aurum non abiit, nec speravit in pecunia Thesauris*. Constituit executores in prædicto tallagio exigendo, extorquendo, & colligendo, Episcopum *Norwicensis* *Walterum* & quosdam alios, quos ad hoc assignavit speciales. Scripsit igitur *Norwicensis* Domino Abbati Sancti Albani, sicut & quibusdam aliis in hæc verba, Epistolam Papalem continentia. *Walterus Dei gratiâ Norwicensis Episcopus, viris venerabilibus Abbati & Conventui Sancti Albani, salutem sempiternam. Mandatum Domini Papa in hæc verba suscepimus.*

**I**NNOCENTIUS Episcopus, servus servorum Dei, Venerabilibus fratribus Wintoniensi & Norwicensi Episcopis, salutem & Apostolicam Benedictionem. Olim, sicut bene meminimus, vobis & Venerabilibus fratribus nostris, *Lincolniensi, Wigornensi, Londinensi & Coventriæ Episcopis* scripsimus sub hac forma. Cum nuper priusquam à præsentia nostra in Angliam rediretis, una vobiscum duxerimus ordinandum, ut sex millium *Marcarum* subsidium, quod ab Ecclesiis Angli-  
canis pro Apostolica sede fuerat postulatum, inter Episcopatus An-  
gliæ dividere curaretis pro vestre arbitrio voluntatis, fraternitati vestra per Apostolica scripta mandamus, quatenus quicquid inde feceritis, vel jam fortè fecistis, nobis per Literas vestras latori præsentium assignandas exprimendo, tempus solutionis & locum studeatis quam citius intimare. Quod si non omnes his exequendis poteritis inter-  
esse,

esse, saltem tres vel duo vestrum ea nihilominus exequantur. Quia hic nihil est postmodum nostris auribus intimatum, fraternitatem vestram, de qua fiduciam gerimus specialem, movemus attentè, ac per Apostolica vobis scripta firmiter præcipiendo mandamus, quatenus Episcopi memoratos, qui præsentem fuerint in partibus Anglicanis, receptis istis Literis, admonentes & eisdem autoritate nostra mandantes, ut vicesima die post susceptionem præsentium in certo loco, quem vos duxeritis eligendum, vobiscum pro divisione convenienti præliberata, **et cum illis \* Episcopis**, quos eodem die ibidem contigerit convenire, distributionem huiusmodi priusquam ab illo loco recesseritis, facere procuratis. Si verò ipsis aut nullo convenientibus eorundem, non fuerit super negotio præminato processum, ex tunc infra unius mensis spatium præscriptam subsidii quantitatem, faciatis vobis vel Nunciis vestris ad opus Apostolica sedis in loco quem elegeritis assignari, juxta ordinationem per dilectum filium nostrum Magistrum Martinum, Camera nostra Clericum, autoritate nostra in illis partibus quondam factam, quam ad præsens sub Bulla nostra vobis duximus destinandam. **Contradictores, per censuram Ecclesiasticam appellatione postposita compescendo, indulgentia quacunque vel privilegio quolibet aut constitutione de duabus dietis, in generali Concilio edita, non obstante.** Quicquid hactenus factum est, vel fuerit in hac parte, nobis absque mora dispendio per dilectum filium Linasium scriptorem nostrum, latorem præsentium, rescripturi: proviso, quod super præmissis illam sollicitudinem habeatis, quod non possitis exinde de negligentia reprehendi, sed potius de diligentia commendari. Quod si non ambo his exequendis poteritis interesse, alter vestrum nihilominus ea exequatur. Huius igitur autoritate mandati, vestram in Domino monemus & exhortamur fraternitatem, vobis in virtute obedientia, qua sedi Apostolica tenemini, firmiter injungentes, quatenus de portione præfati Domini Papæ subsidii vobis assignata, Nunciis nostris Literas vestras Patentes super solutione ejusdem deferentibus apud Novum Templum Londini, à die Pasche in tres septimanas satisfaciatis, talem in facto præsentem adhibentes diligentiam, ut devotionem vestram summo Pontifici merito debeamus commendare. Est autem portio vestra, octoginta Marcarum sterlingarum. Valete semper in Domino. Datum Londini, nono Calendarum Ap ilis, Anno Domini 1245. Nos soli scribimus, quia Venerabilis frater Wintoniensis Episcopus, collega noster, ad tempus se excusavit. Being afraid or ashamed to joyne in such an unworthy illegal Papal Exaction with his Brother Bishops.

\* The Bishops made the Popes Tax-masters, to enslave the Engl<sup>ish</sup> Church, Clergy, Kings Kingdom to the Pope.

Hoc autem mandatum cum ad aures Prælatorum, necnon & Magnatum pervenisset, corda omnium audientium, vehementer non immerito medullitus exturbavit. Maxime eo, quod Nuntii universitatis Angliæ super talibus gravaminibus, in Concilio Lugdunensi conquesti fuerant: Et postea in Angliâ in Parlamento Regis, ubi congregata fuerat totius Regni tam Cleri quam Militiæ generalis universitas, deliberatum fuerit, ut ob reverentiam Domini Papæ, adhuc Nuntius totius illius universitatis ad ipsius Papæ præsentiam destinaretur, ut manum correctionis talibus apponeret injuriis, non pondus oppressionis. Obstupescati sunt igitur inopinabiliter, quia cum crederent levamen, spe frustrata, tale gravamen reportarunt. Hæc igitur cum ad audientiam Regis pervenissent, in iram et admirationem excanduit et indignatus est vehementer, et Episcopis Angliæ scripsit in hæc verba:

Mat.<sup>1</sup> Paris, p. 686, 687.  
Mat. Westm. p. 208.  
Prohibet Rex tallagium Papæ perfolvi.

**H**ENRICUS Dei gratiâ, &c. Venerabili in Christo, tali Episcopo, salutem. Licet alias vobis scripserimus, semel, secundo & tertio, tam per Literas nostras clausas, quam Patentes, ne ad opus Domini Papæ vel alterius Tallagium aliquod vel auxilium exigeritis a viris Religiosis, Clericis vel Laicis, cum nullum huiusmodi tallagium vel auxilium exigi possit vel consueverit, sine magno præiudicio Regiæ dignitatis, quod nullo modo poterimus aut volumus sustinere: Vos tamen mandatum nostrum in hac parte contemnentes, contra Provisionem per Magnates nostros,

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tam

tam Praelatos quam Comites et Barones factam in Concilio nostro Londinensi, et concessam exactionem faciatis memoratam. Super quo miramur plurimum et movemur, præsertim cum facto vestro proprio non erubescitis contraire, cum vos et alii Praelati in prædicto Concilio communiter concesseritis, quod nihil de exactione hujusmodi faceretis, donec Puncii nostri et vestri neque et aliorum Magnatum nostrorum et totius universitatis Regni nostri a Curia Romana redirent, qui pro liberatione oppressionum, ad Curiam illam, sicut notis, fuerant specialiter destinati. Tobis igitur mandatis inculcatis mandamus injungentes, firmitus et districtius inhibentes, ne ad exactionem prædicti tallagii vel auxilii faciendam aliquatenus procedatis, sicut gaudere desideratis Baronia vestra, et possessionibus vestris, quas in Regno nostro tenetis. Et si quid inde cepistis, extra Regnum nostrum asportari nullatenus permittatis, sed illud salvo custodiri faciatis usque ad reditum Nunciorum prædictorum; indubitanter scituri, quod si secus egeritis, nos ad possessiones vestras manum gravaminis, ultra quam credere velitis, extendemus. Hanc autem inhibitionem, vobis injungimus faciendam Archidiaconis et officialibus vestris, quam quidem pro libertate Cleri et populi facimus, nobis Deus, &c. A memorable heroick Writ and Inhibition.

Mat. Paris, p. 687, 688.  
Angustia propter inchoatam inter Regem & Papam controversiam.

In bidio igitur angustiarum constituta Anglicana Ecclesia, quasi inter duas molas e contrario circumbolventes, miserabiliter contrebatur; hinc Scylla, inde Charybdis timebatur. Rex inde hac parte ad Regni salvationem et instaurationem, consilio fretus et roboratus generali, nitebatur: Papa ad ejusdem depauperationem anhelabat; utrique utroque jam eminens aduersante. Multi itaque Praelatorum, timentes Regis in hoc suo concepto proposito instabilitatem, et consilii Regii pusillanimitatem, partem Papalem confovebant: (such was their baseness, Treachery to their King, Country, Church, and proper interests.) licet nunquam vidissent, quod per tales pecuniæ effusiones, Ecclesia foelix susceperet incrementum, imo potius infausum incurreret detrimentum.

The King to prevent these intollerable Papal Usurpations, Exactions, Presumptions, Innovations, (which sundry of the Bishops and Clergy promoted to ingratiate themselves with the Pope, to their eternal infamy) summoned a Great Council of his Nobles at Wynton, Anno 1246. thus recorded by Matthew Paris.

Mat. Paris, p. 687.  
Mat. Westm. p. 208.  
Parlamentum habitum apud Wyntoniam.

Die verò translationis beati Thomæ Martyris, habitum est magnum Concilium inter Regem et Regni magnates apud Wyntoniam, super multiplici Regni totius et maxime Ecclesiæ dissolutione. Generant enim qui missi ad Curiam Romanam fuerant nuntii memorati, videlicet Magister Willielmus de Poyne & Henricus de la Mare, verba Papalia, quæ nihil mitigationis, imò potius exasperationis tenorem continebant; nunciantes, & affirmantes, quod nec in gestu vel verbis Papalibus, aliquid humilitatis vel moderationis super oppressionibus, quibus tam Regnum quam Ecclesia Anglicana gravabatur et conquecta est, poterant reperire. Dixerat enim Papa, illis aliquod optabile responsum expectantibus: Rex Anglorum qui jam recalcitrare et ferverizat, suum habet consilium, ego verò meum habeo, quod et sequor. Et ex tunc vix aliquis Anglicus in Curia negotium aliquod poterat expedire, imò debet schismatici repellentur omnes probris lacerati. Ita ut nullam habuerunt efficaciam Epistolæ tot et tales ad Curiam missæ ex parte Regis, vel universitatis tam Magnatum quam Praelatorum. Hæc autem cum audisset Dominus Rex cum Magnatibus suis, doluit, & indignatus ac commotus est vehementer quod ipse & Nobiles sui, qui tot bona curiæ Romanæ gratanter toties contulerant, in sua justâ petitione

Notæ.



titione sunt repulsi. Fecit igitur Dominus Rex & merito præcepitque voce præconia, in omnibus Comitibus Regni sui per omnes Civitates, Burgos, Villas & fora, & congregationes, publicè acclamari, ne quis *Prelatus*, vel clericus, vel alius per Regnum *Papali* contributioni consentiret, vel aliquid pecuniæ in auxilium ejus transmitteret, vel mandato *Papali* in contribuendis auxiliis pareret aliquatenus. Quod factum est. Illud autem cum audisset *Papa*, in vehementem iram excaudit; et iterato asperius, *Prelatis* scripsit *Anglicanis*, ut sub poena excommunicationis et suspensionis infra festum Assumptionis, nuncio suo apud Novum Templum *Londini* commoranti de prædicto auxilio satisfacerent. Et cum constanter pareretur, & sperabatur igitur certissimè quod Dominus Rex incæpio suo proposito constanter staret, pro Regni et Ecclesiæ liberatione, *papalibus* extorisionibus, ut coepit viriliter resistendo, comminationibus Comitibus *Richards* fratris sui, sibiis ambitiosorum Clericorum Consiliariorum suorum, et quorundam *Papalium* Episcoporum, quorum principalis erat *Wigorniensis*, cui a Domino *Papa* concessa fuit potestas, terram etiam, ut perhibeatur interdicens, quorum consiliis Dominus Rex se plus æquo inclinavit, eadem qua concepta fuit enervata est constantia levitate: minas *Papales* adeo pertinebat Rex et trepidavit timore, ubi non erat: quia quæ jam susceperat viriliter, muliebriter dereliquit, fractus succubuit et perterritus. Unde totus conatus tam Magnatum quam Episcoporum, & spes de Regni & Ecclesiæ *Anglicanæ* liberatione miserabiliter & non sine multorum cordium cruento dolore, emarcuit adnihilatus; Et totus iste apparatus quasi nebula à facie solis evanuit coruscantis, & impune hiatus *Romanæ* avaritiæ de memorata contributione est satisfactum. Hæc tamen, licet infructuosa sint (addes \* *Matthæi Westminster*.) duxi scribenda, ut posteris innotescat vacillantis Regni divisio, & *Anglorum* nobilium (he should rather have added *Episcoporum Papalium & ambitiosorum Clericorum*, who seduced, traversed the King and Nobles to this unworthy compliance with the Pope as he records) corda mutantia, & Regis inconstantia muliebris. Et ut pestis mundum concuteret generalis Regnum *Franciæ* consimili vulnere, genuit sceleratum; unde multi *Nobilium* cogitabant contra *Papam* stando recalcitrare, ut sequens sermo plenius declarabit.

\* Page 308, 309.

Magister autem *Walterus de Occa*, clericus *Frederici*, credens sicut & Dominus suus *Fredericus* quod Dominus Rex *Angliæ* in suo proposito firmiter permaneret, videlicet importunitati *Romanæ* curiæ viriliter resisteret, ipsi Regi quasi ad consolationem & formidinis amotionem, Epistolam duxit transmittendam; hæc retordet.

Mat. Paris, p. 693.

Eisdem diebus (through the Bishops and Clergies treachery, cowardize and ill Counsell) enervatus est Regis rigor, quem viriliter conceperat, ut protervitatem *Romanæ* Curie constanter, ut sperabatur, & firmiter credebatur, potenter refrænaret. Et hoc, ut veraciter dicebatur, consiliis eorum qui optimos redditus suos amittere per *Papalem* indignationem vehementer formidabant: quæ enim nimis præcordialiter amabant, elabi verebantur, secundum illud *Poeticum*:

Rex iterum Romanis ad libitum pecuniam in Angliæ colligere permittit;

*Res est solliciti plena timoris amor.*

Aversis igitur oculis et clausis auribus Dominus Rex, ad Arbitrium voluntarium *Romanorum* Regni sui et reipublicæ inimicorum permisit licenter Ecclesiam *Anglicanam* sex millibus marcarum, ad magnam totius Regionis nostræ depauperationem, spoliari. Quas asportantes Nuncios ac mercatores *Papales* in auxilium *Lande-gravii*, insidias *Frederici* non penitus evaserunt. Qui graviter redarguit *Anglicos* effeminatos, qui se ipsos de pauperatis omne genus hominum tolerant saginari, gravemque de Comitibus *Richardi* effeminata conniventia, et super hoc consensu reposuit coram suis commissitibus querimoniam: qui in Regni *Anglicani* perniciem, parti *Papali*

videbatur consensisse et in Imperii detrimentum, eo quod de cruce. signatorum collectis substantiis, permittente Papa, thesauros non minimos exaggravavit. Crevit igitur *Romanorum* audax protervia tanto procacius, quanto nullum in rapinis suis senserant contradicentem. Fugant fugentes, et fugiunt fugantes. Decebitque *Anglorum* suppeditatorum, quorum infirmi sunt Iudices, spes cum consolatione.

Corripitur Papa à Johanne Anglico Cardinale.

Sævientibus eodem tempore mundi maris turbinibus, cum audisset Papa, quod Dominus Rex *Anglia* parabatur animosè exactionibus suis contradicendo resistere, quia nec advenerant nuntii, qui effœminatam formidinem suam et incurvationem ipsius nuntiarent, in iram magnam excanduit vehementer, et Regnum *Anglia* ulciscendo supponere proposuit interdicto. Cui talia intrunito spiritu proponenti, se magister *Johannes* natione *Anglicus* Monachus *Cisterciensis* ordinis & Cardinalis, opposuit, dicens: Domine pro Deo parcatis iræ vestræ, si dicere licet, indiscretæ, frænoque temperantiæ motus voluntarios compescatis, considerantes quoniam dies mali sunt. Terra Sancta pater discrimini, *Græca* Ecclesia recessit à nobis, adversatur nobis *Fredericus*, quo non est potentior, imò nec par inter Principes Christianorum. Vos & nos, qui culmen sumus Ecclesiæ, à sede Papali, imò ab ipsa urbe, imò ab *Italia* exulamus expulsi. *Hungaria* cum suis terris sibi conterminis, nihil aliud, nisi à *Tartaris* expectat exterminium. *Alemannia* suis bellis concutitur intestinis. *Hispania* usque ad abscissionem linguarum Episcopatum desævit. *Francia* usque ad egestatem per nos jam depauperatur, quæ etiam in nos conspirabit. *Anglia* nostris injuriis multoties læsa, quasi aîna *Balaam*, calcaribus et fustibus cæsa, tandem loquitur et obloquitur, et se nimis intolerabiliter conqueritur fatigatam, et irrestiturabiliter damnificatam. *Ismaelico* igitur more omnibus odiosi, omnes ad odium provocamus. Et cum nec ad hæc verba mens Papalis contrita ad compassionem vel humilitatem inclinaretur, quin ad pœnam & ultionem inflammaretur, advenerunt nuntii à *Anglia*, animum Papalem emolumentis inbiantem mitigantes: & affirmantes, quod per amicos suos specialissimos in *Anglia* (quos non licet mihi hæc scribenti ad præsens nominare) incurvatus est animus Regis, ut quod optat effectui celeri mancipetur, unde gaudium vultum & animum mirifice serenavit.

Mat. Paris. p. 694. 695.  
Mat. Westm. p. 209. 210.  
Tyrannica exactione pecuniarum Papalia.

Rex prohibet prædictam exactionem.

Assumens igitur ex præteritis audaciam Dominus Papa, *miseros Anglos* conculcandi et conculcatos magis ac magis depauperaret appozandi, vidensque eos dissipatos et effœminatos; imperiose et solito imperiosius *Pælatibus Anglia* demandavit, ut in *Anglia* omnes beneficiati in suis beneficiis residentiam facientes, tertiam partem bonorum suorum Domino Papæ conferrent, non facientes residentiam, dimidiam: multis adjectis durissimis conditionibus prædictum mandatum restringentibus per illud verbum et adjectionem detestabilem, non obstante, quæ omnem extinguit justitiam præhabitam. Ad quod primò exequendum diligenter, Episcopum constituit *Londinensem*, (to inflave both the Church and Realm, to the Popes intollerable Rapines.)

Episcopus verò memoratus cum quibusdam aliis, quos ad hoc negotium exponendum convocaret, cum in Ecclesia Sancti *Pauli Londinensi* hoc in propatulo demonstravit, de hac contributione terribili tractaturus in crastino Sancti *Andrea*, omnesque audientes in stuporem commovit & dolorem, quia quod a Papa jubebatur, impossibile videbatur, et erat: Et ecce supervenerunt missi ex parte Domini Regis, *Johannes de Lixingtona* Miles, et Magister *Laurentius de Sancto Martino*, ejusdem Domini Regis Clericus, districtè prohibentes, ne universitates *Anglicane*, tam execrabili mandato Papæ, nec illi contributioni prælocutæ, et in totius Regni desolationem demandatæ, aliquo modo consentirent. Ipsi igitur talia nuntiatis libenter paruerunt, & post omnium convocatorum murmur & appellationes, gaudenter

ter incepta interruptentes, omiserunt. Scripsit igitur totius *Anglia* miserabilis universitas Domino Papæ, **impossibilia et intolerabilia præcipienti**, explanans & recolens; **solita gravamina corda omnium graviter lauciante**: quæ Magister *Martinus* Domini Papæ Clericus **nuper extollerat**. Et sic ad horam quievit tempestas, citò tamen postea, ut dicitur, rediit. Et ne sub silentio contradicentium verba efficacissima transeamus, ipsa huic scripto duximus inferenda. Veruntamen etsi constanter responderunt, constantius & efficacius respondissent, **si in verbis et actibus Regis titubantibus fiduciam habuissent**: (or rather if the King, discharging his duty with sufficient diligence, constancy, courage, could have had confidence in the Bishops and Clergy, who betrayed, & never cordially and constantly adhered to him therein.)

The Archdeacons and inferior Clergies opposition and Appeal against this Tax, prohibited by the King, (wherein the Bishops joyned not) is thus recorded to posterity by *Matthew Paris*.

Si nota esset conditio & status Regni *Anglicani* Domino Papæ & ejus fratribus tempore Concilii, nunquam ad statutum illud promulgandum, aliqua ratione processisset. Et si essent ei exposita pericula & incommoda, quæ occasione hujusmodi statuti imminere possent Ecclesiæ *Anglicanæ*, ad hoc statuendum nullatenus moveretur. In Ecclesiis enim Cathedralibus ita obtentum est & observatum, quod per Canonicos in eisdem residentes, quorum in quibusdam Ecclesiis modica est portio de proventibus beneficiorum Ecclesiasticorum, quæ in diversis locis obtinent, minores clericos exhibent, & alios Ecclesiæ ministros, quorum portionem si contingat usque ad medietatē defalcari, peribit obsequiū Ecclesiæ, Canonicis non valentibus exhibere, cum ipsi Canonici, tanta portione defalcata, in Ecclesiis Cathedralibus residere non valeant. Et si in eisdē duxerint residendū, de medietate beneficiorū exteriorū nec seipsos aut etiam alios poterunt sustentare: & maxime cum Dominus Papa medietatē portionis absentium, in usus Terræ *Romanæ* intendat applicare, computata portione non residentis, ac si ipse resideret. Nec etiam deductis oneribus aut expensis, quas circa collectionem fructuum, & alia multa fieri contingit, quibus non deductis, vix quarta pars penes Canonicos remanebit.

Item, cum loca Religiosa per Regnum *Angliæ* constituta, in proventibus de Ecclesiis Parochialibus sint fundata, vix & in præsentī ipsis sufficiant beneficia cum aliis possessionibus sic collata, si illorum beneficiorum medietas subtrahatur, (to fill the Popes coffers) compelletur una medietas mendicare, aut continget hospitalitatem subtrahi, aut utrumque in aliquibus locis fieri, quod sine scandalo & animarum periculo fieri non posset: cum aliquos ex ipsis contingeret per orbem evagari, & ejusdem evagationis prætextu in peccatum multiplex incidere, non observata sanctorum Patrum regula, ad quam tenentur astricti.

Item, cum in Regno *Angliæ* hæcenus sit obtentum & consuetudine observatum, ut rectores Ecclesiarum parochialium hucusque, valde hospitales extiterunt, & parochiani ad inopiam vergentibus alimenta præbere consueverunt, & eo prætextu non solum summo creatori placere conati sint, sed etiam laicis quibuscunque, quibus clerici oppido infesti esse & consueverunt, deducta medietate beneficiorum, necesse habebunt, hospitalitatem subtrahere, & consueta pietatis officia denegare. Quibus subtractis incurrent odium subditorum, amittent gratiam transeuntium & vicinorum, subtrahentur rectoribus Ecclesiarum jura, nec ipsis pretextu paupertatis ea defendere valentibus, ab ipsis Laicis penitus opprimuntur in universalis Ecclesiæ scandalum & jacturam. Quidam verò ex eis, cum essent beneficia quæ ad residentiam sex mensium non sufficiunt, vix aliunde victualia quærant, si refecetur illorum beneficiorum medietas, compellentur mendicare, & continget in eorum Ecclesiis obsequia divina cessare, Quibus cessantibus, eorundem parochiani, in decimarum & proventuum solutione cessabunt, nec erit qui illius Ecclesiæ jura præ inopia prosecutionis, vilescit Ecclesiæ dignitas, Clericorum cæcus in contemptu, cessabunt prædicationes, animarum cura omittatur, fides exinde periclitabitur, populo contemnente Prælatorum Doctrinam & correctionem.

Item, cum de bonis Ecclesiasticarum personarum pauperes, quorum infinitus & numerus per annum sustententur, & multi generosi eorum consanguinei, & alii qui in eorum obsequiis commorantur, de bonis ipsorum victualia, necnon & stipendia recipiant, subducta medietate proventuum, cessabunt eleemosynæ, licentia buntur familiaræ, ad quod si deveniatur, pauperes fame peribunt, alii verò cum fodere non valeant, & mendicare erubescant, antequam fame pereant, necesse habebunt furtis, rapinis, & deprædationibus intendere, ex quibus multa sequentur homicidia, insurget tumultus populi, & de facili totius Regni *Angliæ* turbatio.

Mat. Paris, p. 694. 695. Responsio Cleri super irrationabili exactione Papæ.

Alia Causa.

Alia Causa & ratio.

Alia Causa & ratio.



Alia Causa &  
ratio.

*Item*, cum multi sint clerici in Regno *Angliae* ære alieno graviter prægravati, si non subducto ære alieno, si non deductis expensis quarum existimatio sextam partem reddituum continet, quare deductionem vix aliquis casus solet impedire, si non deductis Ecclesiarum oneribus, consistentibus in pensionibus, Prælatorum procurationibus, & Ecclesiarum & ornamentorum reparatione, proventuum medietas exolvatur, ipsis de residuo vivere non valentibus, compellentur egere, cum tamen in talibus personis haberi debeat ratio eorum ne egeant, & maxime ubi immineret scandalum Ecclesiarum universalis.

Alia Causa &  
ratio.

*Item*, cum nuper nomine vicissimæ, sex millia *Marcarum* Domino *Papæ* sint soluta, habita ratione æstimationis vicissimæ ad æstimationem medietatis, summa petita pecuniæ sexaginta millia *marcarum* summam continere continget una cum sexta parte reddituum, quam in collatione fructuum refundere contingit, cum partem illam non deducat, & eum præter hæc à personis in primo mandato exceptis, ab his qui Centum marcas in redditibus obtinent vicissimam, ab his qui ampliores habent redditus partem tertiam habere nitatur, usque ad summam quater viginti millium *marcarum* de bonis Clericorum per annum redigere oporteret; ad cuius quidem pecuniæ solutionem, vix totum Regnum *Angliae* sufficere posset, quanto minus et clerici, cum eorum bona tantummodo in fructibus existant; qui licet venales annuatim exponi consueverunt, de eadem tamen pecuniâ multæ sunt emptiones, cum de manu ad manum pecuniâ proficisci contingat, et in regno remaneat. Ac si contingat de singulis venditionibus pecuniâ deducere, et extra regnum deportare, deficerent emptores, nec contingeret in toto Regno tantam pecuniæ summam invenire, quod in gravi necessitatis casu per experientiam alias est declaratum, videlicet cum nobilissimæ memoriæ quondam *Angliae* Rex *Richardus* in partibus remotis captus esset & detentus, ad ipsius liberationem sexaginta millia *marcarum* soluta fuerint. Ad quod solvendum, totum Regnum contribuere, nec exolvere poterat ad plenum, nisi ad hoc perficiendum, cruces & calices Ecclesiarum in solum pro parte traderentur: quanto minus et nunc de bonis Clericorum tantum, tanta pecuniæ summa redigi non posset, cum ipsam contingeret infra triennium triplicare. Cum igitur huic exactioni contradicat Ecclesia *Anglicana* per procuratores ut hanc contradictionem communem Domino *Papæ* insinuare velitis pro statu Ecclesiarum *Anglicanarum*, præsentiam Domini nostri *Iesu Christi* appellantes, et Concilii universalis, aliquo tempore per Dei gratiam convocandi.

A Parliament being summoned and meeting soon after this *Appeal*, great complaints were therein made against this Tax and other miserable incessant Papal oppressions.

Mat. Paris, p.  
698, 699.  
Mat. Westm.  
Anno 1247.  
Parliamentum  
Londini habitum,  
in quo querelæ querelæ  
cumulabantur super ex-  
actionibus Pa-  
palibus.

In crastino igitur Purificationis beatæ *Mariæ*, Dominus Rex cum suis Magnatibus tractatum habens diligentem, per plures consilium, urgens dies protelavit. Timebatur enim vehementer, & veraciter Domino Regi referebatur, quod Rex *Francorum* se ad sibi subjugandam *Gasconiam* præparabat. Quam amittere sibi probrosum, ignominiosum, & damnosum videbatur; cum ex sola *Burdegali* mille marcas annuas percipere consuevit. Convenerant etiam tunc ibidem, *Archidiaconi Angliae*, nec non et totius Regni Cleri pars non minima cum ipsis Magnatibus, conquirentes communiter super intolerabilibus et frequentibus exactionibus Domini *Papæ*, pro quibus et Dominus Rex non mediocriter compatiendo tristabatur. Res enim publica periclitabatur, et commune negotium Regni totius agebatur, et eminebat tam populi quam Cleri immanis desolatio, et cunctis temporibus inaudita. Igitur coram Domino Rege reposita est querimonia lachrymabilis, cui pertinet Rempublicam protegendo, tales injurias et pericula propulsare. Tandem de communi consilio provisum est, ut gravamina terræ Domino *Papæ* seriatim monstraturi ad Curiam Romanam

*Quinti*

Muntii discreti destinarentur, has Epistolas subscriptas Domino Papæ et Cardinalibus, ex parte communitatis totius Cleri et populi Regni Anglicani, eminus ostendunt. Which Letters of complaint, \* super oppressionibus et intolerabilibus gravaminibus, quibus frequenter Ecclesia et Regnum gravabatur, ex corde omnium Prælatorum angustiato nimis, et usque ad amaritudinem spiritus provocato processit, et ne lugubre schisma subsequatur, ut non minimum formidatur, Epistola missa Papæ.

\* Mar. Westm.  
p. 218, 219.

**S**anctissimo Patri in Christo ac Domino I. Dei providentia summo Pontifici, universitas Cleri et populi per Provinciam Cantuariensem constituti, devota pedum oscula beatorum: Cum Anglicana Ecclesia à tempore commendata sibi fidei Catholica, Deo & Sacrosanctæ Romanæ Ecclesiæ matri nostræ placere studens, ad hæserit semper & servierit devotè, à cæptis obsequiis non recessura, per morum incrementa semper proficiens, Sanctitatis vestræ pedibus provoluta supplicat obnixè, quatenus in petitione pecunia, qua diversimodè ab ea requiritur, in subventionem diversarum nationum, de mandato Sanctitatis vestræ cum gravi coercionem, eadem pietas vestra parcere dignetur. Importabile est namque quod mandatur, et impossibile propter cerum defectus: Licet enim Regio nostra fructus reddat interdum ad alimenta gentis suæ deputatos, aris tamen copiam non reddit, nec redderet per tempora multa quantæ requiritur his diebus. Sed & onere simili, licet non tanto, præteritis diebus, & ob causas similes pręgravata, portare nequit aliquatenus quod exigitur. Ad mandatum insuper Sanctitatis vestræ tempore præsentis ad opus Domini Regis nostri temporalis, (cui in necessitatibus suis deesse non possumus cum honestate, nec debemus) exigitur a Clero succursus, ut incursum hostiles, quos avertat Deus, propulsare possit, et patrimonii sui jura tueri, ac recuperare promptius occupata. Latores igitur præsentium cum supplicatione nostra, ad præsentiam Sanctitatis vestræ destinamus, ut pericula vobis exponant, & incommoda, quæ in promptu sequerentur ex præmissis, & quæ nulla possumus ratione portare, licet sumus in omni vinculo charitatis, obedientia & devotionis, vobis obligati. Et quia communitas nostra sigillum non habet, præsentibus Literas signo communitatis Civitatis Londinensis, vestræ Sanctitati mittimus consignatas.

Litteræ ad Pā-  
pam missæ no-  
mine totius U-  
niversitatis An-  
gliz.

This modest, humble Letter, was seconded with another to the Cardinals.

**R**everendissimis Patribus in Christo & Dominis, Sacrosanctæ Ecclesiæ Romanæ Cardinalibus, devoti sui, &c. salutem, reverentiam debitam & honorem. Ad universitatem vestram, velut ad bases Ecclesiæ Dei fulcientes, humiliter supplicantes confugimus, & obnoxie deprecamur, quatenus pressuras quibus mancipamur attendere dignantes, opem ferre velitis, ut post repetita gravamina, quæ Anglicanæ Ecclesiæ præteritis diebus occurrerunt, respirare possit, & ex hoc vobis assurgere teneamur, ad debitas gratiarum actiones. A tempore namque ultimi Concilii Lateranensis, primò vicesima triennii in subsidium Terræ Sanctæ, postmodum decima in subsidium Domini Papæ, postmodum præstationibus aliis diversimodè & ad usus diversos, de mandato sedis Apostolicæ Anglicanæ Ecclesiæ pulsata, profudit prompta voluntate quæ potius habere ad manus. Regi etiam nostro ac patrono temporali, ad mandatum sedis Apostolicæ, iteratis vicibus secundum vires suas fecit succursus, & jam per preces vestras exigitur succursus iterato ad opus ejusdem Domini Regis (cui in necessitatibus suis deesse, nec potest, nec debet) ut hostium incursum repellere possit, & Regni sui jura tueri ac recuperare promptius occupata. Postremò autem, petitur ab eadem Ecclesiæ diebus istis, quod portare non potest, rerum penuria negante quod exigitur, ab aliis, videlicet, medietas bonorum, ab aliis tertia, & à reliquis vicesima omnium quæ possident. Pars scilicet in usus Francorum, qui nos & gentem nostram persequuntur, ad conquestum Imperii Græcorum: pars in subsidium Terræ Sanctæ, quæ posset, ut mundus clamat, cum minori discrimine rehaberi ab hostibus. Pars autem ad usus alios, quos Apostolica sedes ordinaret. Durum quidem videtur nobis & absurdum, ut aliis abundantibus de bonis & laboribus nostris, nos & nostri, ac pauperes

Litteræ nomine  
ejusdē Univer-  
sitis Cardina-  
libus missæ.

pauperes Regionis nostræ, quibus exhibitio propinquior competit, vacui jejuniemus. Hostiles etiam insidias & incursus, quos Deus avertat, Rex noster & Regni militia repellere non valeret, nec posset percutibus & inopibus subveniri, ac Regni & arario vacuato. Imò etiam & si venalia exponerentur omnia quæ Clerus habet, non posset apud nos inveniri pecunia quæ exigitur. Sequerentur quidem infortunia multa ex præmissis, si ad ea, quod absit, cogeretur. Pro quibus vobis exponendis, præsentiam latores Nuncios nostros communes ad vestram clementiam destinamus, petentes attentè, quatenus propter Dominum & honorem sedis Apostolicæ, animum Domini Papæ, & manus vestras ac consilia à gravamine tali revocare velitis; providentes, si placet, ut ad gremium & obedientiam matris Ecclesiæ sic revocetis errantes & dispersos, ne dispergatis et alienos reddatis, prius in charitate & devotione collectos. Et quia communitas nostra sigillum non habet, præsentem Literas signo communitatis Civitatis Londinensis vestra Sanctitati mittimus consignatas.

Mat. Westm.  
P. 219.

*His autem auditis infremuit Curia Romana, et suam voluit avaritiam tam redargui quam refrænari.* Timentes quoque Papa & Cardinales nè sibi, quod comminatione tali imminerebat, ingrueret periculosa confusio, (to give some little content and ease at present) non penitus omittebant gravare Regnum & Ecclesiam Angliæ (non enim permittebat hoc paternæ charitatis inopia) sed rigorem memoratum tali moderamine temperarunt, ut ad undecim millium Marcarum summam, subsidium prius postulatum refrænerunt. In quod Episcopi Angliæ congregati, (without and against the inferiour Clergies consents) & super hoc, consilium cum deliberatione habentes, pro persecutione Romanæ Ecclesiæ reprimenda, (when as the Pope and Church of Rome were in truth the persecutors of the Emperor, not the persecuted) ad hoc, licet grave sibi videretur, in prædictam pecuniam summam Domino Papæ contribuenda consenserunt: (against the Kings and Nobles Letters and Prohibitions) In ipso tamen Concilio, quod omni charitate fraternæ ac civilitate caruit, (such was their Legerdemain in this grand concernment) excluderunt omnes Abbates Angliæ exemptos, horacitati Romanæ Curie periculosius exponendos.

How much these Papal Exactions were soon after multiplied, notwithstanding these Letters, you shall hear in due place.

\* Mat. Paris, p.  
683, 684.

Anno 1246. (and some years before) there arose these and other new pernicious Customs and Corruptions in the Court of Rome. \* *Nova in Curia Romana inolevit consuetudo, ut cum bellum inter aliquos Nobiles moveretur, unam partium ad eam confugientem, excommunicando alteram,* (Excommunications being abused to all sorts of Injustice, Oppressions, Extortions, Rapines, Villanies, as the premised and subsequent passages abundantly evidence) *et illos absolvendo, potenter coheret: ut qui per illam resurgeret, omni tempore ipsi teneretur obligatus: quod in Davide Principe Northwalliæ fuerat manifeste comprobatum.* Similiter, et alia detestabilis, ut scilicet si quis Clericus multis et optimis redditibus abundans, in Episcopum forte eligeretur, ex indulgentiâ Papali, intermeantibus intercessoribus et muneribus, tam redditus prius obtentos quam Episcopatum licenter cupiditatis brachiis ampleretur: quod in electo Valentino willielmo, constat fuisse propositum: Nec non et alia nova sunt suborta in Curia memorata, quorum memoria Sanctorum corda lachrymabiliter cruentarunt: for which neither this Pope nor his successors were ever once so much pricked at their stony hearts, as to endeavour to reform them, continuing their avowed shamefull practice till this very day, notwithstanding many successive complaints against them. Amongst other practices, he made use of Croysadoes against the Saracens and Tartars, published and promoted principally by the Friars Preachers and Minorites, to pick the peoples purses to maintain Wars against the Emperor Frederik: Whereupon, \* *Eo tempore Fredericus comperiens Papam abundare Anglico numismate, posuit custodias & insidias transitibus, pontibus, & portibus, ne quis amulo suo Andegravio à Papa subsidium transportaret:* (whom this Pope caused to be elected Emperor; the Archbishop of

\* Prædicatores  
& Minores  
Nuncii Papæ.

Colem,



*Colem, et cum eo multi Prælati et aliqui Laici, muneribus Ecclesiæ prodigaliter, imo potius prodigaliter saginati, qui partem Papalem confabebant, adherendo to him: Fecit igitur Papa per Prædicatores & Minores mutato habitu, tam scripta consolatoria, quam alia iuramenta, ad Andegravium transvahi. For which & other services he and Pope Gregory bestowed many large Privileges upon these Freers, recorded at large by \* Mat. Paris, where you may peruse them. And notwithstanding the Tartars then invaded Hungary with a puissant Army, forcing the King of Hungary and his Subjects to leave the frontiers, and retire into fenced Cities and Castels; who writ to the Pope for ayd against them; ut sollicitè sibi totique Christianitati de tam formidabili peste provideret; sed nec sic tamen aversus est Papalis impetus infractus, quin pecuniæ colligendæ totis viribus imbiaret; (especially in England and France) not to War against the Tartars or Saracens, but only against the Emperor, whom he had Excommunicated, Deposed, against all Laws of God and man, setting up an Intruder in his Imperial Throne. Hereupon, Anno sub eodem, ortum est bellum multiforme in partibus Alemanniæ & ejus confinis, between the Emperor and Pontifical Party.*

To maintain which War, as he formerly published the forecited Decree, \* *Quod bona intestatorum in usus ejus cederent*; and this hypocritical Decree made by him in the Council of Lyons, \* *De reparatione Terræ Sanctæ, & negotio Crucis*. Afflicti corde pro deplo-  
randis *Terræ Sanctæ* periculis, sed pro istis præcipue, quæ constitutis in ipsa fidelibus noscuntur noviter accidisse, ad liberandam ipsam, Deo propitio, de manibus impiorum, totis affectibus aspiramus; dissidentes sacro approbante Concilio, ut ita Crucesignati se præparent, quod opportuno tempore universis insinuando fidelibus per Prædicatores, nostrosque Nuncios speciales, omnes qui disposuerunt transfretare, in locis idoneis ad hoc convenient: de quibus in ejusdem *Terræ Sanctæ* subsidium, cum divina & Apostolica benedictione procedant. Sacerdotes autem & alii Clerici, qui fuerint in exercitu Christiano, tam subditi, quam Prælati, orationi ac exhortationi diligenter insistant: docentes eos verbo pariter, & exemplo, ut timorem & amorem Domini semper habeant ante oculos, ne quid dicant aut faciant, quod æterni Regis Majestatem offendant. Et si aliquando lapsi fuerint in peccatum, per veram penitentiam mox resurgant; gerentes humilitatem cordis & corporis, & tam in victu, quam in vestitu mediocritatem servantes, dissensiones & emulationes omnino vitando, rancore ac livore à se penitus relegatis: ut sic spiritualibus & materialibus armis muniti, adversus hostes fidei securius præliantur; non de sua præsumentes potentia, sed divina virtute sperantes. Nobiles, quidam & potentes exercitus, ac omnes divitiis & opibus abundantes, piis Prælatorum monitis & exhortationibus inducantur, ut intuitu Crucifixi, pro quo Crucis signaculum assumpserunt, ab expensis inutilibus & superfluis, sed ab illis præcipue, quæ sunt in commensationibus & conviviiis nimis & sumptuosis, abstinere, eas convertant in personarum illarum subsidium, per quas Dei negotium valeat prosperari; & eis propter hoc juxta Prælatorum ipsorum providentiam, peccatorum suorum indulgentia tribuatur. Prædictis autem Clericis indulgemus, ut beneficia sua integrè percipiant per triennium, ac si essent in Ecclesiis residentes. Et si necesse fuerit, ea per idem tempus pignori valeant obligare. Ne igitur hoc sanctum propositum impediri vel retardari contingat, universis Ecclesiarum Prælati districtè præcipimus, ut singuli per loca sua, illos qui signum Crucis deposuerunt, resumere, ac tam ipsos quam alios Crucesignatos, & quos adhuc signari contigerit, ad reddendum Domino vota sua diligenter moneant ac inducant: et si necesse fuerit, per Excommunicationis in personas, et Interdicti sententias in terras ipsorum, omni tergiversatione cessante, compellant. Ad hoc, ne quid in negotio Domini nostri *Jesus Christi* de contingentibus omitatur, volumus, & mandamus, ut Patriarchæ, Archiepiscopi, Episcopi, Abbates, & alii, qui curam obtinent animarum, studiose proponant commissis sibi populis verbum Crucis; obsecrantes per Patrem, & Filium, & Spiritum Sanctum, unum solum verum æternum Deum, Reges, Duces, Principes, Marchiones, Comites, & Barones, aliosque Magnates, necnon communia Civitatum, Villarum, & oppidorum, ut qui personaliter non accesserunt in subsidium *Terræ Sanctæ*, competentem conferant numerum bellatorum, cum expensis ad triennium necessariis, secundam proprias facultates, in remissionem suorum peccaminum: prout in generalibus Lateris, quas pridem per orbem terræ miserimus, est expressum, & ad majorem cautelam inferius exprimitur.

\* Hist. Angl.  
672, 673, 674

\* Here p. 671,  
672.

\* Mat. Paris  
p. 692.  
Mat. Westm.  
Anno 1245.  
Statuta de re-  
paratione Ter-  
ræ Sanctæ &  
negotio Crucis.

Non-residence.

He likewise sent his Agents, who were Freers, to raise monies for the pretended ayd of the Emperor of Constantinople, by these new devises.

Mat. Paris, p.  
688, 619.  
Literæ Papales  
Fratribus Mi-  
noribus missæ.

Eodem anno postquam Dominus Papa ad hoc Fratres *Prædicatores* diligenter exequendum constituit, Literas illud ministro Fratrum *Minorum* in *Anglia*, direxit, ut tam Fratres *Minores* quam *Prædicatores*, à via humilitatis & paupertatis voluntariæ, quam se sectatores sunt professi, avertens, suos constitueret procuratores, Literas districtum præceptum Papale cum diversis articulis continentes. Quorum unus tenor est, ut ipse vel fratres sui inquirant de usurariis vivis, & eorum per usurariam pravitatem male acquisitis, & ipsa colligant ad opus Imperii Constantinopolitani, (this was the pretext, it being only for his own use) & quod per censuram Ecclesiasticam compeſcant contraditores. Alterius tenor est, quod qui velint Crucesignari pro liberatione prædicti Imperii, vel de catallis suis ibidem mittere sufficienter, de peccatis suis absolventur. Alterius tenor est, quod relicta in Testamentis decedentium per usurariam pravitatem acquisita colligant ad subsidium Imperii memorati, & quod compeſcant contraditores & rebelles. Alterius tenor est, quod colligant relicta in Testamentis decedentes male acquisierunt, ad subsidium prædicti Imperii, contraditores & rebelles compeſcendo. Alterius tenor est, quod ea qua relinquuntur distribuenda in pios usus, secundum arbitrium executorum testamentorum decedentium, nec præfata relicta ab ipsis testatoribus certis locis aut personis deputata fuerint, vel de jure aliis debeantur, aut per prædictos executores in usus hujusmodi sint conversa, ad subsidium Imperii prædicti colligant, & significant ei de quantitate ipsorum, & compeſcant, &c. Alterius tenor est, quod de male acquisitis viventium inquirant diligenter, & colligant ad subsidium Imperii memorati: dummodo persona, quibus pro taliter acquisitis satisfieri deberet, inveniri non possint: & rescribant Papa, & compeſcant, &c. Alterius Literæ talis est tenor, quod dictus minister habet potestatem absolvendi excommunicatos, qui scienter fraudem commiserint in his qua colligenda sunt ad Imperium prædictum: dummodo ministerio, vel fratribus suis, ad illud negotium deputatis, congruam satisfactionem impenderint.

\* Mat. Paris, p.  
696.

To all which new devised Papal Extortions to raise monies, I shall subjoyn another of a different nature. Excommunications being grown very common and formidable in that age, some Knights and persons of quality lyable to them, for money purchased from this Pope an Exemption from all Excommunications, by any person but by the Popes own special command: particularly, \* *Lambertus de Muletuna Miles, qui nuper Prolegium mirabile datis non paucis numeribus a Papa impetraverat, ut scilicet nulli liceret eum pro quacunque culpa excommunicare, nisi de speciali mandato Papa, ac si liceret eidem impunè peccare, & qui multos læserat, plures fatigare, hoc modo à Domino meruit sauciari, ut cum phaleratis superbè equitando à quodam peracto suo rediret placito, descendens se querebatur morbo difficili prægravari. Et præcipitanter recubans, antequam depositis calcaribus disalceari potuit, morte palluit repentina.*

\* Mat. Paris, p.  
684, 699.  
Umbratile Pri-  
vilegium, Rex  
Angliæ à Papa  
impetrat.

This crafty Pope to pacifie King *Henries* indignation against these and other his Rapines, thought meet to gratifie him in some seeming measure, in his and his Nobles complaints against bellowing Bishopricks and Ecclesiastical Benefices by *Provisions*, that so he might countenance or connive at, not absolutely prohibere them; to which end, \* *Ipsò tempore Dominus Rex, nesciens se versutiis Romanorum subdole verborum involucris muscipulatum, per quosdam aulicos suos ipsi Regi placere cupientes, privilegium quoddam sibi in Curia Romana gratanter suscepit, in doctrina procuratorum Domini Regis elaboratum, Quod quanquam Papa pro sue voluntatis arbitrio, ad intolerabile Regni Angliæ gravamen, passim et indifferenter Provisiones fecerit in Anglia de Beneficiis Ecclesiasticis ad opus Italicorum, nunc gratia Dei, in ipsa parte ito sedata est tempestas illa, quod quando Papa alicui vel aliquibus ex nepotibus ejus vel Cardinalium, ipse vel ipsi Cardinales rogabunt Regem cum instantia, quod placeat Regi, ut sic tali provideatur. Quo umbratili Privilegio ac deceptorio, amici Domini Regis fortuneles, cor ejus demulcentes, ipsum strictius illaqueant. In quo enim gravantur notarii ac tabelliones Romana Curie, ad munera cerei ac prostantes, si imperante Papa petitiones urgentes & rhetoricas Domino Regi transmittant, ut se dicant, et Regem depauperent?*

perent? Nihil igitur aliud illud arbitroz, nisi hancum inescatum: the Kings Royal assent being not required before, but after the Popes Provisions granted, and enjoyed by a Papal Non obstante, in case he gave not his Royal assent thereto upon the Popes and Cardinals requests.

Boniface Archbishop of Canterbury this year (1246.) upon a feigned pretext, that his Church of Canterbury was involved in very great Debts by his Predecessors; but in truth by himself to carry on foreign Wars, and gratifie the Pope, procured from Pope Innocent a grant of the First Years Fruits of all Benefices that should fall void within his Diocese during the space of seven years, till he should raise out of them the sum of Ten Thousand Marks, besides Two Thousand Marks yearly out of the Bishoprick; thus regiltred by Matthew Paris.

Per idem tempus, tales à Domino Episcopo Lincolnensi, ut major certificatio de prædictis habeatur, Literæ emanarunt.

Mat. Paris Hist. Angl. p. 670, 671. Mat. Parker Antiquar. Eccles. Brit. in Bonifacio, and Godwins Catalogue of Bps. Impetratio Archiepif. Cantuariensis.

**U**niversis Sanctæ matris Ecclesiæ filiis, ad quos præsentis Litera pervenerint, Robertus miseratione divina Lincolnensis Episcopus, æternam in Domino, salutem. Noverit universitas vestra, nos mandatum Domini Papa non cancellatum, non abolum, in nulla sui parte vitiatum inspexisse, in hac verba: Innocentius Episcopus servus servorum Dei, Venerabilibus Fratribus, Episcopis, & dilectis filiis, Abbatibus, Prioribus, Archidiaconis, Decanis, Capellanis, & aliis Ecclesiarum Prelatis & Clericis per Cantuariensem Civitatem, Diocæsî, & Provinciam constitutis, salutem & Apostolicam Benedictionem. Ad hoc cælestis altitudo consilii, alta & ineffabili providentia universa disponens, rerum vicissitudines non sine dispensatione certa rationis alternat, nunc superiores inferiorum, nunc inferiores superiorum auxilio faciens indigere: ut humana conditio per alternationes hujusmodi, sui status instabilitatem agnoscat, & alterutrum sibi compatiens & subveniens, impleat legem Christi, qua diligere proximum quisque jubetur, & alterius onera supportare. Cum igitur, sicut Venerabilis frater noster Cantuariensis Archiepiscopus nobis exposuit, Cantuariensis Ecclesiæ, tam prædecessorum suorum, qui passi tribulationes innumeras, fuere necessitatum plurimum incommodis agitati, quam etiam vacationum ipsius Ecclesiæ longiorum, temporibus quibus cogniti & ignoti pari passu circumflexerunt, ut ad se traherent & diriperent bona ejus, adeo grandi fuerit debitorum onere pragravata, quod vix posset ab ipsis absque sedis Apostolicæ providentia liberari, nobis humiliter supplicavit, ut eidem Ecclesiæ subvenire, ne usuris excreverentibus ipsis gravior & quasi irreparabilis sit jactura, de benignitate solita dignemur. Verum, cum eadem Cantuariensis inter alias orbis Ecclesiæ honorabilis habeatur, quod eam Romana Ecclesiæ, veluti filiam prædilectam, sinceris affectibus prosequitur, & præfert effectibus gratia singularis; in cujus odoris suavitate reficitur, statu recreatur tranquillo, & prosperis prosperatur: illamque ea prærogativa favoris & gratia prosequamur, quod ipsius ardenti desiderio, & potentissime ejusdem Archiepiscopi consideratione, qui tanquam filius devotus Ecclesiæ, & nobile membrum, cujus devotione servens, vita perspicuus, & nobilitate præclarus, nobis & fratribus nostris charus & acceptus plurimum habeatur: ipsius supplicationibus favorabiliter annuentes, de fratrum nostrorum consilio, damus venerabili fratri nostro Herefordensi Episcopo nostris Literis in mandatis, ut ipse per septennium et non ultra, omnium \* Beneficiorum Ecclesiasticorum, quæ deinceps in Civitate, Diocæsî et Provincia Cantuariensi, vacabunt, primi anni proventus usque ad decem millium Marcarum summam. Quæ si ante dictum septennium haberi poterit, nil amplius exigatur. Nec non duo millia Marcarum de ipsius Archiepiscopi redditibus colligat annuatim, et convertat fideliter in solutione debitorum Ecclesiæ memoratæ. Proviso, quod personis serviens in eisdem Beneficiis, de prædictis redditibus idem Episcopus faciat competentem portionem pro ipsarum sustentatione, ne ipsa debitis defraudentur obsequiis, assignari. Et si forsan dictorum beneficiorum redditus hujusmodi primi anni esse debeant, iuxta morem patriæ, decedentium personarum; dictus Episcopus ipsorum beneficiorum redditus in anno colligat subsequenti: contradictores, auctoritate nostra appellatione postposita compescendo. Quocirca universitatem vestram rogamus, monemus, & hortamur assensu, per Apostolica vobis scripta præcipiendo mandantes: quatenus attendentes prudenter, quod dignum sit matris

\* This grant of First-Fruits of Benefices to Boniface, made way for Popes appropriating First-Fruits & Annates to themselves soon after.



*egentiam filiorum opibus relevari, cujus tam devotè quàm benignè debent onera suppor-  
tare: eidem Episcopo ad exhibendos hujusmodi redditus & habendos, sic ope & opera  
promptos & sollicitos vos reddatis, quod ipsius Archiepiscopi favorem & gratiam vobis  
proinde futuris temporibus vendicantes: nos habeatis propter hoc specialiter ad vestra &  
Ecclesiarum vestrarum commoda promptiores. Datum Lugduni, 4 Calend. Septemb.  
Pontificatus nostri anno 3. In cujus rei testimonium, presentibus sigillum nostrum  
fecimus apponi.*

Mat. Paris, p.  
671.  
Ira Regis ener-  
vata.

Hæc autem cum ad audientiam Regis pervenirent, primo obstupuit iratus  
et commotus valde, clamose dicens: *Quid si talia procurabit  
Regno meo dispendia Archiepiscopus Cantuariensis Bonifacius quem  
promovi. Nec sufficit ei quod electum meum Cicestresem Robertum  
videlicet Passelève, cujus promotionem procuraveram, protaciter  
præcipit: sed et diatim intendens bellis, ruptoris more, tam in  
Provincia quam Anglia, contra me jam iacturam et dedecus machina-  
turam. Ecce nova et inaudita pecuniarum extorsio: O quam mul-  
tiformes sunt laquei venantium, ad subjectorum simplicitatem deci-  
piendam! In hac equidem machinatione Nobiles mei, ad quos Ec-  
clesiarum spectant patronatus, defraudantur; terra censu spolia-  
tur, et similibus consequentia formidatur. Tandem tamen Dominus  
Rex cum infibilatum fuisset ei, quod minime irasci teneretur memorato Archiepisco-  
po pro dicta Roberti cassatione; tum eo quod in examinatione insufficiens reperie-  
batur, tum quia ejus cassatio multum Regi fuit utilis & lucrosa, cum quotidie Regis  
diligenter intenderit emolumentis, muliebriter in suo proposito resistendi fractus est,  
muliebris, ut dicitur, intercessione turpiter emollitus; quia merito  
hoc nomen *mulier*, quasi *molliens herum*, id est enervans etymologizatur. Nec  
proh dolor, viriliter pro Ecclesiæ indemnitate, cum non constiterit  
Ecclesiæ Cantuariensem alieno ære per Archiepiscopum A. sub usuris  
maxime irretitam in tantum, nec pro Regni sui tuitione, vel  
Sanctorum Pontificum Cantuariensium honore, stetit Rex, prout decuit  
et expedit; sed eidem Archiepiscopo Bonifacio \* concessit per Angliam,  
secundum quod prædicatur, prædictam habere collationem. Verun-  
tamen, per idem tempus prohiberi fecit Dominus Rex per Literas suas, ne quis  
veniens de Curia portans Literas Bullatas de Provisionibus faci-  
endis præcepto Papali, ad extorquendam pecuniam de Ecclesia  
Anglicana, et depauperandum Regnum, permitteretur bagari per  
terram ad Prælatos: et si quis talis inveniretur, caperetur, car-  
ceri Regis retrudendus. Portus autem, hoc præcipiens portuum  
custodibus, fecit custodiri. Sed hoc animos miserorum Anglorum parum exila-  
ravit, qui cor cereum Regis cognoverant: & ea facilitate advertendum, qua con-  
verti frequenti experientia certificabantur. (The Bishops baseness, inconstancy,  
timidity, ill advice, and compliance with the Pope against the King upon all occa-  
sions, being the principal cause of the Kings inconstancy.)*

\* The King at  
last assented to  
this grant.

The Bishops for their own Interest opposing this new Papal Exaction, were  
thereupon Excommunicated by the Archbishop, who forced them to submit to  
this Papal Innovation by the Popes formidable authority, which they durst not  
strenuously resist.

Mat. Paris, p.  
711, 712.  
Mat. Westm.  
p. 227.  
Mat. Parker, &  
Godwin, in  
Bonifacio.  
Bonifacius Ar-  
chiepiscopus  
Cantuariensis  
extorquet pecu-  
niam.

Tempore quoque sub eodem, Bonifacius Cantuariensis Archiepiscopus, Episcopos  
Cantuariensis Provinciae autoritate Apostolica suspendit, eo quod consentire  
noluerunt novæ et inauditæ contributioni, quam a gratia Papæ im-  
petraverat; videlicet, proventus Ecclesiarum vacantium, ut pri-  
mo anno vacationis fructus ipsi Archiepiscopo contribuerentur, ad  
liberationem debitorum: quibus, ut asserbat, ipsam Ecclesiam Cantuariensem  
prædecessores sui cum gravissima usura irremediabiliter obligaverant. Quod non  
sine injuria B. Edmundi immediatè prædecessoris sui, & aliorum Sanctorum, constat  
esse confectum. Episcopi vero contra Papalem auctoritatem et manda-  
tum

tum non valentes nec volentes recalcitrare, licet invitati, tandem cum summa mentis amaritudine consenserunt, ut absolvi mererentur. Iterum per Decanum *Belvacensem* hujus negotii executorem, mandatum receperunt: quod a Papa Excommunicarentur, et denunciarentur Excommunicati per Provinciam *Cantuariensem*, omnes obloquentes, omnesque detrahentes, fraudem facientes in negotio prænotato, ex gratia Papæ sollicitè concessa, exceptis Domino Rege, uxore, et liberis suis, et nobili viro *Richardo Comite Cornubia*.

How rigorously this Archbishop proceeded against all opposers of his Usurpations, while employed as a Soldier for this Antichristian Pope in his Wars, to murder mens Bodies, instead of discharging his Office of a Bishop to feed and save the peoples Bodies and Souls committed to his care, is thus recorded.

Diebus quoque sub eisdem, Archiepiscopus *Cantuariensis Bonifacius*, qui in partibus *Englannensibus*, minus sollicitus, quantum ad animarum custodiam, Ecclesiæ, Domino Papæ militavit, ab Ecclesiis in sua Provincia vacantibus, quas per annum retinuit, auctoritate sultus Apostolica, thesaurum non minimum a miserima *Anglia*, quæ facta est vinea ab apīs exterminanda, quam vindemiant omnes prætereuntes, extorsit: Et ut magis corda spoliatorum cruentaret, per Decanum *Belvacensem*, suum in hac procuratorem, fecit denuntiari, omnes fuisse Excommunicatos, qui clam vel palam obloquentes vel detrahentes, gratiam quam Dominus Papa concesserat, et contulerat eidem Archiepiscopo, quomodolibet impedirent, vel de præbentibus aliquam subtractionem vel fraudem facerent supradictis, exceptis tantummodo Domino Rege & Regina, & eorum liberis, & nobili viro Comite *Richardo*. Et hoc mandatum præceptum per totam *Angliam* in singulis Ecclesiis divulgatum, in multorum cordibus indignationem, tum propter ipsam injuriosam, et inauditam, avidamque pecuniæ extortionem, tum propter annexam adulationem, generavit, Dominumque Regem talia tolerantem, et talibus consentientem, præcordialiter maledixerunt.

King Henry by former contests having in some degree regained his Prerogative in the Election and Confirmation of Bishops, which the Clergy had violently wrested from King John and him; thereupon the Chapters and Covents became more compliable to him, electing such persons for their Bishops and Abbots, to whom they presumed he would readily give his Royal assent; hereupon the Bishop of *Salisbury*, and Abbot of *Westminster*, both deceasing this year; \* Eisdem sub diebus, Canonici *Sarisburienses*, compientes nullum ferè acceptum Domino Regi, nisi aulicum & curialem, præcaventesque Ecclesia sua periculo, & Regiam captantes benevolentiam; *Willielmum de Eboraco*, Domini Regis Clericum familiarissimum, & legum Regni peritissimum, *Beverlaci Præpositum*, in Episcopum & animarum suarum Pastorem unanimiter elegerunt. Quæ quia electio Deo placuit, ut credebatur, et Domino Regi fuit accepta, sine moræ dispendio confirmabatur. Dominus etiam *Sylvester electus* ad *Præsulatum Carleolensem*, qui prius se indignum reputavit, & idcirco non consensit, quoniam eum Deus vocavit à telonio ad ministerium, timore bono percussus, in electionem memoratam humiliter consensit, ne Deo recalcitrans, reprobus haberetur: (as *Matthew Paris* ironically stories of him.) \* Eorumque dierum circulis *Magister Richardus de Crokefle*, *Archidiaconus Westmonasteriensis*, vir elegans & jurisperitus & Domino Regi amicissimus, à toto conventu unanimiter est electus. Timebant enim *Monachi*, ne si secus fieret, Rex equum pattonis specialis, Ecclesiam suam jam semirutam relinqueret imperfectam, quam gloriose ceperat adificare.

The Pope having this year canonized \* *Edmund Archbishop of Canterbury* for a Saint (which he had long deferred) to gratifie the King, and facilitate the imposing and levying of his Papal Exactions upon the Clergy and Realm, the King receiving the news thereof, gavisus est vehementer, & statim super hoc certificatus, præcepit, ut accensis multis cereis omnes Clerici de Capella Regia, assumptis festivis induviis, Missam solenniter, cujus introitus foret, *Gaudeamus*, &c. celebrarent; the King by his Royal Authority prescribing a special Masse upon this occasion: And the new elected

Abbot

Mat. Paris, p. 728, 729.  
Mat. Parker Antiquitates Ecclesiæ Brit. and Godwin. Mandatum iniquum Archiepiscopi Cantuariensis.

\* Mat. Paris, p. 697. Mat. Westm. Anno 1247 See Godwin in his Life. *Willielmus de Eboraco* in Episcopum *Sarisburiensem* electus.

\* *Richardus de Crokefle* in Abbatem *Westmonasteriensis* electus.

\* Mat. Paris, p. 696, 697, to 612. Mat. Westm. An. 1246, 1247.

Abbot of Westminster, qui dudum amator fuit beati Edmundo Confessoris & Archiepiscopi, quia die canonizationis sue, ad tanta Prelationis dignitatem vocabatur, iussit quandam Capellam in honore ipsius Sancti Edmundi fabricari, ubi Deo & ipsi Confessori gloriosum, ut decebit, ministerium futuris temporibus impenderetur. Audita est etiam ejusdem Abbatis dignitas, Domino Rege impetrante, ut scilicet Hissam celebrans pontificaliter benedictionem, quando Agnus Dei cantatur, populo daret solenniter.

Odo Archbishop of Rhovan being unable through sicknesse and other impediments to repair into England to the King, to swear Fealty to him for his Temporalties, constituted a Proctor to swear Fealty on his behalf, beseeching the King of his Royal grace to accept thereof, to which he was not obliged by Law.

Pat. 30 H. 3.  
m. 9. in dolo.

\* Srenitalia.

**E**xcellentissimo Domino suo H. Dei gratia Rex Anglia, &c. Odo miseratione divina Rotomagensis Archiepiscopus salutem, in eo per quem Reges regnant & principes Dominantur. Cum propter Concilium Domini Legati quod imminet, ac debilitate proprii Corporis pluribusq; causis aliis, quas vobis exponere poterit plenius magister J. de Flavilla lator presentium, ad Serenitatis vestre presentiam personaliter accedere non possumus; Ad Excellentie vestre Curiam mittimus dictum magistrum, ut a vobis Regalia, quæ a Regno vestro habemus, recipiat, et vobis Juramentum fidelitatis faciat loco nostri. Super quo in anima nostra plenariam sibi concedimus potestatem, unde vestre Celsitudini supplicamus, quatenus ipsum benigne velitis admittere, et negotium pro quo mittitur expedire. Valete Dat. apud Denu. Dominica ante festum beati Michaelis Anno Domini 1645. Hereupon;

Claus. 30 H. 3.  
m. 24. intus.  
Pro Rotomag.  
Archiepiscop.

**R**ex replegiavit O. Rothomag. Archiepiscopo terras suas, captas in manu Regis per præceptum Regis, usque in unum mensem a Die Paschæ, eo quod non venit ad Regem in Angliam post Creationem suam, ad faciendum Regi quod facere debuit de terris prædictis; & Mandatum est Roberto de Crepping, quod terras prædictas ei usq; ad eundem terminum in pace habere permittat. Teste Rege apud Wind. 3. die Decemb.

Eodem modo scribitur Vic. South.

\* See here, p.  
641, 642.  
Mat. Paris, p.  
664.  
Abbas Clunia-  
censis extorquet  
à suis Priorati-  
bus decimam.

Anno 1245. Abbas Cluniacensis, (having \* gifted, and entertained the Pope for several weeks) antequam hospes suus Dominus Papa, Lugdunum petiturus recessisset, impetravit ab ipso licentiam, & scriptum super hoc; ut a toto ordine Cluniacensi decimam extorqueret per unum annum; tum quia Dominum Papam exultantem & accedentem ad partes Cisalpinas, muneribus respexit impreciablebus Abbas memoratus (dederat enim triginta paletridos phaleratos cum totidem equis clitellariis) tum quia splendide procurando curialiter recepit, & exhibuit ferè per unum mensem. Et hanc decimam in omnibus membris percipiet Abbas prædictus, non obstante contradictione alicujus ordinarii. De qua quidem pecunia, percipiet Dominus Papa tria milia marcarum. Residuū autem cedet in solutione debitorum, quibus Ecclesia Cluniaci pro promotione Romana Ecclesie noscitur obligari. Et sic concessit Papa Abbati; ut de propria cute sibi faceret latam corrigiam. Hereupon the Abbot by his Agents the next year, collecting this Tax and Tenth in England, from the Monasteries of his Order, in derogation of the Kings Prerogative royal, the K. thereupon issued a Prohibition, prohibiting the Collection thereof; and afterwards sent an expresse Mandate to the Constable of the Tower, that taking with him the Sheriffs of London and Bailiffs of Southwark, he should go to the Priory of Bermundesey, and seise all the monies collected for the use of the Abbot of Cluny against his Prohibition, and seal it up under their seales if they found it there, and likewise command the Prior, not to suffer any of the monies to be thence removed, without the Kings Privy, under pain of seising all his tenements in England, as this record attests.

Mandatum



**M**andatum est Constabulario *Turris London*, quod assumptis secum Vicecoris *London*, & Ballivis de *Suthwerk*, eant usque *Bermudes*, et videant, quod si aliqua pecunia collecta ad opus *Abbatis Cluniacensis*, contra prohibitionem Regis, ibidem deposita sit. Et si eam invenerint, tunc eam signari fac. sigillis suis, et ex parte Regis prohiberi faciat *Priori de Bermudes*, sicut tenementa sua quæ habent in *Anglia*, diligit, quod nichil de pecunia illa præter Consensum Regis removeatur. Teste Rege apud *Merton* primo die *Januarii*.

Clauſ. 30 H. 3  
m. 22. infra  
De pecunia ar-  
restanda.

The King (as you \* heard before) having for a long time seized the temporalities of the Bishoprick of *Coventry* and *Lichfield*, and detained them from *Roger de Weseham*, intruded into it by the Pope without his royal assent to the prejudice of his Crown, was at last content to restore them to him by the *Papæ* mediation, which he did out of his near liberality and grace, by these ensuing Writts.

\* Here, p. 624  
925, 627.

**R**EX omnibus Militibus, liberis hominibus, & omnibus tenentibus de Episcopatu *Cestrie & Lichfield*, salutem. Sciatis quod non obstante, eo quod ordinatio quam Dominus *Papa* fecit de *Magistro Rogero de Weseham*, quondam *Decano Linc.* præficiendo eum de facto Episcopum *Ecclesiæ Coventr. et Lichfield*, facta fuit in præjudicium dignitatis nostræ, de mera liberalitate et gratia nostra, ad instantiam ipsius Domini *Papæ*, temporalia ad eundem Episcopatum spectantia eidem Episcopo revidimus. Et ideo vobis Mandamus, quod eidem Episcopo tanquam Domino vestro in omnibus, quæ ad prædictum Episcopatum pertinent, intendentes sitis & respondentes. Teste Rege apud *Westmonast.* 25. die *Martii*.

Pat. 30 H. 3.  
m. 6. infra.  
\* Coventr.

Et Mandatum est *Magistro de Wanton*. Custodi ejusdem Episcopatus, quod de *Castris, Maneriis & omnibus aliis* ad prædictum Episcopatum pertinentibus, quæ existerunt *Custodia Regis* ratione vacationis ejusdem Episcopatus, ei plenam *Seisinam* habere faciat. Teste ut supra.

The Dean and Chapter of *Elfin* in *Ireland*, against the Kings prerogatives elected a Bishop without the Kings license first obtained; the King upon petition, out of his special grace, gave his royal assent thereto, & that he should be consecrated by the Archbishop of *Tuam*, yet so, as by this his special grace at this time, no prejudice should accrue to the King, nor any prerogative to the Dean and Chapter for the future, to elect a Bishop before the Kings License first obtained.

**R**EX adhibuit assensum Electioni factæ de *Thoma Decano de Ar. Richarda*, in Episcopum *Elfinensem* & Mandatum est *M. Tuamensi Archiepiscopo*, ut quod suum est exequatur. In cujus, &c. Teste Rege apud *Woodstock* 21. die *Augusti*. Licet autem *Decanus et Capitulum Elfin* prædictam Electionem elegerint, non præobtentia a Rege Licentia eligendi; quia tamen periculum eidem *Ecclesiæ* immineret, Rex electioni suæ assensum duxit adhibere. Ita tamen, quod occasione gratiæ Regis hac vice, eis impartitæ, nullum Regi præjudicium in posterum generetur, nec illis aliquam prerogativam conferat Electio illa, quin *Capitulum Elfin*, cum sedes vacaverit, a Rege antequam eligant habeant licentiam eligendi.

Pat. 30 H. 3. m.  
2.  
De Assensu  
electioni adhi-  
bito.

The King by his Ecclesiastical Prærogative having right to present to the Church of *St Michael* in *Coventry* then voyd, during the vacancy of the Bishoprick, the Archdeacons of *Coventry* and *Salop*, after the Bishops death, during the vacancy, presumed, without the Kings privy, in derogation of his royal prerogative, to appropriate 30 marks a year of the profits of the said Church to the Canons of *Lichfield*, and 30 marks more to the use of the Monks of *Coventry*, and the rest of the profits they

they allotted to the Vicar for the time being, who should serve the Cure; putting a Vicar into possession of the said Church: Which the King conniving at till a he season, presented *Ralph de Leicester* his Clerk to the said Church, notwithstanding this appropriation, which he declared nul and voyd. Whereupon the Vicar cited him before the Popes Delegates, and likewise kept forcible possession of the Church, with armed men against him. The King informed thereof by *Ralph* his Clerk, issued a Writ to the Sheriff of *Warwick*, to remove the forte, who thereupon repairing to the Church with the Kings Clerk, and finding resistance, brake open the Church doores, in which scuffle some were wounded, besides the Kings and Sheriffs intentions: The King avowed this act of the Sheriff as his own, being done by his Writ for his honor and service; yet the Bishop of *Coventry* excommunicated both the Kings Clerke and all his men, with all those who assisted the Sheriff in executing the Kings Writ; the King thereupon issued forth these two memorable Writs: the first of them to the Sheriffs of *Warwick* shire, to repair to the Bishop, to admonish and intreat him forthwith to recal his excommunication, under pain of seizing his Barony into the Kings hands, in case of refusal, the Bp. being obliged by his Oath in respect of his Barony to maintain the Kings honor and dignity, whom he could not more offend or dishonor, then by excommunicating his Subjects and Officers for obeying his commands, which none would thenceforth execute, if they should not be protected against such unjust excommunications; and commanded the Bishop of *Lincoln*, not to molest his Clerks by reason of this Excommunication, nor yet to publish it against him. The writ to the Popes delegates not to proceed in this cause to dispossesse his Clerks of this Church whereof he had gained actual possession; and to the Dean and Chapter of *Lichfield*, Sheriff of *Warwick*, and the Clerk and Vicar not to prosecute this cause, runs in this stile.

Claus. 30 H. 3.  
m. 5. dorf.

**R**EX Vic. War. salutem. Cum ratione nostri regiminis, Ecclesia- rum et Libertatum ipsarum dati sumus a divina Clementia ex debito defensores, injurias, et violentias a quibuscunque personis occasione quacunque illatas eisdem habemus cum industria propulsare, et iustitia rationabiliter vindicare. Hinc est, quod cum alias tibi præciperimus, ut vim laicam inventam in Ecclesia Sancti Michaelis de Coventria in ipsum præjudicium & dilecti Clerici nostri R. de Leyc. quem ad prædictam Ecclesiam Sancti Michaelis præsentavimus, & quem in possessionem ejusdem a Domino Papa delegati Judices induxerunt, ne Ecclesia illa formam Castri assumeret, amoveres, tanquam in perniciem libertatis Ecclesiasticæ introductam, ut vim laicam inventam non valens aliter amovere, nisi specialiter per ingressum, qui tibi clausis Ecclesiæ ostiis non patebat, pro ingressu fractionem ostii quam fecisti, cujus forsitan occasione fractionis et ingressus præter intentionem nostram et tuam, aliqui læsi fuerunt, ut nostro pareres mandato, ratam, coram *Coventr. et Lichfield. Episcopo* habuimus et habemus plurimum et acceptam, tanquam nostro nomine regaliter expeditam. Quia vero occasione hujusmodi fractionis & ingressus, dicto R. Rectori Ecclesiæ prædictæ, nichil de jure ab aliquo potest vel poterit imputari, quia dictum factum, non suum sed nostrum fuisse penitus protestamur; et quia dictus Episcopus tam dictum R. et suos, quam omnes illos qui tecum fuerunt tunc temporis, nominatim de facto excommunicationis sententia innodabit; videntes ipsam in præjudicium regis dignitatis, verum potius Ecclesiasticæ libertatis latam fuisse; Et hi præcipimus, quod monitis et precibus inducas Episcopum diligenter, ut dictam sententiam quantocius studeat revocare. Quod si noluerit facere, sciat ipse, et hoc tibi dicas, \* quod ad ipsius Baroniam manum nostram, quam cito nos super hoc certificaberis, extendemus; ratione namque Baronis Juramento de conservandis terrenis honoribus dignitatis regis est astrictus. Quia magis offendere vel vituperare (Nos) non posset quam per suas \* excommunicationes subtrahendo Subditos fideles nostros, a nostrorum præceptorum executione,

Nota.

Nota.

executione, cum alias nostra Jurisdictio non valeat explicari, nisi sint qui nostris mandatis pareant, ut tenentur: Super transgressione vero Juramenti, altissimum ultorem poterit expectare. Taliter hoc præceptum nostrum adimplens, quod regie dignitati pro defectu cui nichil debeat deperire propter quod reputemus merito nos offensos. Teste meipso apud Woodstock 26. die Augusti Anno Regni nostri 30.

Per eadem verba mutatis competenter mutandis, scriptum fuit Episcopo Lincoln. usque ad hoc verbum, studeat revocare. Et postea per hac verba. Hoc autem vobis significamus, ut illius facti intellecta plenius veritate, si forsitan dictus Episcopus vobis denunciaverit, dictum R. Clericum nostrum Excommunicationis sententia innodatum, ei propter hoc nullam molestiam inferatis, nec publicari illam sententiam faciatis, præsertim cum minus iuste sit lata, et non de jure, licet de facto contra defensionem libertatis Ecclesiasticæ, quod ex præmissis apparet, &c. in præjudicium Regie dignitatis. Teste ut supra.

**R**EX Prioribus de Thurgarton & de Derb. & Archid. Stafford. salutem. Monstravit nobis Radulphus de Leycestr. Rector Ecclesiæ Sancti Michaelis de Coventr. quod cum decedente H. de Pateshull quondam Coventr. & Lichf. Episcopo, dicta Ecclesia Sancti Michaelis, tam de jure quam de facto vacaret, sicut per Inquisitionem quam inde fieri fecimus nobis consuit. & constat manifestè, licet magistri A. de H. quondam Archid. Coventr. Th. de Wymundeham, & Petrus de Radenour, Archid. Salop. post mortem ipsius Episcopi de Ecclesia ipsa sic duxerint ordinand. videlicet, quod triginta marca de eadem Ecclesia cederent in usus communes Canonicorum Lichfield. & alia triginta marca in usus Monachorum Coventr. & residuum ejusdem Ecclesiæ in usus vicariis quæ pro tempore deserviret eidem; Nos fraudem illam dignitati Regie factam usque ad tempus oportunum dissimulare volentes, & inveniētes per Inquisitionem prædictam Ecclesiam illam esse vacantem, præfatum R. Clericum nostrum ad dictam Ecclesiam vacantem ratione Episcopatus Coventr. & Lichfield, vacantis & in manu nostra existentis, duximus presentandum. Qui quidem R. vicario per dictos Magistros ad deservend. illi Ecclesiæ assignato possessioni ejusdem tunc incumbente, ad Judices delegatos literas Apostolicas impetravit, per quos possessionem dictæ Ecclesiæ finaliter est adeptus. Et quia Collationes tam Ecclesiarum Parochialium quam Præbendarum spectantes ad Episcopum ipso superstiti, ad nos spectant sede vacante, et manifestè derogaretur dignitati nostræ, si Ecclesia prædicta, quam post mortem prædicti Episcopi vacantem invenimus, a præfato Clerico nostro, cui eam ratione regie dignitatis contulimus, evinceretur, vobis prohibemus, ne in causa illa de cætero procedatis. Teste ut supra.

Class. 30 H.3.  
m. 9. verso.

Eodem modo scriptum est Decano & Capitulo Lichfield. ne prosequantur, & Judicibus Hereford. per eadem verba, & Henrico de Crok Presbytero, ne prosequatur, ut supra continetur.

By these Writs it is apparent; 1. That the King himself may by his Writs command Bishops to recall, and not to publish illegal Excommunications of his Officers, Clerks, Subjects, and command other Bishops to absolve them, and seize their Temporalities if they refuse to do it: 2ly. That such Excommunications are against his Crown and Dignity, as well as his Subjects Liberties. 3ly. That he, his Council and Court are the proper Judges of the Legality of such Excommunications. 4ly. That no Ecclesiastical Courts can hold Plea of Advowsons or Churches after institution, and if they do, a Prohibition lies to hinder them.

The King to gratify the importunity of two of his Clerkes notwithstanding the Popes Provisions were odious in England, granted liberty to the Archbishop of Canterbury and his official, for this time only, that they should confer Livings on them by Authority of the Popes Provisions directed to them; so as this License of the King should not be drawn into consequence for the future.



Claus. 30 H. 3.  
m. 7. dorf.

\* Their names  
discover them  
to be foreigners

**M**andatum est Magistro *H. de Morino mar.*, officiali *Canuar.* Archiepiscopi, quod licet provisiones Domini Papæ per quas mandat prohiberi Clericis in Regno Angliæ, obdoscunt in Angliæ, tamen concedit Rex ad instantiam Clericorum suorum, \* *Guidonis de Ruffillun* et *Guidonis de Palade*, quod hac vice provideant *Hugoni Breshett*, Clerico auctoritate Summi Pontificis Domino Archiepiscopi. et ipsi officiali commissa, Ita quod illa licentia Regis in consequentiam non trabatur. Teste Rege apud *Woodstock*, 27. die Augusti.

The King having intelligence that the Pope intended by all means to dispose of the Archbishoprick of *Ardmash* in *Ireland*, by way of *Provision*, to prevent his design, authorised his Chief Justice at this time to grant a License in the Kings right to the Dean and Chapter, to elect a Bishop, and to consent to his election, and that they should demand such a License from him, so as he tooke caution from them by their Letters Patents, that it should not prejudice the King at any other time.

Claus. 30 H. 3.  
m. 2. dorf.

**Q**uia Rex accepit, quod Dominus Papa modis omnibus intendit ad ordinandum de Archiepiscopatu *Ardmachano*, Rex dat potestatem *Johanni fil. Galfridi Justic. Hibernie*, concedendi Capitulo *Ardmachan.* vice Regis, licentiam eligendi, et etiam electioni factæ hac vice consentiendi: unde mandatum eidem Justiciari, quod accipiat a prædicto Capitulo per literas suas patentes cautelam, quod alias non cedet in præjudicium Regis. Et hoc significatum est eidem Capitulo, ut ab ipso licentiam petant eligendi.

\* Mat. Paris,  
p. 697.  
Mat. Westm.  
p. 216.  
Conclusio totius  
anni.

Mat. Paris, p.  
697.  
Mat. Westm.  
Anno 1247.  
Mat. Parker  
Antiqu. Eccles.  
Brit. p. 183.  
Conciliū Londini  
convocatum.

\* Here p. 678,  
679.

Mat. Paris, p.  
700, 701.  
Mat. Westm.  
Anno 1247.  
Mat. Parker,  
p. 184.  
Duo Fratres  
Minores Angli-  
ci mittuntur à  
Papa in Angli-  
am, ad pecuni-  
am extorquen-  
dam.

I shall conclude the History of this year (*Anno 30 H. 3. 1246.*) with *Matthew Paris* his observation: \* *Transit igitur annus ille Terræ Sanctæ suspectus, Ecclesiæ noctibus universalis, adversarius Imperio, Regnis quoque Francorum et Anglorum depredator, Romana Curia infamis et turbulentus:* by reason of Pope *Innocent's* intollerable Insolencies, Rapines, Oppressions, Innovations, Treasons, which he prosecuted with greater vigor the next year, *Anno 1247.* quæst annus Regni Domini Henrici 3. Regis 31. as the same Historian thus informs us.

Eodemque tempore urgente mandato Papali redivivo, de importabili contributione prædicta, ad quam Episcopi in generali Concilio clerum infeliciter obligaverunt, fecit Dominus Rex Magnates suos, necnon & Angliæ Archidiaconos, per scripta sua Regia *Londinum* convocari. Quo cum pervenissent die præfixo, Episcopi omnes (such was their Treachery, Timidity, and Servility to the Pope, whose interest they preferred before the Kings, Kingdoms, Churches, and their own common liberty, and publike safety) sese gratis absentarunt, ne viderentur propriis factis eminus adversari. Sciebant enim corda omnium, usque ad animæ amaritudinem, non immerito lauciari. The Parliaments and Clergies Letters to the Pope, and proceedings therein are \* formerly related.

Notwithstanding which Letters, Pope *Innocent* sent several Freers *Minorites* and other *Harpies*, with the power, authority, but not the Name of Legates, into *England*, *Scotland*, *Ireland*, and *France*, to exact and levy monies to carry on his Wars against the Emperor, which were generally opposed in most places; thus related by *Matthew Paris*, and others.

Dum fortuna præstigiola mundo talibus illuderet fallaciis, duo Fratres de ordine *Minorum*, *Johannes* & *Alexander*, natione *Anglici*, potestatem a Domino Papa obtinentes extorquendi pecuniam ad opus Domini Papæ, in Angliam ab ipso Papa destinatur. Qui multis Bullatis Literis Papalibus armati, & sub ovino vellere lupinam rapacitatem palliantes, post ad Regem simplici intuitu, vultu demisso, sermone blando pervenientes, per Regnum vagandi postulabant auxilium, ad opus Domini Papæ charitatem petaturi, nullam se coercionem facturos asserentes. Ex licentia igitur Domini Regis, nihil finis super his meditantis,

tantis, dicti fratres à Curia Regis, jam Legati sophistici donis Clericorum regaliū superbiētes, Nobiles mannos obſidentes, ſellis deauratis falerati, preciociſſimis veſtibus adornati, calceamentisque militariſus, quæ vulgariter *Heuſes* dicuntur, ſeculariter, imò potius prodigaliter calceati & calcarati, in laſionem et opprobrium ordinis et profeſſionis ſuæ, profeſſi ſunt, officio et tyrannide fungentes Legatorum, et procuraciones exigentes et ettorquentes, ab ſolidos pro procuracione parum reputarunt. Adeuntes igitur primò præcellētioreſ Angliæ Prælatos, pecuniam ad opus Domini Papæ ſub pœna formidabili proacriter exigunt, terminum reſponſionis vel ſolutionis nimis abbreviantes, Literas Papales fulminantes oſtendendo, quas quaſi cornua minacia protulerunt. Et cum ad Episcopum *Lincolnienſem* perveniſſent, qui ſemper ordinis eorum æmulator & amator ſingularis, adeo ut ad ordinem eorum propoſitum habuerat conſolvendi, extiterat, obſtupuit vehementer, videntē ſalem ſtrum *Minorum* monſtruoſam in habitu & geſtu, necnon & officio transformationem; non enim de ſacili deprehendi potuit, cujuſnam ordinis jam eſſent vel conditionis. Et cum ſacros apices Papalis mandati eminus dejurantes, præcipue de credentia pecuniarum, nam parvam quantitatem, ſex miſſia videlicet *Barcarum*, ex Episcopatu ſuo inſtanter exigebant. Cui Episcopus non ſine magno cordis ſtupore & dolore reſpondit: *Frater, hæc exaſtio, ſalva Papali auctoritate, inexcusable et inhoneſta eſt, quia ad implendum impoſſibilis eſt, nec me ſolum contingens, imò totius Cleri et populi, necnon et Regni univerſitatem. Arbitror igitur temerarium et abſurdum tibi certum ſuper hoc, inconfulta Regni communitate, præſcipienter dando reſponſum, tam arduo conſilio ex negotio diſſiniendo conſentire.* Et ſic inde recedentes, ad Eccleſiam *Sancti Albani* falerati & transformati (ut prædictum eſt) pervenerunt: & non curantes ad ſolicum fratrum *Minorum* hoſpitiū, quod infra portam Caritatis honeſtiſſimè cum omnibus pertinentiis ædificatum eſt ad opus ſpecialiter *Prædicatorum* & *Minorum*, venire vel deſcendere, in hoſpitiū ſoleniori, ubi ſcilicet Episcopi & honorabiles viri declinant, ſunt recepti reverenter. Et ecce ſicut ab Episcopo memorato, ſex *Barcarum* miſſia exigebant, ita quadragintas *Barcas* ab dicto Abbate, ad opus Domini Papæ, inſtantiffimè ſub magna pœna et in brevi termino, niſi ipſi ordinando providerent, perſolvendas poſtulabant. Quibus cum Abbas eodem modo quo prædictus Episcopus reſpondit, humiliter reſpondiſſet, ipſi Fratres habitum cum geſtu ſecularem induentes, & equos ſuos nobiles aſcendentes, cum inſolenti murmure receſſerunt.

\* non.

Eiſdemque diebus, Dominus Papa apices ſuos authenticos per ſolennēſ Nuncios *Prædicatores* & *Minores*, miſit ad omnes *Francia* Prælatos ſigillatim; ſupplicans, ut unusquiſque juxta ſuam poſſibilitatem, ſibi unam quantitatem pecuniarum accommodaret. Et ipſe proculdubio cum reſpiraret, quod cuilibet competeret, redderet indubitanter: Quod cum Regi *Francorum* innotuiſſet, ſuſpectam habens *Romanæ* Curie avaritiam, prohibuit; ne quis Prælatuſ Regni ſui ſub pœna amiſſionis omnium bonorum ſuorum, taliter terram ſuam depauperaret. Et ſic cum ſibilo et deriſione omnium Papales Legati ſophiſtici quorum humeris hoc officium incumbēbat, inanes et vacui a Regno receſſerunt memorato.

Papa petiit à Prælatiſ *Franciæ* pecuniam ſibi mutuo præſtari.

Et dum ima ſummis rota fortunaliſ ſic commutaret, Dominuſ Papa non credens ſufficere ad pecuniam argumentole vindemiandam jam miſſos diverſos numiſmatis collectoreſ; in *Angliam* Magiſtrum *Martinum*, alterum *Martinum* Capellanum ſuum, qui ex hominib; ſui impoſitione in hoc mundano mari piſcatozem non hominum, ſed edum poſſeſſionum, prudenter elegerat, deſtinavit; ut aliſ benanſiſſib; iſte piſcando miſeros *Angloſ* vel puniendo eminus ineſcāret, vel fallendo cautius irretiret. Sic igitur quambiſ inſignib; Legati non poſſerēt, poteſtate tamen Legati, ut ſic Domini Regiſ priviſ legio illuderetur, fortius armabatur.

\* Mat. Paris p. 652.  
Mat. Weſtm.  
Anno 1245.  
Mat. Parker in Bonifacio.  
Martinuſ Capellanus in Angliam miſſuſ.

Godefridus  
Bethlimitanus  
electus Legatus  
in Scotiam  
mittitur.

Illis quoque diebus, missus est à Domino Papa Godefridus filius præfecti *Roma*, electus *Bethlimitanus* Legatus in *Scotiam*, nescitur ad quid; cum ibidem fides Catholica vigeat incontaminata, & pax tam Cleri quàm populi floreat roborata. Credebatur igitur, ut secundum *Romanorum* consuetudinem, quod prædictus Godefridus, velut adamas ferrum, sic attraxerit argenti concupiscibilis *Scotorum* redditus aduberet et concupitos.

Missus in Hiberniam M. Johannes.

Eisdemque diebus missus est in *Hiberniam* Magister *Johannes Rufus*, ad pecuniam ibidem colligendam, cum potestatis plenitudine quasi Legatus; non tamen insignibus Legati redimitus, ne videretur Papa Dominum Regem *Anglie* offendisse; qui privilegio tali se gaudet umbraliter communitum, ut non veniat Legatus in terram suam nisi postulat. Memoratus igitur *Johannes* tam vigilanter mandato Papali, & suæ indulgit utilitati & lucro, ut sex millia *Marcarum* ab *Hibernia* extorserit; quæ per conductum religiosorum in festo Sancti *Michaelis* fecit *Londinum* transportari, & thesauro Papali gaudenter accumulari. Quæ omnia *Fredericum* minimè latuerunt.

Constitutio de intestatis in irritum revocata.

Per idem quoque tempus, propter scandalum indecenter per diversa clemata ventilatum, cogentibus Cardinalibus, revocatum est, quod paulo antè à Domino Papa, instigante manifesta avaritia, fuerat constitutum, & ad quod fratres *Minores*, in damnum & scandalum eorum & sui ordinis læsionem, exequendum procuratores constituerat, ut videlicet bona decedentium intestatorum, in usus proprios Dominus Papa sibi vendicaret, tamen quia in injuriam & damnum multorum redundabat, tum propter illam iniquam adjectionem, quæ contra jura & omnem pietatem illi statuto addebatur. Quæ talis extitit: Quod si infirmus testamentum conditurus imbecillitate repentina præoccupatus, non posset expresse verba testamenti sui exprimere, & aliquem de amicis constitueret super hoc expressorem & executorem; non fieret tale testamentum, sed pro nullo haberetur; & testator talis pro intestato reputaretur, et omnia bona ejus Papalis *Charpydis* deglutiret.

Mat. Paris, p. 705, 706.  
Exactio Papalis facta per Johannem Anglicam Minoritæ.

Eodem anno, in principio Quadragesimæ, venit quidam de ordine *Minorum Johannis* nomine, de quo facta est mentio in foliis præcedentibus; qui exigit ab Ecclesia Sancti *Albani* quadragintas *Marcas* auctoritate Apostolica, *Londini*, post festum decollationis beati *Johannis*, deferens mandata ab Apostolica sede ad votum impetrata de novo; quia Abbas memoratus, ad sedem Apostolicam et Cardinales, super tam importabili gravamine, appellaverat. Citavit igitur Abbatem auctoritate novi mandati Apostolici, ut ipse tertia die sequenti, scilicet in crastino Sancti *Egidii* veniret *Londinum*, vel sufficientem procuratorem & benè instructum pro ipso destinaret; ut satisfaceret ei de subsidio Domini Papæ dudum postulato. Misit igitur Abbas suum illuc procuratorem, scilicet suum Archidiaconum, ad diem illam. Qui quidem procuratores petierunt sibi fieri copiam illius novi mandati, & vix impetrarunt, & transcripserunt. Quod est tale. *Innocentius Episcopus, &c.* Dilecto filio suo J. Abbati Sancti *Albani*, *Lincolniensis* Diocesis, salutem & Apostolicam Benedictionem. Quotidiana persecutionis instantia secularis sua nos acerbitate compellit, ut pro subventione Apostolica sedis resistimus eidem, necessario recurramus ad auxilia subditorum. Quocirca discretionem tuam de fratrum nostrorum consilio rogamus, hortamur, & monemus attendi, per Apostolica scripta mandantes, quatenus his qua dilectus filius noster frater *Johannes Anglicus*, minister Provincialis fratrum *Minorum* Provincia later presentium, Nuncius noster, ex parte nostra super subsidio sedis ipsius tibi proponet, adhibeas plenam fidem, & diligenter attendas, quod Ecclesia taliter resistendo, generale omnium Ecclesiarum & Ecclesiasticorum virorum prosequitur interesse, liberaliter & libenter ea studere adimplere; ita quod id nobis & fratribus nostris esse possit acceptum, & tua devotionis affectus per exhibitionem, qua testimonium est credibile veritatis, pateat actionum. Datum *Lugduni*, quarto Idus *Octobris*, Pontificatus nostri anno quarto. Cujus auctoritate ipsius procuratoribus injunxit frater *Johannes*, ut die octavo sequente comparerent loco, quo prius comparuerunt, nisi satisfacturi in 300. *Marcis* argenti. Alioquin mandatum Domini Papæ exequeretur, excommunicando, interdicens. Responderant procuratores, quod Abbas fuit in destinando Nuncios suos speciales ad præsentiam Domini Papæ, ad ostendendum ei gravamina sua, & ad satisfaciendum et secundum facultates Ecclesiæ suæ & subditorum suorum, ab appellationibus prius inter-



interpositis non recedens. Hæc cum benè processerat annus, contigerant. Ordo quidem præposterus, sed necessario commutatus: ubi enim dolor, ibi & digitus.

Ad maiorem etiam Anglorum depressionem et gravamen, aucta est ejusdem fratris Johannis potestas et aggravata; sed & ipse stimulatus à Papa ut exigeret ampliora, his Literis. Innocentius, &c. Intellectis his quæ rursus Literis intimasti, præsentium tibi auctoritate mandamus, quatenus si major pars Prælatorum Ecclesiasticorum Regni Angliæ, tibi super exhibendo Ecclesiæ Romanæ subsidio, per se auctoritate nostra petito, responderis, se exemptos et alienos, ut maiorem etiam quàm petieris ab eisdem, assignent quibus volueris pro subsidio memorato infra terminum competentem pecuniæ quantitatem, per Censuram Ecclesiasticam appellatione remota compescendo; quocumq; privilegio, seu indulgentia qualibet non obstante; licet præsentis expressam de ipsis non faciant mentionem. Datum Lugduni, 16. Calendæ Augusti, Pontificatus nostri anno quarto. Si quis autem Priores potestates ejusdem fratris Johannis videre desiderat, in libro Literarum ipsas poterit repetire.

Mat. Paris, p. 706, 707. Aucta est potestas fratris J. per autenticum Papale.

Hæc igitur cum ad multorum audientiam pervenerunt, videlicet, quod tam frequens extorsio pecuniæ violenta per Papam et suos Legatos sophisticos et transformatos facta est, nec prævaluerunt sanctorum privilegia vel indulgentiæ patrum ipsos defendere; formidabant vehementer, ne Principes et Magnates laici et sæculares, qui vel quorum prædecessores Ecclesias fundaverunt, dotaverunt, et ditaverunt, et suas ob hoc possessiones pro magna parte mutilarunt, et inde Chartas suas confecerunt, re acciperent Ecclesiarum bona et possessiones, exemplo Papæ edocti, \* Non obstante talis vel talis Chartæ tenore; præsertim cum ex illis, contra fundatorum intentionem, Papa et sui, quos vult, Italici et alii alienigenæ, indigenis esurientibus saginantur.

Timent Ecclesiastici sua bona amittere.

\* The Popes Non obstante the ground of our Kings and Laymen.

The Abbot of St. Albans to preserve the Privileges of his Church, thus invaded by the Popes Bulls and Harpies, advising with his Covent, appealed to the Pope against these his Exactions, which the Popes Agents slighting, proceeded against him notwithstanding his Appeal, by the Popes directions.

Cum autem conventus ab Abbate consultus, memoratæ Ecclesiæ, scilicet Sancti Albani, se gravatum undique conspiceret, appellando ad sedem Apostolicam, quæ solet omnium oppressorum pondera relevare, Monachum unum, scilicet Dominum Johannem Bulum, & Magistrum Adam de Bern ad sedem Apostolicam, videlicet Lugdunum, maturius destinavit; sed antequàm rediret, memoratus frater Johannes Abbati Sancti Albani mandatum sub hac forma transmisit: Venerabili viro Domino Johanni Dei gratiâ Abbati Sancti Albani, frater Johannes Domini Papa Nuncius in Anglia, salutem in Domino. Licet vobis jamdudum pluries scripsimus, adhuc vobis semel, recepto super hoc cogente mandato, scribere decrevimus; rogantes & monentes, & in virtute obedientiæ auctoritate Domini Papa præcipientes; quatenus omni occasione remota, die Martis proxima ante festum Sancti Thomæ Apostoli, sitis apud Beresford in loco fratrum Minorum, de subsidio Romanæ Ecclesiæ ad plenum satisfacturi; taliter facientes, ne, quod absit, oporteat, ut inviti juxta prædicti mandati tenorem procedamus, nec propter Appellationem a vobis factam dimittere oporteat, quoniam super hoc recepimus spectale mandatum. Valete. Quod autem super his sitis facturi, nobis per latorem præsentium rescribatis.

Gravamen inauditum.

Appellatum est igitur ad Domini Papæ præsentiam. Maluit enim tam Abbas quàm Conventus examen Papale subire, & præcellentissimi hominum, quàm illius qui sub veste humilitatis & paupertatis tantam palliavit asperitatem. Verum destinatis ad Curiam Romanam in quindena Sancti Michaelis Nunciis, instabat acrius memoratus frater Johannes comminando. Missis igitur ad ipsum Archidiacono Sancti Albani, & quibusdam fratribus, ut ipsius Johannis rigorem mitigarent, respondit, quod quicquid rigoris justitia cum sua potestate permetteret, plenius exerceret; eò quod quando ad Sanctum Albanum fuisset, ipsi tanquam Legato, vel saltem Papali Nuncio, debitam reverentiam Monachi non exhibuerunt; imò à quibusdam de transgressione ordinis sui, qui habitum mutaverat, redargueretur; cum tamen satis reverenter

Appellatio ad Papam.

Nota

reverenter ac curialiter, tam in esculentis & poculentis, quam verbis satis mitibus ac discretis, exciperetur. Vix igitur tandem flexis genibus & verbis deprecatorius inducias impetrarunt, donec de Nunciis ad Curiam Romanam destinatis, aliquid certum audiretur. De quorum negotio expediendo, frater ipse *Johannes* nil boni vel favoris obtinendum pollicebatur. Scripserat enim Domino Papæ exasperans eum vehementer, & asserens, quod solus Abbas *Sancti Albani* inter omnes Abbates *Anglia* recalcitrans mandato Papali non obedivit; quod idcirco manifestus apparuit, quia Nuncium destinavit. Unde Nuncii ad Curiam Romanam destinati, quasi quibusdam repagulis oppositis præpediti, diutius in Curia morabantur, & difficilius negotium suum expediebant. Tandem procurantibus amicis in Curia venalibus et conductitiis, finem fecerunt Domino Papæ pro ducentis marcis; et sic donis et expensis omnibus computatis, absorbit illius Curia *Charybdis* insatiabilis trecentas marcas; et sic Ecclesia *Sancti Albani*, quæ cæteris tutius et specialius sub alis Papalibus teneretur respirare, talibus continuis oppressionibus incessanter gravius cæteris verabatur. Nam Episcopi, in quorum Episcopatibus cellæ nostræ erant, non reputantes Literas Papales robur obtinere firmitatis, Priores cellarum vexabant; non enim considerabant tenorem Literarum, vel scire dissimulabant, in quibus expressè continetur, quod à præstatione prædictarum undecim (millium) marcarum exempti, per eos excipiebantur, ab ipsoque apporandi exponebantur, & per Dominum Papam tres Clerici seponebantur. Quarum Literarum totalis sententia in libro Additamentorum continetur. Tandem cohibente eos inspectione dictarum Literarum, & Literis memorati fratris *Johannis*, cessarunt Episcopi, licet inviti, dictas cellas amplius fatigare; quæ præcepta fuerant, minimè restituentes.

The Popes Powers and four Bulls to which *Matthew Paris* here and before refers us, are thus recorded in his *Addimenta*, published in the last Impression of his Works, *Londini* 1640.

Addimenta  
Marthæ Paris.  
p. 159.  
Potestas concessa fratri *Johanni*, de ordine Minorum primo.

Nota.

**I**NNOCENTIUS, &c. *Johanni Anglico, &c. Cum Venerabilibus fratribus nostris Cantuariensi & Eboracensi Archiepiscopis, & Suffraganeis eorundem, necnon dilectis filiis Abbatibus exemptis & quibusdam aliis Clericis in Cantuariæ & Eboraci Provinciis constitutis, de fratrum nostrorum consilio nostris dedimus in mandatis, ut hiis quæ tu ex parte nostra super subventione Apostolicæ sedis propones eisdem, adhibeant plenam fidem, et liberaliter ac libenter ea studeant adimplere: Discretionis tuæ præsentium auctoritate mandamus, quod si qui forte ipsorum mandatum hujusmodi non adimpleverint per effectum, illos quos prudentia tua viderit esse cogendos, per te vel ordinis tui fratres quibus super hæc commiseris vices tuas, ad id per Censuras Ecclesiasticas Appellatione recusata compellas, quocunque privilegio aut indulgentia qualibet non obstant, licet præsentem ex ipsis expressam non faciant mentionem. Datum Lugduni, quinto Idus Octobris, Pontificatus nostri anno quarto.*

Here this Pope not only authorizeth these Freers, against their Orders, Vows, Profession, to be his Tax-masters, Collectors, Extortioners, but likewise enables them to suspend, Interdict, Excommunicate the Archbishops, Bishops, Clergy, Abbots of *England*, who should oppose his intollerable Papal Exactions, notwithstanding any Appeal, Priviledge or Indulgence whatsoever formerly granted them.

Item aliud Autenticum.

**I**NNOCENTIUS, &c. *Fratri Johanni Anglico, &c. Ecclesia necessitatibus circumscripti, venerabilibus fratribus nostris Cantuariensi & Eboracensi Archiepiscopis ac Suffraganeis eorundem, necnon dilectis filiis Abbatibus exemptis, & quibusdam aliis Clericis in Cantuariensi & Eboracensi Provinciis constitutis, De fratrum nostrorum consilio nostris dedimus in mandatis, ut hiis quæ tu ex parte nostra super subventionem Apostolicæ sedis propones, eisdem adhibeant plenam fidem, & liberaliter ac libenter ea studeant adimplere. Ceterum quia onus quod in plures dividitur facilius supportatur, de prudentia tua plenam in Domino fiduciam obviemtes, dandi per te vel alios ordinis tui fratres, quibus super hæc commiseris vices suas, auctoritatem Archiepiscopis Suffraganeis*

neis & Abbatibus marmoratis, ut subditos per Censuras Apostolicas appellatione recusata compellere possint, ut eos etiam per seipsum, vel dictos fratres similiter compellendi ad contribuendum super subventione premissa de bonis Ecclesiasticis, iuxta proprias facultates auctoritate prece concedimus potestatem. Datum Lugduni, sexto Idus Octobris, Pontificatus nostri anno quarto.

**A** Rchiepiscopis, &c. Mandamus, quod l. pro quibusdam Ecclesia Romana negotiis destinamus, pro reverentia beati Petri & nostri, recipiatis benignè, ac tractatis honestè, in necessariis, & securo conductu eundo, meando, & redeundo, sibi pro se ac aliis quos secum duxerit, & in electionibus eorundem, si aliquando eos contigerit ipsas habere, necnon pro nunciis quos interdum duxerit destinandos liberaliter providentes, ita quod vestra dilectionis affectum possimus exinde commendare. Alioquin excommunicatos vos esse, &c.

Item aliud Autenticum.

This Papal privilege for this Harpyes protection and favourable reception by those he was sent to rob, spoyle, plunder, was backed with this further Mandate, to inquire of all alienations and dispositions of Lands or Churches, and Simoniacal Contracts made by Ecclesiastical or Religious persons, or other Patrons, or his own real or pretended Nuncios, to ingrosse the sale and disposition of them by his Provisions into his owne hands, whose Provissors agents unjust vexatious practises to gain Benefices or Pensions out of them, are here fully exprest to the life.

**I**NNOCENTIUS Episcopus, Servus servorum, &c. Dilecto filio fratri Johanni Ordinis Minorum, Nuncio nostro in Anglia salutem, & Apostolicam Benedictionem. Nostis est nuper auribus intimatum, quod plerique Ecclesiarum Prelati regni Angliæ, non attendentes ad humanos usus non debere transferri, quæ juribus sunt ascripta divinis, jure patronatus, & advocacionis quæ in aliquibus Ecclesiis obtinebant, in personas laicas concessionis vel alienationis titulo, seu alias, pro sua voluntatis arbitrio transulerunt, Capitulum suorum aliquando interveniente consensu, & Diocesanorum, quod vix credimus accedente favore. Nonnulli quoque Abbates & Priores diversorum ordinum tam exempti quam non exempti regni prefati propriis Commodis per modos illicitos inhiantes (as this Pope and his agents really did) in Ecclesiis Parochialibus jus Patronatus exemptionis titulo, vel aliis perversis contractibus assurgunt. Et sic easdem Ecclesias quandoque de suorum Diocesanorum consensu, quandoque metu proprio non verentur suis, vel membrorum suorum contra Deum & Canonicas Sanctiones, usibus applicare. Quidam vero Executores super Clericorum Provisionibus dudum in eodem regno a sede Apostolica deputati, cum aliqua Beneficia Ecclesiastica, de quibus eisdem Clericis provideri poterit, vacare contigerit, in alienis negotiis suæ fidei confidenter commissis, privata commoda infideliter prosequuntur, dum Abbates et Priores aliosque Ecclesiarum Patronos, ad quorum præsentationem noscuntur eadem Beneficia pertinere, excommunicant et suspendunt, ipsosque taliter impeditos, ad ordinationes Ecclesiarum suarum procedere non permittunt, donec sibi ipsis vel aliis suis consanguineis vel amicis, non autem illis quibus provideri mandavimus, a patronis eisdem, minis et dolis interdum inductis, eadem Beneficia seu provisiones Annuæ assignentur. Aliqui etiam executores hujusmodi, se nuncios nostros in Regno Angliæ asserentes (quanquam alium præter se in eodem regno nos habere nuncium nesciamus) mandati nostri prætextu quo eis in aliquibus Clericis in eodem regno de beneficiis Ecclesiasticis, quæ tanto tempore vacaverunt, quod ad nos est collatio secundum Lateranensis Statutum Concilii debita, providere procurent, dicuntur injunxisse religiosos viros super Ecclesiis quæ sibi concessas in usus proprios per longissima tempora pacifice possiderunt, infestant, nec ab eorum super his infestatione desistunt, donec eisdem religiosi si aliqua summa pecuniæ, vel assignatione annuæ pensionis, vexationem suam redimere compellantur. Cum igitur hac non sint sub dissimulatione

Mandatum Papæ fratri Johanni de Ordine Minorum.



mulatōnis silentio transseunda, discretioni tuæ in virtute obediētia districtè præcipiendo mandamus, quatenus per te ac alios seculares, vel cuiuscunque religionis vel professionis viros, quos ad hoc in diversis locis ejusdem regni vice nostra, quam tibi super hoc præsentium auctoritate concedimus, duxeris deputandos, super præmissis diligentius veritate, hujusmodi alienationes, venditiones, seu emptiones, de patronatibus vel advocatiis Ecclesiarum, quæ cum spiritualibus sint annexæ, vendi vel emitti taliter nequeunt, à quibuscunque præsumptas vel in posterum præsumendas, quas irritas esse decernimus, denunciando nullas esse eas, & quicquid ex ipsis vel ob eas circa Ecclesiarum Parochialium statum inveneris temere immutatum, in statum debitum de plano & absque iudicii strepitu reboicare procures. Executores verò prædictos, ad resignanda & restituenda quæcunque ipsi inveneris de prædictarum concussionum scelere percepisse, auctoritate nostra per te ac alios quos ad hoc (ut prædiximus) deputabis, quæ convenis districtione compellas, redditurum nos nihilominus de illis quos de his deliquisse compereris, per tuas literas continentes meram & plenam rerum seriem, certiores, ut circa eos prout culpe qualitas exegerit procedamus. **Contradictores per censuras Ecclesiæ Apostolicæ appellatione postposita compescendo, non obstante si aliquibus sit ab Apostolica sede concessum, quod excommunicari, suspendi, vel interdicti non possint per literas Apostolicas, non facientes plenam et expressam ac de verbo ad verbum de indulto hujusmodi mentionem, seu quod ad susceptionem causarum vel executionum, quæ sibi auctoritate sedis ejusdem committi contingit, minime teneantur, vel constitutione de duabus dietis edita in Concilio generali.** Datum Laterani quinto Idus Januarii, Pontificatus nostri Anno undecimo:

This pretended reformer of these Simoniack practices, and former Nuncios abuses, rapines, armed with so many Papal Bulls, proved as bad yea worse an exactor, and oppressor, then any of his predecessors. Whereupon

Mat. Paris,  
Hist. Angl. p.  
p. 707, 708, 709  
Convocatio  
Nobilium Ang-  
liæ ad Parlia-  
mentum.

Per idem tempus, Dominus Rex comperiens Regnum suum enormiter periclitari, iussit omnem totius Regni Nobilitatem convocari, ut de statu ipsius, tam manifeste periclitantis Droni die qua cantatur, *Quasi modo geniti*, diligenter contretarent. Prælatos autem maxime ad hoc Parliamentum vocavit arctius, quia videbat eos Dominus Rex tam frequenter depauperari per Papales extorsiones, et thesaurus Angliæ tam frequenter asportabatur, nullumque commodum inde provenire Ecclesiæ, imo multimodum incommodum generabit. Unde veraciter perpendebatur, quod talis extorsio summo quamplurimum displicuit Creatori. Sperabatur autem certissime, aliquid salubre Ecclesiæ, et Regno ibidem statuendum, quod tamen omnes hoc sperantes fefellit: Nam cum antea aliqui Prælatorum prætaxatæ contributioni præposuissent contradicere, ibidem omnes in contributionem undecim Millium Marcarum consenserunt; exceptis Exemptis, et tribus Clericis. Ipsi igitur Clerici per hanc impetrationem toti regno se suspectos reddiderunt, (and that deservedly, such was their sordid cowardice, treachery to the King, Kingdom, Nobles, Church of England, and their own interest.) Pecunia autem memorata per manus Wintoniensis & Norwicensis Episcoporum armatorum auctoritate Papali soluta est & recepta, & Clerus compulsus est ad plenariam solutionem ejusdem faciendam. Exponebantur autem exempti Papali arbitrio, qui eis minime peperciit, sed per fratrem sapientissimum Johannem tot jacturis et injuriis, ut prænotatur, fatigavit. Nec idcirco mitius cum Abbate Sancti Albani egit Dominus Papa, quo anno proximo præterito ipsi Octoginta Marcas transmisit. Timebatur autem, ne Dominus Rex, ex permissione mutua & consensu relativo, inter ipsum et Papam Ecclesiam et etiam Regnum consimili exactione foret compulsurus. Sicut nuper pro Rege Dominus Papa scripserat Angliæ Magnatibus, in pecunia colligenda præmovere.

Not long after, to promote the Popes Exactions, and drain the English Clergies purses,

purles, *Applicuit in Anglia Episcopus Sabinenfis, Romanæ Ecclesiæ Cardinalis, intravit in partes Boreales Legatus, Norwegiam, Daciam, & Suetiam; & Regem Norwegiæ Haconem in Regem inuncturus & coronaturus. Qui tamen in Angliam ingreſſurus, primo difficultatem de licentia a Rege invenit, quia ſemper ſolent Legati quales quales, et omnes nuncios Papales, Regna quæ ingrediuntur depauperare, vel aliquo modo perturbare, donec iurasset in anima ſua, quod ob nullum Regis vel Regni, vel Eccleſiæ detrimentum, in Angliam veniret: niſi tantummodo tranquillum tranſitum faceret per ipſam terram de Portu Doveræ ad portum Lenna, ad Regna ulterioſa ſtatim tempore opportuno, et obtento vento proſpero, migraturus. Sed poſtquam licentiam benigne dicto modo obtinuiſſet, intrepidus intravit, & Domino Rege ſalutato, & muneribus gratiſſis acceptis ab eodem, ad Lennam iter maturavit, et ibidem per tres ſerè menſes commorans, non potuit Romanis innatam cupiditatem cohibere, quin ad Episcopos et Abbates, et Priores nuncios ſurtivos, ad uberes mitteret poſtulando procurationes, et munera precioſa, in domibus Hancrithi Episcopi Norwicenſis, quod Geymuda dicitur, commoranda, ita quod quæſtus ſui, ad quatuor miſſia Marcarum ascendere dicebatur: veruntamen ut ſub ſpecie ſanctitatis omnia palliaret, crebro ſermonem faciebat populo. Et cum navem aſcenſurus fuiſſet, quem opulentiſſimè communiſſerat multo frumento & dolis quàm plurimis vino plenis prælecto, & aliis viſualibus, iuſſit cuidam fratri de ordine Prædicatorum in ipſa Miſſa celebrare, quod & factum eſt, non ſine multorum, qui hoc non præviderant, admiratione. Habebat namque in ipſa navi, ſicut de Arca Noë legitur, (ſuch was his Pomp and Pride) diverticula & triſtegas, cambras & conclavia, qua ſpecialiter propter ipſum artiſicialiter fuerunt compoſita. Et ſic vento ſtante proſpero, dataque Angliæ, & ſuis Angliis prodigijs benediſſione, pelago ſeptentrionali ſeſe dives ſactus commiſit. How he ſleeced and preyed upon the Northern kingdoms for the Popes and his own advantage, as his Confederates had done the Engliſh and French; \* Matthew Paris informs us. Coronatus eſt Rex Hacon, & in Regem inunctus ſolemniter apud Bergas, ab Episcopo Sabinenſi, Legato tunc in partibus illis exiſtente. Iſto cuius hoſtioris et beneficii exhibitio, Papæ Dominus Rex quindecim miſſia marcarum eſterlingorum numerabit. Legatus vero acceptis donatiſſis impreſſiſſilibus quingentas extorſit mareas ab Eccleſiis Regni illius. Veruntamen idem Rex cruce ſignatus à Domino Papa impetraviſſet recipere tertiam partem proveniuntum à viris Eccleſiaſtiſtis Regni ſui, ad ſua viatica peregrinationis; The tranſactions and Letters paſſed between the King of France and Hacon concerning this his pretended pilgrimage to Jeruſalem (worthy peruſal) you may read more at large in this Hiſtorian.*

Math. Paris  
p. 708.  
Applicat in  
Angliam Sabi-  
nenſis Episco-  
pus Cardinalis  
Legatus.

\* Page 718.

The Pope not contented thus to extort money in all places by Croysadoes, Procurations, and ſuch like Exactions; made a very gainfull Trade of ſelling Archbiſhopricks, Biſhopricks, and other Eccleſiaſtical Preferments to ambitious perſons who would give moſt for them; as Matthew Paris thus inſinuates in one memorable inſtance, of Odo Archbiſhop of Rheau, of whom \* before.

\* Here, p. 686.

Anno quoque ſub eodem Odo Archiepiſcopus Rothomagenſis, quondam Abbas Sancti Dionyſii, diviſo, ut eruditur, percuffus iudicio, ſubito obiit; cum jam vix per annum ſophiſticæ ſede Archiepiſcopali præſidens, nomen tantum et officium ſibi tenere impoſſet, & Petro ſuo antecſſori fructus Archiepiſcopatus diſtribuiſſet. Ipſe enim Anglicus Nationis Abbas exiſtitat Sancti Dionyſii, quem ambitio et ſuperbia adeo ad Archiepiſcopatus prædici dignitatem inſolenter attraxerant, ut domum ſuam irreſcindibiliter ære alieno obligatam dereliquerit, et dignitatem prætextatam, ſymoniacè in ſui perniciem conſequatur, as moſt other Archbiſhops, Biſhops and Abbots did in that Simoniackal age.

\* Hiſt. Angl. p. 709.  
Odo Archiepiſcopus Rothomagus obiit.

Moreover this avaritious Simoniackal Pope made a gain of his very Bulls for canonizing and tranſlating Popiſh Saints, as he did this year by his long deferred Canonization and tranſlation of St. Edmund, Biſhop of Caſterbury; (the Bull

Uuuu

and

\* Hist. Angl. p. 607, to 612. 696.  
Additamenta, p. 158.  
Anno 1246, 1247. De E-  
ventibus Ang-  
liz, l. 2. c. 14.  
\* Here p. 563, 564.

\* Mat. Paris  
Hist. Angl. p. 709.  
Willielmus de  
Longa Spata,  
cum aliis No-  
bilibus cruce  
signatur.

\* Mat. Paris,  
p. 711.  
Collegit Co-  
mes Richardus  
pecuniam de  
Cruce signatis.

\* Mat. Paris  
Hist. Angl.  
An. 1247. p.  
717. Mat.  
Westm. p. 216.  
Brevi totius  
Anni descriptio

\* Here, p. 629,  
630. Mat. Pa-  
ris, p. 667, 668

and History whereof, you may read at leisure in \* *Matthew Paris*, *Matthew West-*  
*minster*, *Henry de Knyghton*, *Matthew Parker*, and *Godwin* in his Life, (to omit all o-  
thers) from whom this Popes predecessors had extorted vast summs of money, and  
so much vexed, discontented (notwithstanding his pretended *Sanctity* and *miracles*)  
that he left his Bishoprick, and \* died for meer grief.

And to adde oppression to oppression, this *Egyptian* Papal Taxmaster to gratifie  
*Richard Earl of Cornwall*, *William de Longa Spata*, and other English Nobles, to abate  
or take off their oppositiō against his insufferable exactions, granted the special Bulls  
(as he had done to the King of *France*, and *Haco*, who had taken up the Cross, under  
pretext of ayding them in their voyage to the Holy Land, for which they had  
crossed themselves) to exact monies from the English, to their great oppression.

*Eodem quoque Anno Episcopus Wygorniz, & Willielmus Longa Spata, & Gal-*  
*fridus de Lucy, in Episcopatu Wigornienſi, & multi alii Nobiles de Regno Angliz,*  
*exemplo Regis Francorum, & Nobilium de Regno Francorum armati, cruce signaban-*  
*tur circa tempora Rogationum. Willielmus autem Longa Spata, ut de Cruce signatis*  
*emolumentum metens ubi non seminavit, prudenter ad instar Comitiss Richardi, colligeret,*  
*Romanam Curiam adiit, & super negotio suo alloquens Dominum Papam, ait; Dominus,*  
*videtis quod cruce signor, & in procinctu itineris paratus sum cum Domino Rege Franco-*  
*rum militare Deo peregrinando. Magnum nomen habeo et notum, Willielmus scilicet*  
*Longa Spata, sed subest res parva. Dominus enim Rex Angliz meus cognatus, &*  
*Dominus naturalis, nomen mihi Comitiss cum substantia abstulit: hoc tamen iudicialiter*  
*& non in ira sua fecit, vel impetu voluntatis, quapropter ipsum non criminor. Ne-*  
*cesse habeo ad finem misericordia vestra paternum refugere, auxilium à vobis in hac ne-*  
*cessitate petiturus. Videmus namque nobilem virum Comitem Richardum, qui licet cruce*  
*non signetur, per obtentum gratia vestra in hac parte nimis fructifera, à cruce signato*  
*populo non minimam pecuniam vindemiare in Regno Angliz, & ego ex eo spem consequen-*  
*ter accipiens, cruce signatus & indigens, eandem mihi postulo concedendam. Considerans*  
*igitur Dominus Papa loquentis facundiam, rationis efficaciam, corporis elegantiam, se ip-*  
*si favorabilem exhibuit, concedens ei in parte qua postulavit, latam videlicet ex aliena*  
*cute corrigiam.*

\* Tunc etiam temporis Comes Richardus, auctoritate Domini Papa, cujus in-  
digentia clam & caute satisfecerat, a cruce signatis infinitam collegit pecuniam,  
ita quod ab uno Archidiaconatu dicitur sexcentas libras reportasse,  
harum literarum fretus auctoritate. Consimilique cautela *Willm*  
*Longa Spata* mille marcas et amplius de cruce signatis, ut præscrip-  
tum est, reportavit: besides what Archbishop *Boniface* (qui in partibus transma-  
ris Domino Papa militabat) violently extorted by Excommunications from the  
Bishops and Clergie of his Province at the same time, of which before.

In regard of the manifold Extortions this year both at home and abroad by the  
Pope and his agents principally to raise and maintain Wars against the Emperor, *Mat.*  
*Paris* and *Matthew Westminster* render us this Epitome, and brief character thereof.

*Transit igitur annus ille uberrimus in frugibus, in fructibus autem sterilis; Angliz*  
*nocibus, Wallia dominatoꝝ Tyrannicus, Terra Sancta inimicus, susce-*  
*ptus et formidabilis, Ecclesie nocibus universalis, et spoliatoꝝ turbu-*  
*lentus, Italia cruentus, Imperio et Curia Romana infamis et inimi-*  
*cus, et præcipue Regno Alemannie martius et hostilis; Regnis*  
*Francorum et Anglorum exatoꝝ hostilis et prædatoꝝ turbulentus; obdum*  
*generans in cordibus Prælatorum, et alioꝝ plurimum contra Pa-*  
*pam, eo quod Patronis violenter spoliatis, suspendit a beneficio-*  
*rum collatione, quod est hactenus inauditum, et contra Dominum*  
*Regem, eo quod talia tolerabat.*

As the Pope thus vexed, oppressed the Clergy and Religious persons on the one  
hand this year, so Bishop *Grosbead* and his Ecclesiastical Officers, vexed, oppressed the  
Nobility and Laity on the other hand, by Bulls & Priviledges obtained at a dear rate  
from this Pope, as our Historians and Records inform us: For this *Robert Grosbead*  
Bishop of *Lincolne* after a long contest and suit at *Rome*, Anno Dom. 1245. purcha-  
sing from Pope *Innocent* the 4th. a Priviledge (\* forecited) to visit the Dean, Chap-  
ter, Canons, Clerks, Ministers of the Quire, and Cathedral Church of *Lincolne*, and all



the Ministers, Chaplains, Churches and Parishioners belonging to the Churches within his Diocese; et ad correctionem excessuum ac morum reformationem libere admittendum. And likewise, that the Canons of Lincoln should yield and render to him Canonical obedience and reverence; Obligare se tamen ad hoc Iuramento nuali præstatione, seu promissione minime teneantur, cum ad hoc consuetudine non iuberis. The next year (Anno. 1246.) he visited his Diocese in pursuance of this privilege, by his Archdeacons, Deans and Officials; and (at the suggestion of the Friars Minorites and Predicants) in his Visitations and Consistories made strict Inquisitions concerning the continency and manners as well of the Noble as ignoble, to the enormous defamation and scandal of many, compelling Laymen to present and give in testimony in these cases upon Oath; an Innovation never used in the Realmes before: The King upon complaint thereof, issued forth Writs to the Sheriff of Lincoln, to inhibit any Lay persons within his County to appear before them to make any Inquisitions, or take any Oath at the will of the Bishop, except only in causes of Matrimony and Testament; which \* Matthew Paris thus records to posterity, living at that time, within this Diocese, and taking special Notice of these proceedings.

His quoque diebus cum Episcopus Lincolnienfis, supra quam deceret vel expediret in Subiectos suos, ad suggestionem, ut dicitur, Predicatorum & Minorum, deserviret, ita scilicet, ut faceret Inquisitiones districtas per Archidiaconos et Decanos suos in Episcopatu suo, de continentia et moribus tam Nobilium quam Ignobilium, in enormem lesionem famæ multorum et scandalum, QUOD NUNQUAM FIERI CONSUEVERAT, Dominus Rex audiens super hoc populi graves querimonias, CONSILIO CURIAE SUAE, scripsit Aliecomiti Hertfordiae in hæc verba,

Henricus Dei Gratia Rex Angliæ, &c. Incipimus tibi, quod sicut tempus et omnia tua diligis, non permittas, quod aliqui Laici in Balliva tua ad voluntatem Episcopi Lincolnienfis, Archidiaconorum, Officialium seu Decanorum ruralium in aliquo loco conueniant de cetero AD COGNITIONES PER SACRAMENTUM EORUM, VEL ATTESTATIONES ALIQUAS FACIENDAS, nisi in Causis Matrimonialibus vel Testamentariis. Quod cum audisset Episcopus, assererat, Dominum Regem quorundam Conspiratorum qui jam in Francia in consimilem audaciam proruperunt, vestigia secutum. An insolent undutifull answer of a furious turbulent wilfull Prelate.

The Conspiracy of the Nobility and Commonalty of France which Grostheads words related to, is thus recorded by Mat. Paris; They being intollerably oppressed by the Insolencies, usurpations of the Pope, French Bishops, and Clergy upon their antient Liberties, Rights, Priviledges, by citing them into their Ecclesiastical Courts for Temporal Matters and causes belonging to the Civil Jurisdiction; judging them by new Canons and Constitutions made by themselves alone, without common consent in their Parliaments; when as they ought rather to be Judged by the Nobles and Laity, by whose Valour and Liberality they enjoyed all their Ecclesiastical Priviledges and possessions; Excommunicating, interdicting, enforcing them to take new Oathes, and tyrannizing over them at their pleasures, as if they were slaves, and vassals, rather then Freemen, they thereupon after all other fruitlesse complaints entred into a Soleinne League and Confederacy against them, to vindicate and regain their antient Rights and Priviledges.

Cum vero dierum istorum fluentia prolaberentur, tepuit devotio fidelium, et filialis affectus Charitatis, quem quilibet Christianus adversus Patrem nostrum spirituale, videlicet Dominum Papam gerere teneretur, non sine animarum periculo, læsus deperit, imo et in odium execrabile, et maledictiones occultas est conversus. Videbant enim omnes et singuli, et videntes sentiebant, ipsum Dominum Papam pecuniarum et pecuniarum rapinis, in multorum damnum, et depauperationem insatiabiliter inhiare. Nec credebant jam multi ipsum potestatem beato Petro concessam scilicet, videlicet, ligandi et solvendi obtinere, qui penitus beato Petro dissimilis probabatur.

\* Hist. Angl.  
Angliæ. p. 693,  
694.

Rex prohibet  
Inquisitiones  
ab Episcopo  
Lincolnienfi  
Institutas.

\* Mat. Paris  
p. 697, 698.  
Pieuvres des Li-  
bertez de Leg-  
lise Gallicane;  
p. 229, 230.  
Conspiratio  
quorundam  
Nobilium  
Franciæ contra  
Papam.

Nota.

habatur. Resolutum est igitur os magna loquentium et obloquentium ubique locorum, et præcipue in Francia. In qua quidem multi Nobiles in ipsum Papam et Ecclesiam, quod nunquam meminimus evenisse, conspirabant, sicut in hac Chartula quæ Gallica lingua conscribitur, quia sic ad notitiam nostram pervenit, poterit considerari.

*A tous ceux qui ces lettres verront, nous tous desquels les sceaux pendent en cest present escript, faisons scavoir, que nous par la foy de nos corps avons fiance tant nous comme nos eirs a tousiours, a aydder les uns aux autres, et a tous ceux de nos terres, et d'autres terres, qui voudront estre de ceste compagnie, a pourchasser et a requirir et a defendre nos droitz et les leurs en bonne foy envers la Clergie. Et pour ce que serroit grieve chose nous tous assembler pour ceste besoigne, nous avons eslu par le common assent et octroy de nous tous, le Duc de Bretagne, le Conte Ferrus de Bretagne, le Conte de Angoulesme, et le Conte de S. Pol, a ce que si aucuns de ceste communité avoit a faire envers la Clergie, tel ayd comme ces quatre devantdits esgarderoient que un homme luy deust faire, nous luy ferions. Et cest a scavoit, que a se defendre, pourchasser et requierir, chascun de ceste communité mettre la centiesme part par son serment de la vaillance de un an de la terre quil tiendra. Et chascun riche homme de ceste compagnie fera leber ces deniers chascun an a son poivoir a la Purification nostre Dame, et les delivra ou il sera mestier pour ceste besoigne, par les lettres pendantes de ces quatre about nommez, ou des deux de eür. Et si aucun avoit tort, et si ne vouloit laisser par ces quatre avant nommez, il ne serroit pas ayde de la Communité. Et si aucun de ceste compagnie estoit excommunié par tort, cognu par ces quatre, que la Clergie luy feist, il ne lasseroit aller son droit ne sa querele pour les Communiment, ne pour autre chose qu'on luy face, si ce n'est par l'accord de ces quatre, ou de deux de eür, ains poursuiveroit sa droiture. Et si les deux des quatre moureroient ou alloient hors de la terre, les autres deux qui demuroient, mettroient autres deux en lieu de ces deux, qui auroient tel pouvoir que est a devant devise. Et sil advenoit que les trois, & les quatre allassent hors de la terre, ou mourissent, les douze ou les dix des riches de ceste communité esliront autres quatre, qui auront ce mesme pouvoir que les quatre devant ditz. Et si ces quatre, ou aucun de la Communité par le Commandement de ces quatre, faissent aucune besoigne, qui appartensist a ceste Communité, la Communité l'en delivreroit.*

Aliud Scripsum  
contra Clerum.

Quia Clericorum superstitio, non attendens quod bellis et quorundam sanguine sub *Carolo Magno* et aliis, Regnum *Franciae* de errore gentiliū ad fidem Catholicam sit conuersum, primo quadam humilitate nos seduxit, quasi vulpes se nobis opposcentes, ex ipsorum castrorum reliquiis, quæ a nobis habuerunt fundamentum, iurisdictionem secularium Principum sic absorbent, ut filii serborum secundum suas leges iudicent liberos et filios liberozum, quamvis secundum leges priorum Triumphatozum, deberent a nobis potius iudicari, et per Novas Constitutiones non deberet Antecessorum nostrorum consuetudinibus derogari, cum nos deterioris conditionis faciant, quam Deus etiam voluit esse Gentiles, cum dixerit, *Reddite quæ sunt Caesaris Caesari, & quæ sunt Dei Deo.* Nos omnes Regni majores attento animo percipientes, quod regnum non per jus scriptum, nec per Clericorum arrogantiam, sed per sudores bellicos fuerit adquisitum, presenti decreto omnium iuramento statimus et sancimus, ut nullus Clericus vel Laicus ali-

um

um de cætero trahat in causam eorum ordinario Iudice, vel Delegato, nisi super hæres, matrimonio, vel usuris, amissione omnium bonorum, et unius membri mutilatione transgressionibus imminente, certis a nobis super hoc Executoribus deputatis, ut sic Jurisdicatio nostra resuscitata respicit, et ipsi hædenus ex nostra depauperatione ditati, quibus Dominus propter eorum superbiam prophanas voluit revelare contentiones, reducantur ad statum Ecclesiæ primitivæ, et in contemplatione viventes, nobis sicut decet activam vitam ducentibus, ostendant miracula, quæ dudum a seculo recesserunt.

Hæc cum audisset Papa, ingemuit spiritu perturbato, & cupiens eorum emollire corda, & constantiam enervare, admonitione præmissa eos minis perterrituit, nec se sic sensit prævalere. Contulit igitur multis consanguineorum eorum multa beneficia Ecclesiastica, & licentiam \* plura obtinendi cum indulgentiis multis, neque & plura ipsis Nobilibus contulit donativa, & sic multos eorum à prædicta præsumptione revocavit. Multos tamen perterrituit hujusmodi tenor Epistolæ, credebaturque hæc a consensu Frederici emanasse, maxime cum hujusmodi clausula finalis concordet Epistolæ Frederici quam multis misit Principibus. in cujus fine sic dicit, *Semper fuit nostra intentio voluntatis, Clericos cujuscunque ordinis ad hoc inducere, & maxime maximos, ut tales perseverarent in fine, quales fuerunt in Ecclesia primitivâ Apostolicam vitam ducentes, humilitatem Dominicam imitantes.* Tales namque Clerici solebant Angelos intueri, miraculis coruscare, &c. Require in anno 1245 in Epistola Frederici ad Regem Angliæ missa & singulis Principibus.

\* Licenses for Pluralities how introduced.

That the Kings, Nobles, and Parliaments of France and Normandy, somewhat before and after this, declared, protested in sundry notable Writings and Declarations, That neither the Pope nor his Legates had any right or power at all to Interdict, or Excommunicate the Realm or Kings of France; neither he, nor the Archbishops, Bishops, or Clergy of France, any Jurisdiction to Excommunicate or inflict any Ecclesiastical Censures upon the Kings Barons, Ministers, Officers, without the Kings Royal assent; that they commanded Bishops and Ecclesiastical Courts to absolve their Subjects when Excommunicated; allowed them power to hold Plea of Charters only in three cases, you may read at large in *Preuves des Libertez de Leglise Gallicane*, cap. 4, 5, 6, 7, 8, 9, 10, &c. I shall recite but two instances, the first relating to Normandy whilst subject to the Kings of England.

*Extrait d'un Acte des Barons de Normandie, qui declare les Droits du Roy sur les Eglises & personnes Ecclesiastiques de Normandie, An. D m. 1205.*

*Preuves des Libertez de Leglise Gallicane, cap. 4. p. 165. & cap. 35. p. 1263.*

*Notum facimus universis, ad quos præsens scriptum pervenerit, quod nos juravimus super Sacrosancta Evangelia, quod jura que Henricus & Richardus quondam Reges Angliæ habuerunt in Normannia, adversus Clerum & apud Lexovium & alibi, & jura nostra diceremus.*

*Item diximus per Sacramentum nostrum, quod Archiepiscopus vel Episcopus, vel alia inferior Ecclesiastica persona, non debet ferre sententiam Excommunicationis in Barones, vel in Ballivos, aut in Servientes Domini Regis, aut in Clericos domus suæ, Rege non requisito, vel suo Senescallo.*

*Item diximus per Sacramentum nostrum, quod nulla Ecclesiastica persona debet aliquem trahere in causam pro fide, vel pro Sacramento quod fiat de feodo Laico, vel Castello hominis Laici, sed si fides data fuerit de Catallo Martagii, vel de Legato Mortui, vel Catallo Clerici, vel Crucesignati, de causa illa bene possunt judicare.*

*Item diximus per Sacramentum nostrum, quod in feoda terræ Gornaii et sceritatis, et Goellenfontis non debet Archiepiscopus tenere nisi tria tantum placita, scilicet de Martagio, et Legato Mortui, et de Catallo Clerici. Actum Rothomagi Anno gratiæ 1205. mense Novembris, Dominica post Octavam Festi Omnium Sanctorum, cum viginti sigillis.*

This was the only Ecclesiastical Jurisdiction the Clergy of Normandy enjoyed, whilst under our English Kings. The



The second is this memorable Declaration, Prohibition, Arrest of King *Charles* the 5th. of *France*, and his Parliament, declaring the antient Priviledge of the Kings of *France* enjoyed time out of minde, ( agreeing with this in *Matthew Paris* ) That the Kings Officers and Subjects ought not to be cited, vexed, excommunicated, interdicted by any Archbishops, Bishops, Archdeacons, or other Ecclesiastical persons for executing their Offices; commanding them to revoke their illegal Excommunications and Interdicts denounced against them, for not delivering Clerks imprisoned for Murder upon their Ordinaries demands, and seising their Temporalties, and summoning them to answer their contempts therein.

Preuves des Li-  
bertez de Leg-  
lise Gallicane,  
cap. 5. p. 166,  
167.

*Quod Officiarii Regii non possunt Excommunicari.*  
*An. Dom. 1369.*

**C**AROLUS Dei gratiâ Francorum Rex, Leodegario Waront Parliamenti nostri Hostiario, aut alteri primo dicti Parliamenti nostri Hostiario, & Servienti nostro, ad quem presentes Litera nostra pervenerint, salutem. Procurator noster generalis pro nobis, ac Petrus Garnerii Burgensis & Custos Justitiæ nostræ in Villa de Medunta, Curia nostra exposuerunt, asserendo, quod licet per certa privilegia à sede Apostolica nobis & Prædecessoribus nostris Franciæ Regibus concessa, quæ adeo sunt notoria, quæ nullus ea poterat sive potest ignorare; de hoc quod dicti Prædecessores nostri fuerunt & nos etiam fuimus & sumus in possessione & saisina pacifici, iidem quoque Prædecessores nostri dictas possessiones & saisinam continuaverunt, & nos etiam continuavimus, à tanto tempore quod hominum memoria in contrarium non extabat, nullis Archiepiscopis, Episcopis, aut quibusvis aliis iudicibus Ecclesiasticis, seu eorum Officialibus, apparatozibus, sive gentibus quibuscunque, auctoritate sive virtute eorum Jurisdictionis Ecclesiasticæ ordinariæ, vel alia quacunque de causa in Villis et locis nostris in Regno nostro Franciæ situatis, maxime de nostro proprio dominio existentibus, cessum seu Interdictum ponere, seu poni facere, aut sententias Excommunicationis, vel Interdicti proferre, aut proferri, seu promulgari facere liceat quoquomodo: & nihilominus cum Robertus Munerii dictus de Maule, voerius & receptor noster apud Meduntam, pro suspitione homicidii in personam defuncti Magistri Johannis dicti Bout du Monde in dicta Villa de Medunta perpetrati, nuper in Carceres nostros apud Meduntam, sponte sua prisonarium se reddidisset & posuisset, gentes dilecti & fidelis Consilarii nostri Episcopi Carnotensis, videlicet Petrus Peregrini Presbyter, Magister Domus Sancti Lazari de Medunta, & nonnulli alii Clerici in Curia Ecclesiastica dicti Episcopi frequentantes, necnon P — de Sancto Sylvestro Officialem Archidiaconi de Pinlerein, ex parte nostra propter debitum Jurisdictionis, inter dictos Episcopum & Archidiaconum contentiose, & de super quo lis inter dictas partes in ipsa nostra Curia pendere dicitur, commissum & deputatum se dicens, ac nonnulli alii Clerici in Curia dicti Officialis frequentantes, ac Camerarius de Columbibus penes prædictum Petrum Garnerii in dicta Villa de Medunta, quæ est in & de proprio dominio nostro, nuper accesserunt, et eundem sub pœna Excommunicationis ac Centum Marcarum Argentii requisiverunt, ut præfatum Robertum, necnon Gulielmum de Commeny Lachomum, pro suspitione homicidii prædicti ibidem prisonarium detentum, quos Clericos fore, & in habitu & tonsura Clericali existere assererant, una cum casibus pro quibus detinebantur eis traderet, & deliberaret instrumentum super hoc à Roberto Gomer Presbytero illic præsentem, sibi fieri requirendo. Verum quamquam idem Petrus eisdem amabiliter respondisset, quod ipse locum tenens Ballivi de Medunta non existeret, nec ab his commissus extiterat, vel erat, nisi in casibus civilibus duntaxat, & ob hoc de dictis prisonariis eis tradendis, & deliberandis potestatem non habuerat nec habebat, prænominati gentes & officiales prædictorum Episcopi & Archidiaconi respon- sione dicti Petri vera & licita non obstante, eundem Petrum excommunicaverunt, et excommunicatum denunciaverunt, et quod deterius fuit et est, cessum seu Interdictum in prædicta Villa nostra posuerunt, et pos- tum tenuerunt; atque tenent taliter, quod divinum servitium et alia Ecclesiæ Sacramenta in ipsa Villa celebrari non possunt: Quæ facta sunt, et fuerunt in nostri et Jurisdictionis nostræ tempora-  
lis

lis dictorumque privilegiorum nobis ut supradictum est, indultorum ac possessionis, et salinae nostrarum praedictarum, necnon praedicti Petri praedictum et contemptum, ut asserunt. Procurator noster & Petrus Garnetii antedicti supplicantes, sibi super hoc de remedio competenti provideri, attento quod dictus defunctus tempore quo vivebat & decessit, erat noster Advocatus in dicta Villa, ac in nostra salva & speciali gardia notorie & competenter publicata, quancumque dicta nostra Curia ex certis iustis causis ad hoc ipsum moventibus ordinavit, & mandavit dictum Robertum Prisonarium, ad eandem nostram Curiam adduci. Quocirca tibi tenore praesentium committimus, & mandamus, quatenus si decessu seu Interdicto praedictis sibi summarie confiteris praedictos Episcopum, Archidiaconum, & Camerarium, ac eorum Officiales, vicarios, promotores, & gentes de quibus pro parte dicti procuratoris nostri, & Petri super hoc fueris requisitus ex parte nostra requiras, & etiam precipias eisdem si sit opus, ut huiusmodi cessum seu Interdictum in dicta Villa ut praemittitur, appositum revocent, et adnullent: quod si facere renuerint, aut plus debito diffulerint, ipsos ad hoc per captiorem et detentionem temporalitatis eorumdem, absque aliqua recedentia de hoc facienda viriliter compellas indilate: et insuper dictos Episcopum, Archidiaconum, et Camerarium, ac eorum Officiales, vicarios, et gentes, ex parte nostra requiras, ut ipsi et eorum singuli prout ab eos spectabit, Citationes, Monitiones, Sententias, Excommunicationes, denunciations et processus Ecclesiasticos quoscunque contra praedictum Petrum aut alios Officiales, vel Servitores nostros in praedicta Villa, occasione praemissorum factos seu inchoatos, similiter revocent omnino et adnullent: et ipsum Petrum et alios Officiales nostros, et gentes si qui sint a sententiis Excommunicationum eorumdem Episcopi, Archidiaconi, Camerarii, Officialiumque promotorum et gentium suarum sumptibus et expensis absolvi, et ab omnibus Citationibus, Monitionibus, denunciationibus, et processibus Ecclesiasticis totaliter cessare faciant indilate, ipsos ad hoc per captiorem, et detentionem eorum temporalitatis praedictae compellendo: et in casu quo dicti Episcopus, Archidiaconus, Camerarius, et eorum Officiales, et alii praedicti, sententias Excommunicationis, ac Monitiones et processus praedictos contra dictum Petrum et alios Officiales nostros factos et inchoatos revocare noluerint, et ad hoc se opponere voluerint, praedictos, quoad hoc opposcentes, et etiam praedictos Episcopum, Archidiaconum, Camerarium, et gentes, et Officiales suos superius nominatos, qui expleta praedicta fecisse dicuntur, ad iohannes ad certam diem et competentem diem in nostro praesenti Parlamento non obstantes quod sedent, et ex causa videlicet dictos opposcentes supradicta oppositione processuros, et ipsos et alios superius nominatos praedictos, Procuratori nostro, et Petro Garnetii, si et prout experierint, super praemissis, et ea tangentibus, responsuros, et ulterius processuros et facturos, prout fuerit rationis, eisdemque ex parte nostra sub certis magnis poenis nobis applicandis injungas ne mereantur ad ulteriores sententias Monitiones, et processus contra dictum Petrum et alios Officiales nostros procedant occasione praemissorum, sed ea omnia in statu in quo sunt teneant, quousque per datam nostram Curiam partibus auditis aliud extiterit super hoc ordinatum, eandem nostram Curiam ad diem super praedictis assignatum, de requisitionibus, praecipis, adjournamentis, nominibusque adjornatorum, & aliis quae fuerint in hac parte verificando competenter; ab omnibus autem iusticiariis & subditis nostris tibi in praemissis, & ea tangentibus parere volumus efficaciter, & jubemus. Quod praefata nostra Curia sic fieri voluit, & Procuratori nostro, & Petro

Petro Garnerii memoratis concessit, & ex causa. Datum Parisiis in Parlamento quinto die Januarii, Anno Domini 1369. & Regni nostri Sexto.

There are many like Arrests of the Kings and Parliaments of France, for seizures of the Temporalities of Archbishops, Bishops, Archdeacons, and Ecclesiastick Judges, for admonishing, excommunicating, interdicting the Kings Officers, and others, and refusing to absolve them when enjoined: and exceeding the legal bounds of their Ecclesiastical Jurisdiction: And some declaring the Monitions and Excommunications of Bishops against several persons, to be abusive, scandalous, vexatious, full of falsities, impostures, tending to sedition, rebellion, derogatory to the Kings Crown and dignity, and commanding them to be revoked, yea torn, and publicly burnt by the Executioner as such; which you may peruse at leisure in the 5, and 6. Chapters of *Prenus de Libertez de L'Eglise Gallicane*.

The English Nobility and Laity in the Diocese of Lincoln, (as this innovating, turbulent Bishop conceived, encouraged by these Presidents of the French) unanimously opposed his Usurpations of like nature upon their Liberties, Reputations, Consciences, complaining to King Henry the 3d. and his Council against the Bishops, Archdeacons, Deans and Officials vexations, and illegal Oathes, proceedings; the King thereupon by special Writs prohibited them, as prejudicial, derogatory to his Crown and Dignity, repugnant to the antient Customs of his Realm, his peoples Liberties, and hurtfull to their fames, souls: But this obstinate head-strong Bishop slighting the Kings Writs, and proceeding in these his illegal Visitations and Inquisitions notwithstanding, the King and his Council upon new complaints the next year, (Anno 31 H. 3.) issued forth new Prohibitions to all Sheriffs within the Diocese of Lincoln, thus recorded in the *Clause Rolls* in the Tower.

Clauſ. 31 H. 3.  
m. 1 r. dorſo.

**M**andatum est Vicecomiti Lincolnie, quod non permittat quod aliqui Laici in Balliva sua, ad vocationem Lincoln. Episcopi, Archidiaconorum vel Officialium eorum, seu Decanorum ruralium in aliquo loco consentiant de cetero AD ALIQUAS RECOGNITIONES PER SACRAMENTUM EORUM, VEL ATTESTATIONES ALIQUAS FACIENDAS, nisi in causis Matrimonialibus vel Testamentariis tantum. Teste, &c.

Eodem modo scribitur omnibus Vicecomitibus Episcopatus Lincoln.

Mat. Paris, p.  
705.  
Nova Statuta  
Regis Angliæ.

Eodem quoque anno (as Matthew Paris relates) Dominus Rex Anglorum, exemplum accipiens ab illis Baronibus, qui sua statuta sanxerunt in Francia, quibus et Dominus Francorum favorem jam præbuit, et sigillum apposuit; ad insatiablem Romanæ Curie in parte ad præsens cupiditatem retrahendam, constituit in Anglia inviolabiliter observanda hæc. Lites de fidei læssione et perjurio prohibentur a Rege, quando super his conveniuntur Laici coram Iudice Ecclesiastico. Prohibetur Ecclesiasticus Iudex tractare omnes causas contra Laicos, nisi sint de Matrimonio vel Testamento. Item, de novo præscribit Rex, certam formam Episcopis de Bastardia; utrum scilicet ante Matrimonium contractum, vel post nati sint? Prohibentur Clerici per Breve Regis, instituere actiones suas coram Iudice Ecclesiastico super decimis; et appellatur illud Breve, Indicavit. De Sacramentis quæ exiguntur a Clericis coram Iustitiariis Regis præstandis, quia dicuntur processisse in causis contra Prohibitionem Regiam; cum iurate non teneantur Clerici, nisi coram Iudice Ecclesiastico, maxime in causis spiritualibus. Item, de Clericis quos ministri Regis capiunt, propter famam quæ a Laicis eis impositur.

Nota.

The



The Bishop of *Lincoln*, notwithstanding the former Prohibitions, and these new Statutes, proceeding in these his illegal Inquisitions and Oathes, in high contempt of the Kings Crown and Dignity, and compelling men and women by Ecclesiastical Censures to appear and take his new devised Oathes against their wills; the King thereupon issued out new Writs to the Sheriff of *Lincoln* to attach the Bishop, and enforce him to put in good bayle and sureties to appear before the King to answer this contempt, as these Records attest.

**R**EX Vicecomiti *Lincolnia*, salutem. Pone per Cladium et falvos Plegios R. *Lincoln*. Episcopum, quod sit coram Nobis in Octab. Sanctæ Trinitatis, ubicunque tunc fuerimus in *Anglia*, offensurus, quare fecit summoneri, et per Censuram Ecclesiasticam distringi Laicos homines et Laicas sceminas ad comparandum coram eo, et ad præstandum iuramentum pro voluntate sua, ipsis inhibitis, et in grave præjudicium Coronæ nostræ et Regiæ Dignitatis, necnon et magnam læsionem Regni nostri. Et habeas ibi nomina plegiorum, et hoc Breve. Teste Rege apud *Westm.* secundo die *Maii*.

Clauſ. 33 H. 3. m. 11. dorſo. See Rastals Abridgement of Statutes, Prohibition 5. See Cooks 12 Reports, p. 16.

**R**EX Vicecomiti *Lincolnia*, salutem. Pone per Cladium et falvos Plegios R. *Lincoln*. Episcopum, quod sit coram Nobis in Octab. Sanctæ Trinitatis, ubicunque, &c. offensurus, quare pro voluntate sua distringit Laicas personas suæ Dioc. ad iurandum, eis inhibitis, in grave præjudicium Coronæ et Dignitatis nostræ, et contra Consuetudinem Regni nostri. Et habeas, &c. Teste, &c.

(Anno 35 Henr. 3.) The Bishop of *Worcester*, by the Bishop of *Lincoln* encouragement, in his Visitations and Consistories by himself and his Officers, summoned Lay persons, as well Villains as Freemen, to take an Oath of Inquiry upon Articles at his own pleasure, without the Kings special command, against the Custom of the Realm, and his Royal Dignity, which Innovation caused great scandal and raised a schism among the people; whereupon the King issued the like Writs to the Sheriffs of *Gloucester* and *Worcester*, (as he formerly did to the Sheriff of *Lincoln* and others, An. 30 & 31 H. 3.)

**R**EX Vic. *Glouc.* salutem. Audibimus, quod W. *Wyornienſis* Episcopus tranſeundo per suam Dioc. vel Clericos suos specialiter destinando, compellit tam Liberos quam Villanos, ad præstandum Sacramentum sine mandato nostro speciali, super Inquisitione pro voluntate sua fac. contra Consuetudinem et Regiæ Dignitatis excellentiam: Et quia ex hoc scandalum magnum et schisma in plebe generatur; Tibi præcipimus, quod nullum Laicum de cætero coram eodem Episcopo vel Clericis suis comparere permittas ob causam memoratam, ita quod inde diligentia tua merito valeat commendari. Teste Rege apud *Westm.* 14. die *Augusti*.

Clauſ. 35 H. 3. m. 6. dorſo. See the Register of Writs, part 1. f. 36. Fitzherbert, Nat. Brev. f. 41. 2. Rastals Abridgement of Statutes, Prohibition 5.

Per ipsum Regem.

Eodem modo mandatum est *Alc. Wyorn.* Teste, &c.

The Bp. of *Lincoln* and his Officers, notwithstanding the former Writs, still vexing those of his Diocesis, as well Noble as Ignoble, citing many poor Husbandmen from place to place, and Excommunicating them for not appearing, so as they could not attend their Husbandry and Temporal affaires, to their great impoverishing & vexation; and likewise compelling them to inquire & give testimony upon Oath of the private sins of others, whereby many were defamed, and might easily incur the danger of perjury; The King upon the general complaint of his Subjects against these grievances and Innovations, An. 36 H. 3. sent this memorable Prohibition to the Bishop himself,

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commanding

commanding him from thenceforth to desist from these Citations and Vexations newly invented, against the long Custom of the Realm, bringing a double damage to his Subjects, which he neither would nor could any longer endure, without putting his Royal hands to redresse them, and punish him for his contumacy.

Claus. 36H.3.  
m. 14. verso.

**R**EX Episcopo *Lincoln.* salutem. *Ex querela multorum accepimus tam Magnatum de Diocesi vestra quam aliorum, per quosdam Clericos vestros et Decanos quosdam citari facitis passim, et indifferenter pauperes homines de Diocesi vestra, et quosdam liberos homines cujuscunque sint homines, et trahitis eos de locis variis ad loca varia, et eos artari faciatis, per poenam Excommunicationis, ad comparandum coram predictis Clericis et subditis vestris ad loca varia, et eis honoraria, dum vacare deberent agrorum cultura et aliis Temporalibus agendis suis necessariis, per quod depauperantur indebite, et enormiter verantur. Et insuper quod inauditum est, eos jurare compellunt predicti scrutatores vestri de privatibus peccatis aliorum, quae non sunt, ut dicitur, publica coercionem purganda; pro quo multi Christiani, forte praeter merita turpiter diffamantur. Et quia hujusmodi verationes contra longam Consuetudinem Regni nostri sunt excogitatae, et duplex populo per eas imminet periculum, tum propter laborum necessarium amissionem, tum propter Sacramentum praestitum super privatibus factis aliorum, in quibus homines decipiuntur, per quod reatum perjurii de facili possunt incurrere; Nobis prohibemus, ne de cetero hujusmodi conurbationes populi fieri faciatis in Diocesi vestra, contra Regni nostri Consuetudinem et usum longævum. Nec etiam audibimus, quod Ecclesia consueverit aliquem ad testimonium perhibendum compellere, nisi in certis causis, et nisi quis se gratia, odio vel timore subtraxerit a testimonio perhibendo. Et sciatis, quod nisi a predictis inuistatis populi ac indebitis verationibus desistatis, nos sustinere non poterimus ulterius, quin ad hoc manus Regias apponemus. Teste Rege apud *Winds.* 14. die Junii.*

By these premised passages and Regal Writs of Prohibition, it is most evident :

1. That *Groshead* Bishop of *Lincoln*, by colour of a pretended Privilege and Grant from the Pope, (not King) was the first Introducer of *Inquisitions upon Oath*, and *Oathes in private causes*, into the Church, Realm of *England*, in the 30. year of King *Henry* the 3d. there being no warrant nor president (for ought I can find upon my strictest search) in *Histories* or *Records*, of any such *Inquisitions* or *Oathes* used in *England* or *elsewhere*, by *Bishops* or *Ecclesiastical persons* in their *Visitations* or *Consistories*. And no wonder, since *Origen*, *Athanasius*, *Ambrose*, *Jerome*, *Chrysostome*, *Hilary*, *Epiphanius*, *Cromatius Aquilia* Episcopus, *Euthymius*, *Oecumenius*, *Theophylactus*, and other Ancients collected by *Sixtus Senensis*, from *Mat. 5. 34. to 38. But I say unto you, Swear not at all, &c. but let your communication be Yea, Yea, and Nay, Nay, for whatsoever is more then these cometh of evil: and Jam. 5. 11. But above all things my Brethren Swear not, &c. but let your Yea be Yea, and your Nay, Nay, lest you fall into condemnation:* and the *Waldenses*, with sundry modern Commentators, condemned the usual imposing of Oathes (interdicted to Christians under the Gospel) as dangerous, and not to be enforced upon any, (unless in extraordinary cases of necessity, for ending controversies) especially by, or on Clergymen: Whence the Author of the imperfect Work on *Matthew* (attributed to St. *Chrysostome*) thus admonished Clerks who tendred Oathes to others: *Andite*

a *Traët. 35. in Mat.*

b *In Sermone de Passione & Cruce Domini.*

c *In Exposit. in Psal. 118.*

d *Comment. in cap. 5. Matth.*

e *Comment. in Zach. cap. 8.*

f *Homil. 15. in Gen. Hom. in Psal. 5. Hom.*

g *in March. Hom. 9. in Act. Apost. Hom. 8. & 19. ad Pop. Antioch. Hom. in Mal. 109. & lib. 1. De compendione cordis.*

h *Can. 4. in March. 5. g Lib. 1. Panacii contr. Offensas. h Comment. in Mat. 5. i Comment. in Mat. cap. 5. k Comment. in cap. 5. Jacobi. l Enar. in cap. 5. Mat. m Sixtus Senensis Bibl. Sancta, l. 6. Annot. 26. p. 493. 494. &c. n Pelichdorsius contra Waldenses, c. 36. Bibl. Patrum Tom. 13. p. 331. See here Book 1. ch. 5. p. 369. 370. 374. 375. o Homil.*

12. Tom. 2. p. 707.

*Clerici,*

Clerici, qui exigentibus Evangelia Sancta porrigatis; quomodo potestis ab illo Juramento esse securi, qui occasionem perjurii datis? Si enas bene jurare justum, jure discatis; Quia de dimis illis Evangelium, ut jurent, non ut perjurent: nunc autem, cum sciatis, quia & bene jurare peccatum est: quomodo potestis esse liberi, qui occasionem datis peccandi in Deum? Hac de illis dicta sunt, qui jurant per Deum; eorum autem, qui jurant per elementa, execrabilior iniquitas est. Those Fathers and Godly Bishops then, who writ thus \* against the ordinary imposing of Oathes under the Gospel, did never doubtless prescribe or enforce them on any in their Consistories or Visitations. Besides, it is most apparent, that ancient Councils and Popes were very careful to inhibit the imposing of Oathes upon Clergymen or Laymen, to prevent Perjury: Hence the Council of Cavailon under the Emperor Charles the Great, about the year 813. prohibited Bishops from exacting an Oath of Canonical obedience from Clergymen, or any Oath from Laymen in cases of Tythes, by these expresse Canons. Can. 12. *Dictum est de quibusdam Fratribus, quod eos quos ordinaturi sunt, jurare cogunt, quod digni sint, et contra Canones non sint facturi, et obediētes sint Episcopo, qui eos ordinat, et Ecclesie, in qua ordinantur: Quod juramentum, quia periculosum est, omnes una inhibendum statumus.* And Can. 18. *Qui vero Decimas post crebras admonitiones & predicationes Sacerdotum dare neglexerint, Excommunicentur, Juramento vero eps constringi nolumus propter periculum perjurii.* And our Statutes of Magna Charta, c. 28. of Marlbridge, 51 H. 3. c. 22. 3 E. 1. c. 30. & 2 E. 6. c. 13. prohibe Oathes of Parties and Champions upon the like account, to prevent Perjury. Pope Cornelius (as Gratian attests) affirmed in one of his Decrees, *Nos ab Episcopis Sacramentum nescimus oblatum,* (therefore not then used in their Courts or Visitations) *nec unquam fieri debet nisi pro recta fide.* Yea, Pope Honorius the 2. Pope Eugenius the 2. and the Council of Lateran under Pope Alexander the 3d. Anno 1180. expressly decreed and resolved according to former Canons, and Justinians Laws, *Ut jurare Clerici omnino non audeant; Dignum est ut totus Clericalis ordo a prestando juramento immunis esse procudubio censeatur.* Nos itaque utriusque legis divina & humana intentione servata, decrevimus, ut non Episcopus, non Presbyter, non cujuslibet Ordinis Clericus, non Abbas, non Monachus, non Sanctimonialis, in quacunque causa vel controversia, sive criminali sive civili, iurjurandum compellatur qualibet ratione subire. Verum cum hac moderatione, ut Episcopus inconsulto Romano Pontifice, vel quilibet Prælatus inconsulto Prælato suo, minime jurare audeat: Et si quis in hac constitutionem commiserit, veniam sibi deinceps noverit denegari. If then no Bishop, Monk, Clergyman, may be compelled by Judges or Laymen to swear, much lesse then should they compel Laymen or Clergymen to swear before themselves. Moreover, Pope Eugenius resolves, *Canones Juramentum calumnie nulli prorsus inducunt. Sane Romana Ecclesia in quibus causis de Decimis Ecclesiarum & rebus spiritualibus tantum agitur, Juramentum calumnie nec dare, nec recipere consuevit:* nor yet the Church of England, till Otto the Popes Legate introduced it in a Council at London An. 1237. forecited p. 439. much lesse then did the Church of Rome or England use or enjoin any such Visitation, Inquisition, or Ex Officio Oathes as these Writs prohibited. Finally, Pope Paschal the 2. and the whole Council of Rome An. 1112. with other Councils, Popes since, resolve, *That Oathes imposed by force, and taken by constraint against mens wills, are not only unlawfull, but also void and unobliging:* Therefore the enforced Visitation & other Oathes of Bishop Gristhead, his Archdeacons, Deans, Officials were such, and justly prohibited, suppressed by the King and his Courts at their first introduction. The Council of Friburge under Arnulphus the Emperor An. 893. c. 11. *De quærimonia inter Presbyterum & Laicum,* resolves, *Laicus prajuramento, si necesse sit, constringatur; Presbyter vero vice prajuramenti per sanctam consecrationem interrogetur, quia Sacerdotes ex levi causa jurare non debent.* Manus enim per quam corpus & sanguis Christi consecratur (& will not the self-same reason hold in a Laymans hand, per quam corpus & sanguis Christi recipitur) juramento polluetur? Absit, cum Dominus in Evangelio Discipulis suis (quorum vicem nos gerimus in Ecclesia) dicat, Nolite omnino jurare, sit autem sermo vester, Est, Est, & Non, Non, quod autem his abundantius est, a malo est;

\* Et quia pejurare non potest, qui non jurat, ideo raro & non nisi necessitate utamur juramento, &c. Beda in Mat. Evang. c. 6. Tom. 5. col. 13. p. Surius Concil. Tom. 3. p. 280.

q See Bracton l. 3. f. 106. Mirror des Justices, l. 1. c. 2. Cocks 2 Instit. f. 44. 142. r Caus. 1. qu. 5.

f Surius Concil. Tom. 3. p. 682.

\* Surius Concil. Tom. 3. p. 682.

t Surius Concil. Tom. 3. p. 512. 607. 674. Here, Book 1. p. 336. to 340. Bodeg: p. 373. 328. u Surius Concil. Tom. 3. p. 561.

Mat. 5.



\* Id est ab illi  
infirmare d  
que cogoris ju  
rare: Et hac  
infirmat ma  
lum est; cu au  
tem bene facit  
qui bene jura  
tione uteris, ut  
alibi persuade  
as, quod utili  
ter suades, Beda  
in Mat. c. 9.  
Tom. 5. col. 12.

est: *Non dixit, quod amplius est, malum est, sed à malo; id est, a malo homine de cujus incredulitate cogimur jurare.*

And if those who press others to swear be evil uncredulous men, by this Councils and our Venerable Beda his Exposition on this Text, then Bishop Grossthead, his and all other Ecclesiastical Officers, compelling Laymen to swear as aforesaid, were evil uncredulous men, and their Inquisitions, Oathes most justly inhibited by the King, his Courts, Council, and opposed by the Nobility, Laity of his Diocese, and the whole Realm, as a dangerous Innovation, not formerly practised in our Church or Realm.

2ly. It is evident by the premises, that both the Kings, Nobles, and Commonalty of England and France in that age, magnanimously, unanimously and strenuously oppugned the Usurpations, Encroachments, Innovations of the Pope, Prelates, Clergy, upon the Rights, Privileges of the Crown, and Liberties, Consciences of the Subject, against their extravagant Visitations, Inquisitions, Oathes, Excommunications, Canons, and new Ecclesiastical Jurisdictions, to preserve themselves from perjury, slavery, and unjust vexations.

3ly. That these Inquisitions, Oathes, and the enforcing of them by Ecclesiastical Censures on the Subjects, by these Bishops and their Officers, were generally, frequently opposed, and publickly complained against to the King, as well by the Nobility as Commonalty, and most strictly prohibited by special Writs of Prohibition, successively issued by the King, his Council, Courts, Judges, who all resolved these Oathes and Inquisitions to be, 1. New illegal grievances, then first introduced, contrary to the Custome and long-continued usage of this Realm. 2ly. Very prejudicial to the Kings Crown and Royal Dignity. 3ly. New devised intollerable vexations, grievances, oppressions to his Subjects, and that in four respects: 1. Because they tended to the enormous defamation, and intollerable scandal of many of his Subjects of all ranks, and of both sexes. 2ly. Because they occasioned great schisms and divisions amongst his people. 3ly. Because they withdrew them from their Husbandry, and other necessary temporal occasions, to dance attendance from time to time, and place to place on them and their Officers, to their grand vexation and impoverishing. 4ly. Because they involved them in the danger or guilt of perjury, by enforcing them to swear concerning the secret, private actions of others, wherein they might easily be mistaken. All which reasons remain still in full force, against all such like Oathes, Inquisitions, Innovations, Vexations of Bishops, Archdeacons, Rural Deans, Officials, and other Ecclesiastical Officers: which the King, his Courts, Judges, Council, may and ought by Law to prohibite, redresse from time to time by like Writs of Prohibition for the Subjects relief upon all occasions, as is evident by these six antient successive Writs, the Register of Writs, part 2. f. 36. *Fitzherbert Natura Brevium*, f. 41. a. *Rassals* Abridgement of Statutes, Tit. Prohibition, sect. 5. and other Law-books concurring with these Writs.

2 See Cooks 12  
Reports, p. 26,  
27, 28, 29.

4ly. That Bishops, Archdeacons, Officials, and other Ecclesiastical Officers and Courts, had then no legal authority by the antient Laws, usage, Custom of this Realm, to administer any Oath to Laymen, except only in causes of *Matrimony* and *Testament*, as these Prohibitions, with sundry others hereafter cited in their due Chronological order, the Statutes of 2 H. 5. c. 3. 2 E. 6. c. 13. and the last recited Lawbooks, resolve.

7 See *Rassals*  
Abridgement  
of Statutes,  
Prohibition 5.

5ly. That *Bishops* have been and may be legally attached, and their Temporalities seized into the Kings hands, if they prejudice the Kings Crown, Dignity, or vex his Subjects by administering, enforcing illegal Oathes and Articles of Inquiry upon them by Excommunications and other Ecclesiastical Censures, contrary to the Laws and antient Custom of the Realm.

2 Cooks 3 In  
fir. p. 149.  
164, 165.

6ly. That by the antient Laws and Custom of this Realm, no new Oathes whatsoever may or ought to be framed, imposed on any of the Kings Subjects, by any Bishops, Ecclesiastical, or other persons whatsoever, nor any old legal Oathes altered, but by special Acts of Parliament, prescribing both the forme, words of the Oathes themselves, and the persons who shall take and administer them, who must be specially authorized either by express words in the Acts themselves, or by special Commissions from the King under the Great Seal of England, to administer them when made, and not otherwise. This is most apparent by all the Oathes heretofore prescribed to Justices of the Kings Courts, Justices of Oyer and Terminer, and of the Peace, Barons and Officers of the Exchequer, Sheriffs, Under-Sheriffs, the Officers of the Court of Wards and

and Liveries, the Court of Augmentations, Customers, Searchers, Commissioners of Sewers, of Castles and Holds, Conservators of the Truce, Bayliffs of Franchises, Coroners, Sheriffs Clerks, Attornies, the Kings Privy Council, Knights of Shires, Burgeses of Parliament, Champions, Clerks of the Council, Mayors, and other Officers, by the several Oathes of Fealty, Allegiance and Supremacy, made from time to time for the necessary preservation of the Sacred Persons of our Kings, the safety of the Kingdom, and defence of the Rights, Priviledges, Jurisdiction of the Crown against all Papal Usurpations, and Treasonable practises whatsoever, all made, prescribed by \*special Acts of Parliament, as these ensuing resolve us : 9 H. 3. c. 28. 51 H. 3. c. 14. 3 E. 1. c. 40. 6 E. 1. c. 8. 13 E. 1. c. 43. 13 E. 1. Stat. of Winchester 6. 6. 19 E. 1. Stat. Merchant, and Articles of Inquisition upon the Statute of Winchester, 34 E. 1. Statute of Liberties, c. 6. *Totus Magna Charta*, 1556. f. 164. to 168. *Rassals Abridgement of Statutes*, Coroners sect. 3. 9 E. 2. Statute of Sheriffs, 17 E. 2. c. 4. 1 E. 3. Parl. 1. c. 8. Parl. 2. c. 4. 5 E. 3. c. 2. 9 E. 3. of Money, c. 15. 15 E. 3. c. 3. 4. 15 E. 3. Rot. Parl. num. 10, 20, 28, 37, 41, 42, 17 E. 3. Rot. Parl. n. 11. 18 E. 3. Stat. 3. 20 E. 3. c. 1, 2, 3. & Rot. Parl. num. 25. *Rassal Justice and Justices*, sect. 2, 3, 4. and Clerks of the Chancery, sect. 1. 21 E. 3. Rot. Parl. num. 7. 25 E. 3. Rot. Parl. num. 10. 25 E. 3. Stat. 1. c. 5. Stat. 4. c. 1. Stat. 7. of levying the Quintifine, 27 E. 3. Stat. 2. c. 1, 15, 16, 23, 24, 26. 31 E. 3. Stat. 2. 5 R. 2. Stat. 1. c. 11, 13, 14. 5 R. 2. Rot. Parl. num. 74. 6 R. 2. c. 12. 7 R. 2. Rot. Parl. num. 27. 9 R. 2. c. 3. 11 R. 2. Rot. Parl. num. 23. 12 R. 2. c. 8. 13 R. 2. c. 7. 14 R. 2. c. 3. 17 R. 2. c. 9. 17 R. 2. Rot. Parl. num. 18. 21 R. 2. c. 5. 21 R. 2. Rot. Parl. num. 21. 37, 10 44. 51, 52, 53, 89. 1 H. 4. Rot. Parl. num. 38. 4 H. 4. c. 10, 18, 20, 21. 8 H. 4. Rot. Parl. num. 66. 11 H. 4. Rot. Parl. num. 14. 39, 63. 1 H. 5. c. 6. 2 H. 5. c. 4, 6, 7. 4 H. 5. c. 2, 4. 1 H. 6. Rot. Parl. num. 62. 2 H. 6. Rot. Parl. num. 17. 3 H. 6. c. 10. 11 H. 6. c. 8. 11 H. 6. Rot. Parl. num. 14, 15, 16. 18 H. 6. c. 4, 10. 20 H. 6. c. 10. 23 H. 6. c. 2, 33 H. 6. c. 3, 5. 39 H. 6. Rot. Parl. num. 25, 26, 29. 3 E. 4. c. 3. 7 E. 4. c. 1. 8 E. 4. c. 2. 12 E. 4. c. 2, 3. 17 E. 4. c. 2. 1 R. 3. c. 6. 19 H. 7. c. 7. 22 H. 8. c. 8, 14. 23 H. 8. c. 5. 25 H. 8. c. 22. 26 H. 8. c. 2. 28 H. 8. c. 7, 10, 16. 31 H. 8. c. 14. 32 H. 8. c. 46. 33 H. 8. c. 22. 2 & 3 Phil. & Mar. c. 1. 2 Eliz. c. 11. 5 Eliz. c. 1. 8 Eliz. c. 1. 13 Eliz. c. 7. 18 Eliz. c. 6. 27 Eliz. c. 12. 29 Eliz. c. 4. 43 Eliz. c. 1, 2. 1 Jac. c. 9. 3 Jac. c. 4. 7 Jac. c. 2, 6, 8. 11 Jac. c. 7, 20, 33. 1 Car. 1. c. 1. 2 Car. 1. c. 1. The Petition of Right 3 Car. 1. 17 Car. 1. An Act for repeal of the Branch of the Statute of 1 Eliz. c. 1. (a meer Declaration of the ancient Common Law of England in point of administering Oaths by Ecclesiastical Courts and Persons) and the Act for Explanation of a Clause therein 13 Car. 2. p. 66, 67. The Acts for well Governing and Regulating of Corporations, An. 13 Car. 2. p. 11. 12, 13, 14, 15. The Act against Quakers and others refusing to take lawfull Oathes, p. 3, 4, 5, 7. The Act for Ordering the forces in the several Counties of this Kingdom, p. 53, 54. An Act for the Uniformity of publike Prayers, &c. p. 73, 77, 80. An Act for Regulating the making of Stuffs in *Norfolke* and *Norwich*, p. 49, 108, 110. An Act for Distribution and supply of Threescore thousand pounds, &c. for relief of Ppon and maimed Officers and Soldiers, p. 178, 188. An Act for preventing Frauds, and regulating Abuses in his Majesties Customs, p. 210, 219, 238, 239. An Act for regulating the Trade of Silkthrowing, p. 290. An Additional Act concerning matters of Assurances used among Merchants, p. 352, 353, 354, 355, 356. An Act for repairing of *Dover* Harbour, p. 389, 392. An Act for the better Regulating of the Manufacture of Broad Wollen Cloth within the West riding of the County of *York*, p. 411, 413. Anno 13 Caroli 2. with sundry other Acts made since, resolve. As all these Acts in general, so more particularly, The late Act for Safety and Preservation of his Majesties Person and Government, against Treasonable and Seditious Practices and Attempts, Anno 13 Caroli 2. p. 6. resolves and declares, *That the Oath usually called The Solemn League and Covenant*, (being not made by Act of Parliament, and without the Kings Royal Assent) *was in it selfe an unlawfull Oath*, and imposed upon the Subjects of this Realm against the Fundamental Lawes and Liberties of this Kingdom; and that all Orders and Ordinances of both or either Houses of Parliament, though all the Bishops as well as Temporal Lords be Members of, and present in them: much more then of any Council, Synod, Arch-

\* See an Exact Abridgement of the Records in the Tower, p. 30, 33, 84, 37, 48, 51, 74, 88, 101, 294, 318, 323, 353, 369, 371, 372, 387, 456, 471, 473, 475, 565, 568, 608, 612, 667.

bishop,

bishop, Bishop, Archdeacon, Commissary, or other Ecclesiastical person or officer out of Parliament) FOR IMPOSING OF OATHES, to which the Kings Royal assent either in person or by Commission was not expressly had or given, (and by consequence all other Oaths hereafter so made or imposed in or out of Parl.) were in their first creation and making, and still are, & so shall be taken to BE NULL AND VOID TO ALL INTENTS AND PURPOSES WHATSOEVER. And Sir Edward Cooke in his \*4. Institutes, from the consideration of some of these Acts, asserts, *That an Oath is so sacred, and so deeply concerneth the consciences of Christian men, as the same cannot be ministered to any, unless the same be \* allowed by the Common Law, or by some Act of Parliament: That no old Oath allowed by the Common Law, or an Act of Parliament, can be altered, nor any New Oath raised without an Act of Parliament, nor any Oath administered by any that have not allowance by the Common Law, or by an Act of Parliament.* And so was it resolved in Parliament, Anno 26 Elizabeth, in the case of the Under-sheriff, and in the case of Commissioners for Policies of Assurance; in which Parliament I attended (writes he) as Attorney General. Whereunto he subjoynes, *That Oaths which have no warrant by Law, are rather Nova Commenta, quam Sacramenta: and that it is an high contempt to administer any (old, much more then to make or impose a New) Oath, without warrant of Law, to be punished by Fine and Imprisonment: And therefore Commissioners that sit by force of any Commission that is not allowed by the Common Law, nor warranted by Authority of Parliament, (much lesse then such who have no Commission at all from the King under the Great Seal, but only from a Bishop, Archdeacon, or other Subject) that ministrerth any Oath whatsoever, are guilty of an high contempt, and for the same are to be fined and imprisoned: And no Commissions are legal but such as are allowed by the Common Law, or warranted by some Act of Parliament: And therefore Commissions (much more Articles) of new Inquiries, or of Novel Inventions are against Law, and ought not to be put in Execution.* Dorf. Claus. An. 19 R. 2. n. 17. *Certain poor Christians that had spoken against the worshipping of Images, were by the Bishops inquired of, and sworn to worship Images, which Oath was against the expresse Law of God, and against the Lawes of the Land, for that they had no warrant to minister the same.* And in his 12. Report, f. 26, 27. Pasch. 4 Jacobi, He reports, *That upon a motion made by the Commons in Parliament, in what cases the Ordinary may examine any person upon Oath? Chief Justice Popham and himself upon a reference and demand from the Lords of the Council, touching this question, upon good consideration and view of the Books resolved, That the Ordinary cannot constrain any Ecclesiastical or temporal person upon their Oathes to answer in cases of Infamy, Adultery, Incontinency, Felony, Simony, hearing of Masse, Heresie, &c. but only of Matrimony, and Testaments, it being not only against the ancient Lawes of the Realm, but also in prejudice of the Kings Crown and Dignity, as they proved by the forecited Books and Prohibitions.* After these Prohibitions, I do not find by our Histories or Records, that any Bishops made Inquisitions upon Oath in their Visitations or Consistories from 36 H. 3. till Queen Maries dayes, when \* Bishop Boner introduced them: Yea \* William Lindwood our greatest Canonist and Advocate for Episcopal Jurisdiction, and the Canon Law, flourishing and made Bishop in King Henry the 6. his reign, writing of Episcopal Inquisitions, asserts, *That solemn preparatory Inquisitions are regularly made, sine exactione Juramenti, without exaction of an Oath: That from the beginning, when a general Inquisition is to be made (by Archbishops, Bishops, or Archdeacons in their Visitations,) non debet exigi Juramentum, an Oath ought not to be exacted, especially by which any one shall be constrained to detect another mans secret sinne or offence.* And Angelus de Clavasio a famous Canonist, writing about the year of our Lord, 1480. in his \* Summa Angelica, resolves, *That Bishops and other Visitors in their Visitations, ought first to preach the word of God, and afterwards Inquirat et sine Juramento et coactione, they are to inquire of those things which belong to their office to correct, without an Oath and coaction, inducing the people to reform those things that are amisse, by wholesome counsels and gentle persuasions,*

\* c. 74, p. 164, 165.

\* To wit, by prescription & usage time out of minde.

3 Institutes, c. 74. p. 161.

\* See the Authorities he there quotes in his Margin. Exact Abridgement of the Records of the Tower, p. 13, 18, 32, 34, 35, 44, 48, 53, 61, 66, 109, 406, 466, 443. See Rastal, tit. Purveyors.

\* Fox Acts & Monuments, London, 1610. p. 1339.

b Provinc. Constit. l. 1. De cap. Extern. habitus, f. 13. a. De Jurejurando, l. 3. cap. Evenit, f. 80. b.

\* Visitatio 3. See Gratian, caus. 3. qu. 5.



or by reprehensions, as they shall deem meet. This course was observed in all the Visitation of our Archbishops of Canterbury recorded by <sup>d</sup> Matthew Parker, or Godwin in their Lives, out of our Historians, and their own Registers, wherein I finde no mention of any Inquiry or presentations upon Oath; witnesse the Visitations of Boniface Archbishop of Canterbury, Robert Kylwarby, John Peckham, Walter Raynolds, John Strasford, Simon Islippe, William Courtney, Thomas Arundell, Thomas Bourghier, John Morton, and others. All which I thought fit from these presidents to demonstrate, for vindication of the Kings Prerogative, the antient Laws, Customs of the Realm, the Subjects Liberties, and others information. I now return to my former Chronological method and theam.

K. Henry the 3. not only to evidence his Devotion, (though Superstitious) but Ecclesiastical Jurisdiction in Spiritual and Religious things, Feasts, and Reliques, as they were then reputed: Circa idem tempus, scripsit Dominus Rex omnibus Regni sui Magnatibus, ut in festo Sancti *Edwards*, videlicet translatione, quæ celebratur in Quindena Sancti *Michaelis*, jubens ut omnes ibidem convenirent, ut jocundissimos cujusdam Sancti beneficii cælitus *Angliæ* nuper collati, rumores exaudirent: Et prætereâ, ut tam gloriosi Regis & Martyris translationem venerarentur: tertio, ut *Willielmi de Valentia* fratris sui uterini, quem ipse Rex ea die baltheo cincturus erat militari, cum quibusdam Nobilibus juvenibus, interessent tyrocinio: ut sic festum multiplex præsentia ipsorum Magnatum, tam Prælatorum, quàm aliorum, jocundior, ad Regis & Regni honorem, serenaretur. Die igitur præfixo convenientes apud *Westmonasterium*, certificati de die Sancti *Edwards*, & dicti *Willielmi* tyrocinio, sollicitabantur, quinam essent illi jocundi rumores, quos ibidem forent audisturi? Qui relati fuerunt fideles, & omni acceptione digni. Magister enim Templi & Hospitalis, cum testimonio quamplurimorum sigillorum, videlicet Patriarchæ *Hierosolymitani*, Archiepiscoporum quoque & Episcoporum, Abbatum & aliorum Prælatorum & Magnatum de *Terra Sancta*, miserant quandam portionem sanguinis Dominici, quem pro salute mundi fudit in cruce, in quodam vase crystallino venustissimo, per quemdam fratrem *Templarium* benè notum. Dominus autem Rex, utpote Princeps Christianissimus, ab Augusto *Heraclio* victoriosissimo ac piissimo Imperatore, crucem Sanctam exaltante, & à Rege *Francorum*, tunc superstitite, crucem eandem, ut præscribitur, *Parisiis* honorante, sumens exemplum; devoto spiritu ac contrito in vigilia Sancti *Edmundi*, in pane & aqua jejunans, & nocte vigilans, cum ingenti lumine, & devotis orationibus, se ad crastinam solennitatem prudenter præparavit.

Præcepit igitur Dominus Rex, ut omnes Presbyteri *Londinenses* festivè vestiti superpellicis & capis, cum suis Clericis decenter vestitis, cum vexillis, crucibus, & cereis accensis, die crastina, videlicet Sancti *Edwards*, summo mane ordinatè & reverenter convenirent apud Sanctum *Paulum*. Quo & ipse Rex venit, & cum summo honore & reverentia ac timore accipiens illud vasculum cum Thesauro memorato, tulit illud ferens in propatulo supra faciem suam iens pedes, habens humilem habitum: scilicet pauperem capam sine caputio, præcedentibus vestitis prædictis, sine paulatione, usque ad Ecclesiam *Westmonasteriensem*, quæ distat ab Ecclesia Sancti *Pauli* circiter uno milliari. Nec prætermittendum, quod ambabus manibus illud deferens, cum per stratam salebrosam & inæqualem pergeret, semper vel in cælum vel in ipsum vas lumina tenebat defixa. Supportatur autem palla per 4. hastas. Supportabantque duo coadjutores brachia sua, ne in tanto fortè labore deficeret. Conventus autem *Westmonasteriensis*, cum omnibus qui convenerant, Episcopis, Abbatibus, & Monachis, qui plùs quàm centum æstimabantur, canentes & exultantes in Spiritu Sancto & lachrymis, occurrebant eidem Domino Regi sic adventanti, usque ad portam Curie Episcopi *Dunelmensis*. Tunc autem reversi sicut ierant, videlicet processionaliter, ad Ecclesiam *Westmonasteriensem*, vix in ea præ copiosa turbæ multitudinem continebantur. Nec adhuc cessabat Dominus Rex, quin indefessus ferens illud vas, ut prius, circumiret Ecclesiam, Regiam, & thalamos suos. Demùm illud quasi donum impreciabile, & quod *Angliam* illustraverat, donavit & obtulit Deo & Ecclesie Sancti *Petri Westmonasterii*: & charo suo *Edwards*, & sacro Conventui, qui ibidem Deo & Sanctis suis ministrant.

Dominus Episcopus *Norwicensis*, qui & Missam eadem die solenniter celebravit, Episcopus *Norwicensis* concionans populo de dignitate sanguinis Christi, quod inter sacra quæ inter mortales habentur, sacratissimum est sanguis Christi. Est enim pretium mundi, & ejus effusio, salus generis humani; & ut condignè illud magnificaret amplius, addidit illud Philosophi; Omne propter hunc.

d Mat. Parker, Antiq. Eccles. p. 185, 186, 187, 196, 199, 200, 204, 205, 225, 226, 227, 235, 267, 268, 309, &c.

Anno 1247. Mar. Paris, p. 712, 713. Quædam portio sanguinis Christi Londinum allata.

Rex Angliæ defert sanguinem Christi ad S. Petrum Westmonaster.

Episcopus Norwicensis concionans populo de dignitate sanguinis Christi.

propter quod, dignius quàm illud quod. Revera crux Sancta, sanctissimam quid est. Sed ipsa sacra fuit, propter sacratoris sanguinis asperisionem; non sanguis facer, propter crucem. Et hæc eum dixisse credimus, ut in possessione tanti Theauri non minus gaudeat & gloriatur *Anglia*, quam *Francia* in adeptione sanctæ crucis; quam Dominus Rex *Francorum* non immerito diligit, & super aurum & topazion amplectitur & veneratur. Et addidit, quod pro maxima Domini Regis *Anglia*, qui dignoscitur esse inter omnes *Christianitatis* Principes *Christianissimus*, missus fuit ille Thesaurus impreciables ex parte Domini Patriarchæ *Hierosolymitani*; cujus rei certitudo sufficienter examinatur, reverentia & sanctitate, ut plus in *Anglia* veneretur, quàm *Syria*, quæ jam pænè derelinquitur desolata; **visget enim ibi plus fides et sanctitas, ut nobis mundus, quam in aliqua alia regione per totius mundi latitudinem.** Cum autem examinaretur, & alii tardi cordis ad credendum adhuc \* hæsitarent, ait Dominus *Theodoricus*, Prior *Hospitalis Hierosolymitani*, Episcopis & aliis circumfidentibus: Domini charissimi, quid adhuc fluctuatis? Exigit ne ob hoc beneficium aliquis nostrum, vel *Templarius*, vel *Hospitalarius*, vel etiam frater qui portavit, vel de Domino Rege, vel alio, vel aliquo, aliquam in auro vel argento retributionem, vel quantumcunque præmium? Et Rex: Nequaquam. Et Frater: \* Quare ergo in damnationem animæ suæ tot & tanti viri, tali assertioni perhiberent testimonium, apponentes signa sua, quæ sunt fidei pignora manifesta? Et approbata fuerunt verba, licet Laici, ab universis, tam Episcopis quàm auditoribus. Sed nunc ad propositum redeamus. Cum satis autem eleganter dictus Episcopus in sermone perorasset, annuntiavit populo exultanti, quod quicumque ad sacratissimum sanguinem illic habitum, venerandum convenirent, gratuita ex \* concessione omnium, qui illuc venerant Prælatorum, sex annorum, & 140. dierum veniam de injuncta sibi poenitentia liberè consequerentur. **Et cum inter loquendum, aliqui de assidentibus obgrunulrent hæsitantes, quæstionem hanc moverent:** Quomodo cum plenè & integraliter tertia die post passionem surrexerit Dominus, sanguinem in terra reliquerit? Quæ quæstio ab Episcopo *Lincolniensi* ad unguem tunc determinabatur, prout habetur scriptum in libro *Additamentorum*; prout hujus paginæ scriptor audivit, & de verbo ad verbum satis dilucidè scripsit. Such was the strange superstition, delusion, credulity of that age, as to believe this Relique to be the very blood of Christ, upon the Testimony of those Impostors, who under their hands and seals thus confidently attested it, though not present at Christs passion, and living 1200. years after it. But let us hear Bishop *Grosstheads* Legend, Argument evincing it to be Christs blood, in answer to the premised Objections.

\* Had they not good cause to doubt?

\* Let themselves resolve this Question.

\* It seems this bloody Relique was not sufficient to purchase such a Pardon, without this superadded Bishops indulgence.

Addimenta  
Matthæi Paris.  
P. 161, 162,  
163.

\* The Evangelists in the History of Christs death relate no such things as this fabulous Legend superadds thereunto.

Cum autem quod sacratissimus foret Domini nostri *Jesu Christi* sanguis, quem Rex *Henricus* tertius die Sancti *Edwardi*, videlicet die Translationis ejus, Anno Gratæ 1247. indicis, probationibus & examinationibus constaret evidentissimis, & omni acceptione dignissimis, tamen ab aliquibus qui tardicordes erant ad credendum, adhuc dubitabatur utrum verus sanguis *Christi* fuisset? Quibus hæc relatio satisfecit inventa in Apocryphis, quibus non dissidet, imò concordat \* textus Evangelicæ veritatis. Quod videlicet cum *Joseph* ab *Arimathia* nobilis decurio, qui sic dicebatur quia decem militibus præfuit, vel decurio, id est, de Curia & de numero Curialium, fuisset unus de auditoribus *Jesu*, & potius de discipulis, & amator specialis, compatiabatur ei, & sollicitabatur qualiter corpus conservari posset tam venerabile à furore *Judaorum*. Erat enim amicissimus *Jesu*, sicut & *Nicodamus*. Sed hii & alii divites occulti, propter metum *Judaorum*; ne accusati, jacturam incurrerent & odium amicorum. Magnum enim vinculum servitutis in se habent divitiæ. Crucifixo igitur *Jesu* & mortuo, postulavit *Joseph* corpus *Jesu*, ingrediens ad eum audacter (per quod creditur fuisse potens) & concessum est ei. Ipse igitur (licet obmurmurassent *Judei*) cum omni honore & reverentia, ipsum corpus sanctissimum deposuit de cruce sancium & multiformiter cruentatum, habensque linteamen subtile dependens à collo & humeris (ne indignè tam dignum corpus nudis manibus contrectaret) ipsa sacra vulnera adhuc madida ac distillantia, sedulo ac devoto deterisit officio. Imò etiam loca clavorum extractorum tincta cruore in ipso crucis patibulo, exhaustis abstergendo; utens vice spongiæ ipso linteamine. Cum autem jam non procul à *Golgotha*, id est loco *Calvaria* (loco videlicet crucifixionis) corpus *Christi* detulisset dictus *Joseph* tumulandum, in loco ubi nunc sepulchrum adoratur, in sepulchro novo in quo nullum adhuc corpus positum erat, non ignobiliter inciso, quod &

& ipse comparaverat, lavit corpus illud, quia multipliciter ut jam dictum dignosce-  
batur, saucium & cruentatum, tum propter sudorem ipsius, de quo scribitur, \* *Factus* \* Luc. 23. 44.  
est sudor ejus quasi gutta sanguinis decurrens in terra; tum propter flagella quibus  
cælus fuit aspersum usque ad livorem & cruorem, tum propter coronam spineam  
quam *Judei* plectentes violenter capiti ejus impresserunt; (cujus multi aculei caput  
& frontem non tantum pungerent & laderent, imò potius vulnerarent & cruenta-  
rent) tum propter clavorum per mediam manuum & pedum perforationem; tum  
propter militis lanceam qua ipse latus *Jesu* non tantum vulneravit sed aperuit; am-  
plum enim fecit & hiatus patulum fortè sapius, vel saltem semel fecit impingendo.  
Memoratus igitur venerabilis decurio *Joseph* corpus ipsum lavit; hic enim erat *Ju-  
daorum* consuetudo, & adhuc est aliquorum honestorum *Christianorum*, maxime re-  
ligiosorum. Lavit, inquam, quia condiendum. Lavit, quia sanè arbitrabatur &  
religiosè dignum censuit sanguinem ipsum sibi prorsus vendicandum, & ut Thesau-  
rum vel medicamen preciosissimum reservandum. Ipsamque aquam loturæ rubi-  
cundam, & sanguine mixtam & tinctam, non projiciendam excepit in vase mundissi-  
mo. Reverentius tamen, ipsum purum sanguinem à vulneribus manuum & pedum  
distillatum; maximo autem timore & honore ipsum sanguinem cum aqua quem cen-  
suit præcordialem, à latere dextro scilicet eliquatum & expressum, in vase recepit  
nobilissimo tanquam Thesaurum impreciablem, sibi & successoribus suis specialiter  
reservandum. Manifestum est igitur, quadruplicem ibidem fuisse liquorem.

Primò, Aquam rubicundam, scilicet loturam; quam ipse amicis infirmantibus di-  
stribuit efficaciter medicinale.

Secundò, Sanguinem puncturarum in capite & fronte, & scissurarum per flagella  
instructarum cum sudore. Isti duo liquores, ex pluribus mixti dignoscuntur.

Tertiò, Sanguis ex vulneribus manuum & pedum, qui purus fuit & impermixtus  
emanavit.

Quartò, Ille formidabilis tremendæ & reverendissimæ recordationis cruor præ-  
cordialis, qui ex ipso corde *Christi*, vel saltem latere constat effluxisse.

Præter quos quatuor liquores, aquam cum sanguine de ipso latere scimus ema-  
nasse. Hæc ergo cum piè & prudenter perfecisset *Joseph*, & corpus jam esset con-  
diturus, supervenit *Nicodemus* eodem tactus spiritu pietatis, multum commendavit  
diligentiam *Joseph*. Erat autem *Nicodemus* nobilis & potens sicut & *Joseph*, unde in  
Evangelio dicitur fuisse Princeps *Judaorum*. Et factus est ipsi *Joseph* in adiutorium  
& solacium. Isti namque duo nobiles ac religiosi viri, erant de discipulis *Jesu*, audi-  
entes eum clam; de noctibus videlicet, ne commoverent seditionem in populo, &  
plenius ab ipso eruditi expectabant Regnum Dei. Iste igitur *Nicodemus* prout præ-  
libatum est, ut exequiarum tantarum decus adaugeret, & sua præsentia fide & de-  
votione plenius prosequeretur: attulit (ut testatur \* *Johannes* in Evangelio suo) \* Joan. 19. 39;  
mixturam myrræ & aloes quasi libras centum, ad condiendum corpus tantæ auctorita-  
tis. Erant enim devoti ac stabiles in fide, quia viderant multa ejus in vita miracula,  
necnon & in morte: quia terræmotum & tenebras universales (quod erat supra  
naturam cum tunc fuisset luna panselenos) aquamque de latere ejus (quod erat  
insolitum & miraculosum) distillasse. Loquitur igitur *Johannes* Evangelista exin  
pluraliter, propter associationem supervenientis *Nicodemi*; dicens, *Acceperunt*  
ergo corpus *Jesu*. Porro, præter illam myrram aloem quam attulerat *Nicodemus*,  
apposita sunt illi confectioni etiam aromata *Joseph*. Dicit enim *Johannes*, *Ligaverunt*  
linteis corpus ipsum cum aromatibus. Et sic conditum & involutum aptaverunt, &  
ordinate posuerunt in monumento novo: quod compositum fuit per modum clibani:  
Ita videlicet, ut ibi plura corpora reponi potuissent. In ipso quoque sepulchro,  
nondum quis, nec postea, ponebatur. Decuit enim quod sicut in uterum virginis  
descendit, & ex virgine natus fuit primogenitus (id est unigenitus) & per clausam  
portam exivit: sic & in novo sepulchro in quo nullus positus vel ponendus erat,  
*Christus* dignè collocaretur. Et apposuerunt ostium ad os monumenti: lapidem  
quippe magnum. Unde \* *Matthæus* Evangelista vocat illud Saxum magnum. Et \* Mar. 27. 60;  
mulieres quæ licet tres fuissent (quæ postea venerunt, ut ungerent *Jesum*) nesci-  
entes quod jam unctus esset, sollicitarentur quomodo ab ostio monumenti revolve-  
retur. Quo facto, recesserunt *Joseph* & *Nicodemus*, & qui eos sequentes, ipsi  
assisteabant. Postea verò accesserunt *Judei* versuti & in odio obstinati: & ex per-  
missione *Pilati*, \* lapidem memoratum signaverunt, apponentes militum custodiam. \* Mar. 27. 64;  
Et cum inde recessissent *Joseph* & *Nicodemus*, partiti sunt inter se (ratione amicitiae 66.

Y y y y

&



& condiscipulatus) liquores memoratos: utpote pretiosam acquisitionem. Sic igitur devoluta fuit hujus rarissimæ rei possessio, de patribus in filios, & de amicis ad amicos. Videlicet inter nobilissimos, quod post multorum annorum curricula devenit ad possessionem Patriarchæ *Jerosolymitani*, utpote Thesaurus Ecclesiæ, cui præesse Patriarcha dignoscitur, Anno Gratæ 1247. Qui tum propter discrimen Terræ Sanctæ quam tunc timuerunt amittere *Christiani*, tum propter hoc, quod Regem *Angliæ* Christianissimum cognoverunt, & ipsam terram Christianissimam: memoratus Patriarcha de Consilio suorum Suffraganeorum Magistrorumque militiæ Templi & Hospitaliorum, & aliorum nobilium transmarinorum, qui in testimonium veritatis vel sigilla sua apposuerunt, vel assertionem mandati transmiserunt, sæpè dictum Thesaurum sanguinis memorati, piissimo Regi *Angliæ Henrico* tertio, ut sub ejus tutela dignius veneretur et tutius reserbaretur, prudenter duxit transmittendum, & non pro alicujus commercii retributione, imò in meræ charitatis liberalitate conferendum. Unde asserunt nonnulli, quod generosiori modo possidet illud munus Rex *Angliæ Henricus*, tantæque dignitatis reliquias quàm Rex *Francorum* suas, quas paucis antea annis evolutis, inlicitè adquisivit. Et si Sancta nimis sit crux vera, propter contactum Sancti corporis *Christi*, & corona, & lancea, & clavi; multo sanctior fuit sanguis ipse *Christi*, pretium videlicet humanæ redemptionis, quia propter cruorem & in cruore sanctificata est crux & cætera, & non cruor propter crucem, vel propter alia passionis instrumenta. Sed quia tardicordes & oblocutores solent sic objicere & dicere, quod cum *Christus* tertio die resurrexisset cum corporis integritate, & non exanguis, qualiter esse posset quod sanguinem suum post se reliquerit in terra. Responsum fuit sufficienter. Duo sunt sanguines, vel genera sanguinum. Unus enim sanguis est, qui ex nutrimentis generatur, qui aliquando ita superfluit, ut à naribus sponte prorumpat, vel aliquem alium exitum, ut minutione indigeat sic repletus. Et de tali sanguine *Christi*, habemus in terra, licet sanè non fuisset sanguinolentus; Deo sic volente, ut videlicet habeatur recentior memoria dominicæ passionis. Est & alius sanguis, qui corpori animato substantialis. De quo dicitur, quod prorsus est consumptio substantialis humiditatis, id est sanguinis vitæ necessarii. Qui secundum physicos dicitur amicus naturæ, & de quo dicit *Moses*, quod in sanguine sedes est animæ. Sed ille sanguis reponitur in triclinio cordis, sine quo non posset quis vivere. De illo *Christi* sanguine, non habemus fortè in terris: Fortè dico, quia omnia quæcumque voluit, Dominus fecit. Surrexit enim Deus, & quicquid fuit de substantia corporis sui & decoris plenitudine, cum ipso, & quod de veritate humanæ fuit naturæ cum ipso, id est sanguis eidem consubstantialis. Alius verò qui distillavit habetur hic. Et nos quidem sic refurgemus, videlicet sine aliqua corporis vel mutilatione vel deformitate. Qualiscumque enim extiterit homo in hoc mundo, contractus, gibbosus, vel leprosus, vel nanus, vel abortivus, in resurrectione sibi plenè restaurabitur. Revera in corporis *Christi*, suorum \*vulnerum stigmata, post resurrectionem suam, recentium, & adhuc hiantium, quod apparuerunt, & quod se *Christus* post resurrectionem & glorificationem corporis palpabilem præbuit, & ad suum beneplacitum visibilem, vel vulneratum monstravit, miraculosum & obstupendum. Ut sic videlicet dubitantium fides roboraretur, quia tam duri & tardi fuerunt quidam discipulorum ad credendum resurrectionem, quod postquam viderant, non crediderunt, & ut benedictio non verius & tamen credituris, largius donaretur. Tertia causa fuit & potissima, ut scilicet sic sciretur quod omnipotens fuit, ut contra consuetum usum & naturalem foret corpus ejus, qui fuit Dominus naturæ, ad suum nutum & beneplacitum monstrabile, & palpabile, & faucium cerneretur, qui tamen ad discipulos intravit foribus obferatis. Et sic omnium cessare debent morbus detractorum.

How unsatisfactory this Legend, these Testimonies are to evidence this Relique to be *Christi* very blood to any pious Christian, all men may judge; yet such was the Ignorance and Superstition of that age, that the King, Prelates, Clergy, and generality of the people received and really adored it as *Christi* very blood where-with they were redeemed, not only at first Anno 1247. but the next ensuing years, by the Kings special Summons, prohibiting all Faires or sales of Wares in London and elsewhere, to draw multitudes of people to *Westminster* to adore this false Relique, and enrich the Abbot, Monks, and Inhabitants by the profits of this Faire, which undid many Merchants resorting to it with their Wares, as *Matthew Paris* there present thus relates.

\* *Ann*

Nota.

\* Gen. 9. 4.  
Lev. 17. 14.

\* Joan. 20. 25,  
27, &c.

\* Anno quoque sub eodem, Dominus Rex cum Londinum properaret ad festum Sancti Edwardi, quod est de translatione ejusdem Sancti, in Quindena scilicet Sancti Michaelis, tertio Idus Octobris, quamplurimis Prelatis, Magnatibusque sub obtentu amicitiae et devotionis significavit, ut praesentialiter cum ipso apud Westmonasterium beati Edwardi festum sollemniter ac devote concelebrarent. Venerunt igitur illuc vocati Comes Richardus, Comes Rogerus Bigod Marecallus, Comes Herefordia, & Barones praefecti cum Militibus nonnullis, Episcopi autem Wintoniensis, Londinensis, Elyensis, Wygorniensis, Karleolensis. Abbates autem & Priores quamplurimi. Jussit autem Dominus Rex denunciari, & voce praconia, fecit per totam Civitatem Londini, & alibi acclamari, quod constituit Nundinas novas exerceri plenè apud Westmonasterium per quindenam duraturas; omnes quoque Nundinas quae silent per tantum tempus per Angliam exerceri, utpote Nundinas Elyenses, & alias, & omnem mercaturam, quae solet Londini haberi, & extra testum vel sub testu exerceri, sub poena magna forisfactura & jactura praeiis interdixit, ut sic Nundinae Westmonasteriales populis & mercibus copiosius abundarent. Unde factum est ut illic innumerabilis populus undique velut ad celeberrimas Nundinas conflueret, ibidemque translatio beati Edwardi, et sanguis Christi a populo illuc tracto et ibi congregato, inopinabiliter veneraretur. Verum omnes illic mercimonia sua empti exponentes, cum non haberent tecta, nisi de panniculis tentoria, magnis incommodis premebantur, quia variis procellis aereis, ut tunc temporis solet, ingruentibus, agebant, maeabant, esuriebant, sitiebant mercatores, Pedes luto sordabant, mercimonia eorum imbris contabuerunt. Qui namque ad mensam pransuri sedebant, qui ad caminos refici consueverunt prandentes in medio familiae suae, penitus sic egere nescierunt. Episcopus autem Elyensis, pro jactura nundinarum suarum Elyensium, edito Regio suspensarum, graviter conquestus est Domino Regi super hoc, qui tales adinvenit in gravamen subditorum nobitates; Sed nihil nisi inania verba mulcentis promissionis & futura consolationis reportavit. After this Anno 1249. the King by his Letters summoned his Nobles and Prelates magnificently to celebrate the Feast of St. Edward in St. Peters at Westminster. \* Congregati sunt igitur ibi quamplurimi, tum pro devotione & amore Sancti, tum pro Domini Regis ipsos vocantis reverentia, tum pro veneratione sancti sanguinis Christi nuper adepti, et penia concessa ibidem obtinenda: Such was their blind anniversary devotion and superstition. For evincing whereof, I shall only subjoyne, That Our learned Thomas Beacon in his \* Reliques of Rome, and others relate; That in the Church of Lateran in Rome (amongst other reliques) they have the water and blood which flowed out of Christs side when he hanged on the Crosse; And that part of his foreskin which was cut away when he was circumcised. That in the 7th principal Church they have Two Cups, of the which one is full of the blood of Christ; the other full of the milke of the blessed Virgin Mary, (the Reliques of whole milke, and hair, are shewed in above 20 other places) That S. Swoll the Daughter of Fulco King of Jerusalem, and Wife of King Theodoricus, by the Consent of her Husband, became a Nun, or Religious woman at Jerusalem, where she found (as they write) a good quantity of Christs blood, which Nicodemus, and Joseph of Arimathea got out of the wounds of Christ when they washed his body, and she sent it to her Husband; which blood (as they say) is at this day kept \* at Bruges, and is there shewed to the people on the Third day of May: Besides this Viol of his Blood, sent into England; which he likewise mentions. If the Reliques of the blood of Christ shed on the Crosse, be extant in so many places; then it could be no such peculiar blessing to England, as was then pretended, yea being found out only by this Nunne above a thousand years after Christs death, it must doubtlesse be a Grosse Imposture, as it was afterwards resolved, declared; and those most audacious false Witnesses, who durst thus publicly attest the truth and reality of it under their Hands and Seals upon her single evidence, yea this our devout King, his Nobles, Prelates, Clergy were strongly deluded to believe lyes, who annually adored this blood with such solemn Devotions, Protections, and used such artifices to induce the people to adore it, as you have already heard.

In the year 1248. (32 H. 3.) the Bishop of Durham presuming upon the Priviledges of his Bishoprick (being a County Palatine) granted by our Kings favour, oppressing the Prior of Tynemouth against the Liberties granted to the Priory by the Kings royal predecessors, and the Lawes of the Realm, and refusing upon two for-

\* Mat. Paris, Hist. Angl. p. 726.

Novæ Nundinae constitutæ apud Westmonasterium.

Anno 1249.  
\* Mat. Paris, p. 732. Mar. West. p. 236, 237.

\* Chapter of the Reliques; Third Part of his Works, fol. 182, 183.

Anno 804.  
\* Fortè sanguinis ex imagine crucifixi Salvatoris in Syria effusi portio delata Mantuum fuerat: eaque multis editis miraculis omnium Christianorum pectora incredibili religione perfuderat. Sigonius de Regno Italiae, l. 4. p. 101.

Anno 1248;  
\* Mat. Paris, Hist. Angl. p. 727, 721.

mer Letters sent unto him by the King, intreating him in a fair and friendly manner to desist from oppressing the Prior, in respect he was under his special protection; the Bishop notwithstanding most contemptuously and ungratefully persevering in his illegal vexations, and slighting the Kings former Letters; he therupon by his royal Prerogative sent this special Writ and Mandate to him, to do justice to the Prior, or else he would do him justice himself, notwithstanding his Liberties, and punish the injuries done unto him, which he could not, yea ought not any longer to endure.

Literæ Regis  
Angliæ ad E-  
piscopum Du-  
nelmensem.

**H**ENRICUS Dei Gratiâ, &c. Dunelmensi Episcopo salutem. Non possumus non mirari super eò, quod cum semel & secundò vos affectione plena rogaverimus, ut à vexatione dilecti nobis in Christo Prioris Thinemua desistatis, qui, sicut nostis, sub protectione & defensione nostra militas speciali, precibus nostris pro ipso porrectis, condescendere minimè curavistis, nolentes ad animum revocare, quod pro honore vestro, vobis detulimus in hac parte, credentes firmiter & sperantes, quod vestra discretionis benignitas vos ad hoc gratis faciendum induceret, quod per legem Regni nostri, et Regiam potestatem vos facere oportebit. Ut autem vobis liqueat manifesti quod vobis hucusque in facto isto volumus deferre; tertio Paternitatis vestra dilectionem duximus attentius implorandam, quatenus intuitu precum nostrarum et ob reverentiam quam Principi vestro debetis impendere, averia sive bona dicti Prioris, qua contra legem terra capistis, & detinetis injuste, quod per Libertates suas, quas habet per Chartas Prædecessorum nostrorum Regum Angliæ, & maxime per Chartam Richardi Regis avunculi nostri, aperte poterit comprobari, & quibus temporibus prædecessorum nostrorum liberè usi fuerunt, deliberari, absque moræ dispendio faciatis. Scituri pro certo, quod nisi infra octavas Sancti Hillarii proximo futuras, has preces nostras plenè effectui duxeritis mancipandas, quantumcunque vobis detulerimus, & de jure deferre vellemus, Nos extunc, non obstante libertate vestra, cujus prætextu injurias vestras aliis illatas, sine correctione Regiæ dignitatis, non debemus nec possumus sustinere, prædicta averia de liberari, et damna eidem Priori restitui, quæ injuriæ vestre occasione sustinuit, et de vobis plenam faciamus justitiam exhiberi. Teste meipso, &c. Patet igitur per prædicta, quod injuriatum est enormiter dicto Priori & Conventui suo, qui gaudet eisdem privilegiis & liberatibus quibus & Ecclesia beati Albani, cui collatum est, quicquid fas est conferri alicui Abbati, in spiritualibus à Summo Pontifice, & à piissimis fundatore ejus Officiis, & aliis Regibus Angliæ, in temporalibus, quicquid Regia potestas potuit exhiberi, which Liberties he there recites at large.

\* Mat. Paris,  
Hist. Angl. p.  
729, 730.  
Mat. Wests.  
Anno 1248.  
Fox Acts and  
Monuments,  
Vol. 1.  
Gravamina di-  
atim Angliæ à  
Curia Romana  
illata.

You have formerly heard the Popes intollerable Extortions exercised by his counterfeit Nuncios, Freers, Harpies, Bulls in England and elsewhere, with the Oppositions Complaints against them, An. 1247. which notwithstanding he vigorously and impudently prosecuted, Anno 1248. (32 H. 3.) as *Matthew Paris* and others thus relate.

Eodem Anno, multiplicata sunt cum augmento gravamina multipliciter excogitata, quæ a Romana Curia in Regnum diatim Angliæ miserè profluxerunt. Præter angustiam & servitutem insolitam, eo quod suspendebantur Prælati a collatione beneficiorum, donec Romanæ avaritiæ satisfactum esset, nec contra hoc reclamavit Reguli pusillanimitas, pullularunt quotidie nobarum oppressionum germina detestanda. Et si non omnia gravamina quia difficile esset, imò impossibile, describere, aliqua tamen, ut doleant inspectores, et dolentes Deo conquerantur, et eo quandoque propitio liberentur, huic opusculo durissimus inferenda, ut omnibus pateat Angliæ miseranda miseria, quæ bonis rectoribus, et tutoribus pro holo, viduatur. Abbas *Abendunle* a Domino Papa mandatum acceperat, de provisione cuiusdam Romano sine moræ dispendio facienda. Romanus autem ille, non quamcunque volens Ecclesiam accipere, sed opimam, expectavit sub silentio dissimulans, donec quædam vacabat Ecclesia nobilis & opulenta, scilicet Ecclesia beate *Helena* in

in



in Villa *Abundunensi*, quæ ad Centum Marcas æstimatur, omni referta commodo, utpote in Burgo, qui Cœnobio subjacet memorato. Confestim igitur istam exegit ille *Romanus*, qui diu siluerat, & instanter postulavit sibi auctoritate conferri Apostolica. Eadem autem die qua vacaverat Ecclesia, **urgentissimum accepit Abbas a Domino Rege mandatum, minis, conjunctis precibus contextum, ut et ipsam Ecclesiam conferret fratri suo uterino *Ethelmaro*, licet idem *Ethelmarus* jam tot abundaret Ecclesiis et redditibus, quod nec miramur, si numerum eorundem ignoret et balorem.** Abbas igitur circumplexus, & quasi inter duas molas circumvolventibus molaribus constitutus, quasi contritus, consuluit super hoc Conventum & amicos fideles & discretos, qui responderunt; Durum patet utrobique, veruntamen si Dominus Rex velit vos ab impetu Papali protegere, tolerabilius arbitramur, illam Ecclesiam conferre ipsi fratri Regis Domini Principis ac Patroni vestri, quam illi Romano qui vobis semper vicinus fieret insidiator vigil ac persecutor indefessus, & quasi semper spina in oculo. Significatum est igitur istud Domino Regi tempestivè, cui Dominus Rex indubitata promissit cum omnimoda protectione, & indemnitate protectionem. Hs igitur dictis confidens fallacibus Abbas, dicto *Ethelmaro* ad Regis contulit supplicationem. **Romanus igitur frater valde, confestim Papam adiit, et eidem rei seriem cum augmento provocationis plenius enarravit, graviter conquerendo.** Citavit igitur Dominus Papa ipsum Abbatem, ut personaliter coram eo apareret, de inobedientiæ offensa responsurus. Abbas igitur Domini Regis omni destitutus consolationis auxilio super hoc crebrius requisito, Romanam senex et valetudinarius Curiam adiit, in multa mentis tristitia, pavorè, et amaritudine. Ubi tandem post multas angustias et expensas non modicas, dicto Romano ad arbitrium Papæ satisfecit annuas quinquaginta Marcas de Camera sua, in magnum suæ Ecclesiæ lessonem conferendo.

Anno quoque sub eodem Abbate Sancti *Edmundi* sublato de medio, Rex postposito Dei & S. Martyris timore & reverentia, quem specialiter teneretur causa multiplici venerari, a domo illa vacante tantam recepit pecuniam, quod videretur **viscera misericordiæ penitus amisisse.** nam absque Ballivorum Regionum stipendio mille et ducentas Marcas inde extorxit truculenter. Cum igitur alium fratres in loco Abbatis substituendum eligissent jam defuncti, quosdam de fratribus propter confirmationem ejusdem, ad Curiam Romanam destinarent. Facta igitur super hoc examinatione cavillatoria, **reprobata est electio et electus, ut in retiacula immisericordiæ misericordiæ sic incideret reprobatas.** Et cum Monachi tristes recessissent & verecundi, revocavit eos Dominus Papa, dicens, Cum misericordia indigeant, ex mera gratia nostra, vobis ad præsens, ne confundamini, ipsum Electum concedimus, illi ipsum cœnobium beati *Edmundi* liberè ac liberaliter conferendo. **Veruntamen respiciat in Octingentis Marcis, et respondeat illi Mercatori quem illi assignabimus, cui in tantum obligamur.** Et sic Monachi recesserunt illaqueati: Qui tot laceffiti injuriis & gravaminibus inconsolabiliter doluerunt, & unus eorum ante recessum à Curia apud *Lugdunum* mortuus est, alter apud *Doveram* rediens à Curia illa non curiali, viam universæ carnis, non sine mentis amaritudine est ingressus. Whereupon he thus concludes this years affairs,

Aliud enorme gravamen Papale.

*Transit igitur annus ille aere temperatus & serenus, &c. Italix inimicus, Alemanniæ lethifer, Angliæ adversarius, Franciæ exitialis. Et ut brevibus concludam, in omni fere regione Christianorum, thesaurorum consumptibus, Mundi finis multiplicibus argumentis indicativus. Ut sunt, surget gens contra gentem, & terra motus erant per loca, ( there being two Earthquakes in England, and one in Savoy ) & consimilia. Præcipue autem Romanæ Curia infamis, perfister, et perniciosus, itaque divinis manifeste comminatorius.*

• Mat. Paris, Hist. Angl. p. 731, 732.

An. 32 H. 3. An Official held Plea of Layfee in Court Christian, and after the Kings Writ of Prohibition and an Attachment for disobeying it, excommunicated the party, who was therupon imprisoned by a *Capias Excommunicatum*; the King upon information of this practice and contempt, for the defence of his own Prerogative and his Subjects

Anno 32 H. 3.

jects Liberties, granted a Writ to enlarge the prisoner, till the cause should be heard and determined in his Temporal Court, as this Writ doth evidence.

Claus. 32 H. 3.  
do. f. 14.  
Pro Cecilia quæ  
fuit uxor Elyæ  
Piscatoris.

**O** Stensum est Regi ex parte Cecilie qua fuit uxor Elyæ Piscatoris, quod cum eadem Cecilia detulisset Officiali Episcopi Winton. sicut Iudici, & Drogoni le Tanur, & Haghenild uxori ejus, qui ipsam Ceciliam traxerant in causam in Curia Christianitatis, coram eodem Officiali, **Litteras de Prohibitione, ne implacitaretur de Laico feodo suo in Curia Christianitatis,** & postea cum non ducerent deferendum prohibitioni Regis, detulisset Vic. Sucht. breve Regis de ipsis attachiandis, sicut Legis et consuetudinis est Regni, eandem Ceciliam ante diem sibi assignatum de proseguendo inde versus ipsos in Curia Regis, tanquam excommunicatam, de precepto Regis capi procuraret, & in prisona Regis Winton. detineri; & Mandatum est Vic. Sucht. quod si ita est, ipsam Ceciliam à prædicta prisona statim delibaret, nec eam eadem occasione capi iterato, **donec prædictum placitum terminetur in Curia Regis.** Teste Rege apud Westm. 20 die Jan.

If any person attempted to draw the Kings Subjects into Plea in any Court out of the Realm, against the Kings Priviledge and Subjects Liberty, the King granted a Superedeas and Prohibition thereupon, as this Record ensuing attells.

Claus. 32 H. 3.  
memb. 12. dorl.

\* It was the  
Kings ancient  
prerogative, on-  
ly ratified by  
the Popes new  
grant.

**R**EX J. Sarac. Decano Wellen. salutem. Mandamus vobis rogantes, quatenus in cognitione cause vobis commissæ à Domino Papa super medietate Ecclesie de Dene-castr. **superedeatis ex toto usque in Quindenam Paschæ.** Ita quod nullo modo causam illam remittatis ad Curiam, veniendo sic contra \* **privilegium a sede Apostolica nobis indultum, Ne quis de regno nostro trahatur in causam extra Regnum Angliæ.** Ita vos habentes in hoc facte, quod neque nos ejusdem privilegii nostri, neque dilectus Clericus noster Magister R. de Neketon juris sui quod habet in medietate prædictæ Ecclesie in aliquo per vos sentiamus lesionem. Teste Rege apud Sanctum Edmundum 9. die Octobris.

\* See here, p.  
683, 684, 685.

The Pope at Archbishop\* Boniface his request. granted him in Ayde of his Church of Canterbury one years fruits of every Church belonging to the Donation of Lay-Patrons when it should fall voyd, which though the Bishops and Clergy were enforced by the Popes and Archbishops censure to submit to against their wills, yet the Nobles in Parliament would by no means assent thereto, wherupon the King issued this memorable Prohibition to hinder this illegal Ayde, and the Collection thereof, notwithstanding the Popes Bull.

Claus. 32 H. 3.  
m. 12. dorfo.

**R**EX W. Norwicensi Episcopo salutem. Quia Magnates terræ nostræ noluerunt in ultimo Parlamento nostro quod fuit London. ut de Ecclesiis ad donationem Laicorum spectantibus darentur unius anni fructus cum eas vacare contingeret, in Ecclesiæ Cantuariensis subsidium ab Apostolica sede concessum, aliquatenus consentire. Nobis mandamus prohibentes districte, ne ab hujusmodi Ecclesiis cum vacaverint, vel quæ post concessam prælatæ Ecclesiæ indulgentiam vacaverunt, occasione alicujus mandati fructus erigatis prædictos, vel earum Rectores ad conferendum dictum Subsidium compellatis, donec cum prædictis Magnatibus, sine quibus super hoc nichil volumus attemptare, colloquium habuerimus iteratum. Teile, &c.

The Bishop of Chichester having sequestred and locked up the barnes of a Clerk, thereby to extort this Ayde of one years fruits to the Archbishops use, the King thereupon issued this Writ to him to take off his locks, that so he might freely dispose of his corn, and barns, else he would command the Sheriff of the County to unlock them, and to permit him the free disposition thereof.

R E X

**R**EX rogavit R. Cyeſtrenſem Episcopum, quod ſeras ſuas quas apponi fecit Wyberti de Kanc. de Gynnington, pro eo quod fructus unius Anni Eccleſiæ ſuæ ad opus Cantuarienſis Archiepiſcopi nititur extorquere, deponat, et eidem Wyberto de Bladiſ et Dyreſ ſuis liberam habere faciat adminiſtrationem: quod ſi forte, quod abſit, facere noluerit, Ric. Suſſex ſeras illas deponat, et liberam adminiſtrationem inde ipſum Wybertum habere permittat. Teſte ut ſupra.

Cl. 32 H. 3. m. 12. dorſo.

\* horreis.

The Dean and Chapter of Clon. in Ireland electing Frier Daniel for their Biſhop; reſuſed to preſent him to the King after his election, to approve, or diſapprove of him, according to uſual cuſtom, and by the Popes concurrence proceeded to his conſecration, without the Kings licence, to the prejudice of his royal Dignity; the King hereupon reſuſed to reſtore the Temporalities to him, till at laſt upon the mediation of ſome great and religious men, he reſtored them by this Writ, upon condition, that the Biſhop, Dean and Chapter ſhould put in ſecurity by their Letters Patents, from thenceforth not to make any election; without firſt obtaining the Kings licence, and that after the election made, they ſhould preſent the perſon elected to him and his heirs for their approbation; as this Writ attells.

**R**EX Juſtic. Hyberniz ſalutem. Licet Decanus & Capitulum Clonen, poſt electionem de fratre Daniele in ſuum Episcopum & Paſtorem ſactam, eundem Eleſtum, prout moris eſt, nobis, ut ei noſtrum aſſenſum impertiri vel denegare poſſumus, præſentare renuerint, ad ejus conſecrationem noſtro non opento favore, ex mandato Apoſtolico, in Regiæ dignitatis præjudiciuſ procedentes; quia tamen magni & religioſi viri pro eodem Episcopo nobis inſtantiffimè ſupplicarunt; Vobis mandamus, quatinus accepta ſecuritate per Literas Patentes ſignatas ſigillis eorum Episcopum, Decanum & Capitulum, quod ad electionem hujusmodi faciendam ſine noſtra licentia petita de cætero non procedent, et quod perſonam Electi poſt electionem ſactam ante ipſius conſecrationem nobis, vel noſtris hæredibus præſentabunt, prædicto Episcopo de terris et tenementis et omnibus aliis ad prædictum Episcopatum ſpectantibus ſine mora diſpendio plenam ſeiſſinam habere fac. Teſte apud Ryſenturgh, ſecundo die Julii.

Clauſ. 32 H. 3. memb. 6. dorſo.

The King being informed, that certain perſons intended forcibly to ſpoil the Church of Dadington of a Meadow belonging to it, iſſued this Writ to the Sheriff of Northt. to prohibit the force, and to maintain and hold the Clerk in poſſeſſion thereof, ſo far as he could do it with juſtice.

**D**atum eſt Regi intelligi, quod quidam intendunt ſpoliare Eccleſiam Aymari fratris R. de Dadinton, quodam Prato ad eandem Eccleſiam ſuam pertinente. Et Mandatum eſt Vicecomiti Northt. quod nullam vim fieri permittat quo minus eadem Eccleſia gaudeat poſſeſſione ſua ejusdem Prati: Imo ipſum fratrem R. & ſuos in eadem poſſeſſione, quantum cum Juſtitia poterit, manuteneat et defendat. Teſte Rege apud Winton. 4. die Julii.

Clauſ. 32 H. 3. memb. 8. dorſo.

King Henry by his Eccleſiaſtical Prerogative ſent this Mandate to the Sheriffs of Yorke and Nottingham, to permit the Dean and Chapter of St. Peters in Yorke to enjoy all their Liberties granted them by the Charters of his Predeceſſors Kings of England, uſed till that day; yet ſo, as by pretext thereof none of the Rights or Liberties of his Crown whereof he was ſeiled, ſhould be thereby impaired or medled with.

Clauſ. 32 H. 3. m. 12. intus.  
Pro Decano & Capitulo Sancti Petri Eborum.

**M**andatum eſt Vicecomiti Eborum, quod permittat Decanum & Capitulum Sancti Petri Eborum, ut omnibus libertatibus ſuis conceſſis eis per Chartas prædeceſſorum



*decessorum nostrorum Regum Angliæ, quibus libertatibus usque in hodiernum diem usi sunt; Ita tamen quod de Jure vel Libertatibus Regis quorum Rex extiterit in seissina usque in diem præsentem, occasione Cartarum prædictarum nichil eis dimittat. Teste Rege apud Westmonast. 16 die Februarii.*

*Eodem modo scribitur Alc. Nottinghamia, de Libertatibus prædictis. Teste ut supra.*

The Kings Justices in Eyre proceeding against the Archdeacon of *Lincolne* for prosecuting a suit in the Court Christian, contrary to the Kings Prohibition, against the Abbot of *Tinterne*, procured this respite, till conference had with the King on a set day.

Cl. 32 H. 3. m.  
12. Pro Ar.  
chid. Lincoln.

**M** *Andatum est H. de Bathonia, & Sociis suis Justiciariis Itinerantibus in Comitatu Essex, quod demandam quam fieri faciunt Magistro Willielmo Lupo Archidiacono Linc. de processu Causa in Curia Christianitatis inter ipsum Archid. & Abbatem & Conventum de Tinterne, contra prohibitionem Regis, ponant in respectum; usque ad colloquium Regis, quod erit in Quindena Nativitatis Sancti Johannis Baptiste. Teste Rege apud Westmonasterium 19 die Februarii.*

The Canons of *Pauls* having committed a contempt against the King, he thereupon issued this Writ to the Sheriffs of *London*, to seise all their Beasts and chattels, and not to deliver them without the Kings special precept.

Claus. 32 H. 3.  
memb. 14. dorso

**M** *Andatum est Vicecomitibus London, quod omnia averia & catalla Canonicorum Sancti Pauli London, in Balliva sua inventa, capi faciant, et ea non delibrent sine speciali præcepto Regis. Teste meipso apud Westmonasterium 4. die Januarii.*

Some differences happening between the Sheriff of *Cambridge* and Bishop of *Ely* concerning the Conusance of Pleas and Liberties in the *Iste of Ely*, the King issued this Writ to the Sheriff, not to hold any Plea in his County Court, of things usually held within the Bishops Liberty, during his own and his Ancestors Reigns.

Claus. 32 H. 3.  
m. 14. dorso.

**M** *Andatum est Vicecomiti Cantabrigiæ, quod non teneat aliquod placitum in Comitatu suo, quod teneri debet & solet in Insula Elyensi infra Libertatem H. Elyensis Episcopi, aliter quam teneri consuevit tempore Regis & temporibus Prædecessorum suorum Regum Angliæ. Teste ut supra.*

Pope *Innocent* seemingly (but not really) to gratifie King *Henry* in some trivial things, though he turned the deaf ear to other grievances, sent him this Bull, that no Ordinary, Delegate or Subdelegate, should denounce any sentence of Excommunication, or Interdict, or impose any Tax upon his Royal Chappels, Oratories, or the Canons or Servants belonging to them, against their Priviledges formerly granted, without the special mandate of the See Apostolick.

Claus. 32 H. 3.  
m. 16. dorso.

**I** *NNOCENTIUS Episcopus, &c. Regi Angliæ illustri, salutem & Apostolicam Benedictionem. Tanto libentius Celitudinis tua precibus benignum impartimur assensum, quanto inter Reges et Principes Christianos, te specialius reposita in Domino reputamus filium specialem et debotum, Cuius igitur supplicationibus inclinati, districtius inhibemus, ne ullus Ordinarius, aut etiam Delegatus, vel Subdelegatus in Capellas Regias et Oratoria eorundem, Ecclesiæ Romane immediate subjecta, seu Canonicos vel Servientes ipsorum contra tenorem Privilegioz et Indulgentiarum Apostolicæ sedis, Excommunicationis vel Interdicti sententiam audeat promulgare, seu aliquod ip-*

sis onus imponere; quod aliis exemptis Ecclesiis non consuevit imponi, absque mandato sedis Apostolicæ speciali, quod expressam faciat de huiusmodi inhibitione mentionem. Nulli ergo hominum, &c. Teste Dat. Lugduni 12. die Augusti, Pontificatus nostri anno tertio.

A meer delusory Bull, this arbitrary fallacious clause, (*absque mandato sedis Apostolicæ speciali, &c.*) being totally frustrated by special *Mandate* or *Non obstante* at the Popes meer will and pleasure.

This year there fell out a great difference between the King, his Prelates and Nobles in Parliament, principally occasioned by the Bishops and Clergy, who more readily promoted all the Popes illegal Exactions, Impositions, notwithstanding the Kings Prohibitions; but opposed and slandered the King upon every occasion, invading the Rights of his Crown, denying him Subsidies when demanded, charging him with unjust detaining the Temporalities of Bishopricks in his hands, and other exercises of his Royal Prerogative to supply his necessities, when they would not ayde him; recorded by *Matthew Paris*.

Circa festum Sancti Hilarii, Episcopo Bathoniensi Roberto viam universæ carnis ingressus, Dominus Rex, secundum consuetudinem suam, (as he might legally do by his prerogative) avidas manus bonis Episcopatus iniecit, ut quicquid abradere posset, festinanter asportaret. Sub illius anni initiali curriculo, in octavis videlicet Purificationis, edicto regio convocata totius regni Angliæ nobilitas convenit Londini, at de Regni negotiis nimis perturbati & depauperati, & temporibus nostris enormiter mutilati diligenter & efficaciter simul cum Domino Rege contrectaret. Advenit igitur illuc excepta Baronum, Milium, Nobilium, necnon & Abbatum, Priorum & Clericorum, multitudine copiosa, novem Episcopi, cum totidem Comitibus; Videlicet, Archiepiscopus Eboracensis, Wintoniensis, Lincolnensis, Norwicensis, Wigorniensis, Cicerstrensis Elyensis, Rossensis, Carleolensis, Comes Richardus, Comes Glovernix, Comes Legrix, Comes Wintonix, Comes Hertfordix, Comes Rogerus Bigod Marescallus, Comes Oxoniæ, & præter hos, Comes Lincolnensis, Comes de Ferrariis, Comes de Warrennix, Comes de Richmundix, P. videlicet de Subaudia. Huic autem magna congregationi non fuerunt præsentem Archiepiscopus Cantuariensis B. qui transmarinis partibus Domino Papa militabat, & Dunelmensis, qui remotus fuit & valetudinarius, Bathoniensis autem, paulo ante obierat. Et cum praposuisset Dominus Rex (non enim propositum suum latuit universitatem) pecuniæ auxilium postulare, redargutus est graviter super hoc, quod non erubesceret tunc tale juvamen exigere, præsertim quia quando in ultima tali exactione, cui nobiles Angliæ vix consenserunt, confecit Chartam suam, quod amplius talem non faceret Magnatibus suis injuriam & gravamen. Reprehensus est insuper gravissimè (nec nimirum) super indiscreta vocatione alienigenarum, quibus omnia bona Regni indiscretè, prodigialiter & prodigaliter distribuit & dispersit, & Nobiles Regni ignobilibus extraneis maritavit, indigenas & naturales homines suos spernendo & postponendo, irrequisito assensu mutuo qui est matrimonii completivus. Reprehensus est insuper Dominus Rex, (and that principally by the Bishops and Clergies suggestions) quod Episcopatus et Abbacias, sicut et gardas vacantes, a sanctis et magnificis Patribus nostris fundatos, quos in manu sua diu tenet, et teneretur tutor esse et defensor, et proinde dicuntur esse in manu ejus, hoc est, sub ejus protectione, contra Inramentum, quod fecit in Coronatione sua primum et præcipuum, usque ad destructionem depauperat. Calumniatur itaque Dominus Rex graviter à singulis & universis non mediocriter conquerentibus, eo quod, sicut Magnifici Reges predecessores sui habuerunt, Justitiarium nec Cancellarium habet, nec Thesaurarium, per Commune Consilium Regni, prout deceret & expediret, sed tales qui suam qualicumque, dummodo sibi quaestuosam, sequuntur voluntatem, nec qui Republica, sed singularem querunt promotionem, pecuniam colligendo, custodias & redditus sibi primitus procurando, &c.

Hæc cum audisset Dominus Rex, confusus in semetipso erubuit; sciens hæc omnia esse verissima. Promisit igitur verissimè ac certissimè se hæc omnia gratanter emendaturum, sperans per talem humilitatem, licet fictam, omnium corda postulationi suæ promptius incurvare. Cui inito consilio crebrius in talibus promissis universitas irritata, respondit:

Z z z z

Spondit:

Mar. Paris, p. 718, 719.  
Mat. Westm.  
Anno 1248.  
p. 229, &c.  
Obijt Episcopus Bathoniensis Robertus, Generale Parliamentum habitum Londini.

Rex promissis studet pacare universitatem Angliæ.

*spondit: Hoc vidēbitur, & infra breve tempus apparebis manifeste. Expectabimus adhuc patienter & prout se geret Dominus Rex; & se habebis versus nos, & nostri in omnibus obtemperabimus. Dilata sunt igitur omnia, & in respectum posita, usque ad Quindenam Nativitatis Sancti Johannis Baptistæ. Sed Dominus Rex interim vel suo spiritu, vel amicorum suorum, qui nollent suam enervari potestatem, induratus, & contra suos homines magis exasperatus, minimum emendationis in prædictis excessibus, fidelibus suis, secundum quod promissæ, curavit impendere.*

Mat. Paris, p.  
723, 724.  
Mat. Westm.  
Anno 1248.  
Exitus magni  
Parliamenti  
apud Londinum  
congregati.

Hereupon, Adveniente autem Quindenā Sancti Johannis Baptistæ, mense Junii, convenit Londinum totius Angliæ Nobilitas, credens firmiter ex certa Domini Regis promissione, ut mutatis erroribus se consiliis sanioribus, collata sibi gratia divinitus, inclinaret. Convenientibus igitur in unum omnibus Regni primatibus, talis à Domino Rege profluit responsio illepidā: *Voluistis vos omnes Angliæ primates, ad arbitrium vestrum parum civile, Dominum vestrum Regem incurbare, eidemque servilem nimis imponere conditionem, dum quodlibet unicuique vestrum, illi frontose denegaretur. Porro licet cui libet cujus et quolibet uti consilio. Cæterum, licet cuilibet patri familias quemcunque de domo sua illi vel illi officio præponere, vel postponere, vel etiam deponere, quod utique Domino vestro Regi temere præsumitis denegare: præsertim cum Dominum servi, Principem suum Castellum minime debeant judicare, vel suis arcare conditionibus: quin imo Domini arbitrio potius habent dirigi et voluntate ordinari, quicumque censentur inferiores. Non enim est servus supra Dominum, sicut nec Discipulus supra Magistrum: non solet utique Rex vester, sed quasi servus, si ad voluntatem vestram, sic inclinaretur. Quapropter nec Cancellarium, nec Justitiarium, nec Thesaurarium, prout disponere proposuistis, nec amovebit, nec alios substituet. Similiter ad alios articulos, Regi satis salubres, cavillatorie fuit responsum. Postulat autem a vobis auxilium pecuniare, ad jura sua, quæ etiam vos contingunt, acquirenda in partibus transmarinis. Hac autem cum audissent Magnates, luce clarius perpenderunt, hac à consilio tunc suo emanasse, videlicet eorum quorum si universitatis barnagium exaudiretur, Dominum enervatum penitus exufflaretur, veruntamen videntes sibi versus respondere & opponi, responderunt omnes quasi uno spiritu præcisè, nullo modo se amplius inutiliter velle depauperare, ut de bonis eorum alieni superbirent, & inimici tam Regis quam Regni roborarentur, sicut nuper evenit in Pictavia, similiter in Gasconia, quo ipse præcipitanter & indiscrète, & contra eorum consilium & voluntatem properavit, unde adversi casus sibi evenerunt. Et bene credimus, quia hoc apparet ex Regis aviditate & egestate, quod clanculo captus fuit, & tacito facto sine, interpositis fide & juramentis & chartis caute dimissus, & sic honore, Thesauris & terris privatus, dimissus est, & inglorius cum omni opprobrio abire permissus. Soluta igitur cum omni indignatione Concilio, unusquisque spe fraudatus à Parlamento frustra diu expectata, nihil nisi sannas cum frivolis, amissis laboribus cum expensis, ut solent sæpius, reportarunt.*

Rex Angliæ  
thesaurum suum  
vendit.

Quod cum vidisset dominus Rex, in iram conversus vehementem, consiliariis suis dixit: *Ecce per vos aversa sunt corda Magnatum meorum à me. Ecce, amissurus sum Gasconiam, Pictavia spoliatus, & thesauro destitutus, quid faciam? Inito igitur consilio pusillanimi, sine providentia provisum est, ut vasa, & utensilia, & jocalia thesauri sui Regi pro pondere venderentur, non habito respectu ad aurum, quo fulgebant argentea, vel ad opus artificiosum & laboriosum, & licet materiam superaret opus, ut saltem sic denarii acquirerentur. Addentes insuper consiliarii Regi probrosam consolationem, Regem demulcendo, insibilabant eidem: Sicut omnia flumina in mare refluent, sic omnia quæ nunc venduntur, ad vos profecto donis relativis quandoque revertentur, idcirco non moveatur dominus noster Rex. Et post venditionem inquisivit Rex, ubi nam venderentur, & quibus, utensilia memorata? Et responsum est: Londini. Et Rex: Scio, scio, quod si thesaurus Octaviani venalis esset, civitas Londinum illum totaliter absorberet emendo, abundant enim illi rustici Londinenses, qui se Barones appellant, usque ad nauseam: urbs illa puteus est inexhaustus. Et statim concepit in animo suo, nullā tam levi occasione, ipsos cives bonis suis spoliare, prout subsequens evenit.*



eventus expressus comprobavit, & sermo continuatus plenius declarabit.

Rex Sultinens enim, ut prædictum est, justam ab universitate Magnatum Anglia repulsum, ne amplius bona sua in Regni confusionem effunderent, studuit subtiliter per alia argumenta, avaritia sua simulam incutire. Statim igitur post memorata gaudia solennitatis, inito studuit consilio cives Londinensis gravare, hoc modo. Suspendit exercitium mercatura civitatis ut pratæctum est, per quindenam, novis nundinis apud Westmonasterium in multorum damnum & præjudicium constitutis, & protinus post hoc petiit, missus per satellites suos literis suis, argumentosas & imperiosas prece continentibus, ut ipsum jurentur efficaciter auxilio pecuniari. Quo audito, cives præcordialiter ingemuerunt, dicentes: Hen nobis heu, ubi est Londinensis toties emptæ, toties concessa, toties scripta, toties jurata libertas. Quolibet enim sæpe anno, quasi viles ultima servi conditionis, per varias tallias depauperamur & causis vulpinis injuriæ exagitamur. Nec sciri potest, in quam voraginem, bona, quibus spoliatur absorbetur submersa. Quid plura? licet inastimabilia exigerentur, tandem cives, non sine cruci cordium amaritudine, ad contributionem duorum millium librarum, in brevi termino domino Regi conferendorum, licet inviti, descendunt. Gravamen insuper solitum adhuc sine aliquo moderamine sæviebat. Omnia enim venalia, si non, quasi furtiva, absconderentur, præcipue in esculentis & poculentis, ad opus Regis rapiebantur: nec tamen hospitium ejus dapulitatis alicujus inde suscepit incrementum. Imò potius diatim, exulante verecundia, reprehensibili nimis ardebat parcitate, & jam eliminata antiqua Domini Regis Angliæ dapulitate, jam Romanæ mensæ consuetudo subintravit, Regia serenitatis famam & honorem non mediocriter denigravit.

Eodemque tempore, Dominus Rex ad jam solitas cavillationes Romanas recurrens, cum non posset omnes congregatos Regni Nobiles, ad consensum flectere, singulos ad se vocans, vel unicuique scribens, affatus est eos, impudenter supplicando, dicens; Pauper sum omni destitutus thesauro. Necesse habeo, ut quilibet vestrum juret me efficaciter: obligor enim per chartam meam debito triginta millium marcarum. Nec tamen aliquid exigo, nisi per gratiam. Qui mihi gratiam facturum est, reddam ei nata temporis opportunitate talionem. Et qui mihi gratiam denegaverit, & ei gratiam denegabo. Et protendens causam fictam, quasi esset moturus bellum contra Regem Francorum, reposcendo in manu fortis iura sua trengis jam expirantibus, nihil exinde à circumspiciendi nisi derisum & sibilum suscitavit. Nuper enim prohibitum fuit ei, ex parte Domini Papæ, per Magistrum Albertum, ne aliquam terram a Domino Francorum Rege, quocunque titulo possessam, quomolibet infestaret qui in Terra Sancta Deo et universali Ecclesiæ cruce signatus militabit. (Which Papal prohibition being contrary to the Rights and Prerogatives of his Crown, the King held null and unobligatory, only the Nobles & Prelates averfness to aide him with monies, then inforced him to connive at.) Et si non prohibuisset bene creditur, quod minime sufficeret ei militaris peritia, vel fortitudo, vel etiam undecunque extortus thesaurus, ad privandum Regem Francorum aliqua saltem possessiuncula. Non enim penitus vacuata creditur Francia thesauro vel militia. Sed ut dicti magistri nuntium omnes lateret, non permisit Rex illud aliquatenus publicari. Dicitur est etiam, quod potestatem receperat idem Magister A. terram Angliæ, si rebellis esset Rex, mandato Papali interdicens: sed hac omnia, quasi magno mysterio celata, tegebantur, ut ignaros Rex cante circumveniret.

Et dum sic patulo hiatu, Rex acquisitioni pecuniari avidius inhiaret, contigit, ut inter faciens versus Huntendonam, circa festum sancti Hilarii, misit pro Abbate Ramefic. Quem secretins alloquens, ait: Amice, obnoxius supplico, quatenus juves me, mihi centum libras conferendo, vel saltem commodando. Ego enim, & necesse habeo ipsas habere sine mora dispendio. Et cum non posset Abbas honestè aliter respondere, ait: Dator aliquando sum; nunquam, tamen vobis accommodator fui, vel ero. Et statim tantam pecuniam cum gravibus usuris à Caurfinis mutuo accepit, ut eidem Regulo mendicanti sic satisfaceret. Eodemque tempore consimilibus precibus dominus Rex Abbatem de Burgo pulsavit, juvamen pecuniare postulando, assereus, majorem elemosynam fore sibi juvamen conferre pecuniare, quam alicui ostiatim mendicanti. Abbas autem, cum se excusando non se precibus suis inclinavit, convitiis laceffitus, à domo Regis clanculo exivit. Ab Abbate vero Sancti Albani, simili sermocinatione sexaginta marcas eodem tempore extorsit, licet eodem anno, & similiter proximo præterito, non minimam sophistice emunxisset. Videns

Mat. Paris p. 732, 733, 734. Cives Londinenses à Rege graviter affliguntur.

Rex Angliæ à nobilibus suis singulatim prece petit pecuniam.

Rex Angliæ mendicat pecuniam à Prælatibus

igitur Dominus Rex, nullam nec posse nec velle contradicere, spem certam concepit, quod nullus ei resisteret Abbatum vel Priorem. Et cum ei repagula contradictionis opponerent Magnates Prelatis qui in arcum primum conversi sunt, sed inviti, scripsit in hunc modum.

Litteræ Regis  
ad Praelatos  
Angliæ.

**H**ENRICUS Dei gratia, &c. Universis Abbatibus & Prioribus constitutis in Comitatu *Essexia & Hertfordia*, salutem. Si Regiæ Majestatis dignatio, pro juribus Regni tuendis devotorum ac fidelium suorum amicitiam experiri voluerit, vel si ipsi suum Principem, sub cujus alis protecti respirant, obsequio corporali, & munerum oblatione frequenter honorent, temporibus congruis, non est mirum. Cum igitur jam deficientibus treugis inter Dominum Regem *Francorum*, & nos, pro recuperatione & defensione jurium nostrorum tam in cismarinis, quam transmarinis, partibus, ad quas nuper misimus comitivam, oporteat nos magnos sumptus, & ob causas diversas, liberalitatis manum pluribus aperire; dilectum & fidelem nostrum *Simonem Passeleve*, una cum singulis Vicecomitibus dictorum Comitatum ad vos transmittimus, rogantes attentè, quatenus ipsos in negotio nostro, quod vobis exponent, imò nos in eis favorabiliter audientes, ad alleviationem sumptuum prædictorum nos de pecunia vestra tum abundanter juvetis, quod id vobis debeamus retributione compensare.

The King upon these Letters, received very little pecuniary assistance from the Abbots, or Prelates, & that with great reluctancy; to avoid which the Bishop of *Durham* procured a licence from the Pope to resign his Bishoprick, yet to retain three Manors belonging to it during his life, and the rest to be held by provisors.

Mat. Paris p.  
730. 743.  
Mat. West. an.  
p. 1349. p. 138.  
Godwins Cata-  
logue of Bps.  
p. 519.

Purificatione beatæ *Mariæ* imminente, Episcopus *Dunelmensis*, *Nicholas*, sentiens se annosum, valetudinarium, & infirmum, malens relinquere divitias, quam à divitiis derelinqui, Episcopatum suum *Dunelmensem*, obtenta tali a Domino Papa licentia, resignavit, & datus ad hoc provisoribus Archiepiscopo *Eboracensi*, & *Londonensi*, & *Wigorniensis* Episcopis, assignata sunt ei tria Maneria, videlicet de *Hovedia* cum pertinentiis, *Stoeton*, & *Essingtona*. Recedens igitur à *Dunelmo*, accepta ibidem à fratribus licentia, ad alterutrum dictorum maneriorum mansurus perrexit, ut in pace ibidem sine querelarum vel causarum strepitu, exutus à sollicitudinibus mundanis, sibi jam expectanti donec ejus veniret immutatio, liberius vacaret orationi, & contemplationi penitus intendendo. **Super hoc Dominus Rex** certificatus, omnia residua non segniter haud inbitus in suam cepit custodiam & potestatem, ut ibidem uberrimos pecuniarum fructus semper tamen jejunus & avidus deglutiret. Ad quæ sibi amplexanda & congerenda illico misit unum de Clericis suis, *Thomam* videlicet de *Newerca*. Hereupon the King was enforced to strain his Prerogative further then usual to raise monyes.

Rex interea vigil, & indefessus lucri speculator & perscrutator timore Dei, secus quam deceret, postposito, convenit *Dunelmensi*, ad quem jus electionis pertinere dignoscitur, preces precibus transmittit accumulatas, per nuncios ad circumveniendum etiam prudentes & circumspectos satis eruditos, consulens, implorans et minis interpositis præcipiens, ut frater ejus uterinus *Aethelmarus*, ab ipso conventu unanimiter & favorabiliter in Episcopum *Dunelmensem*, & suarum Pastorem animarum eligatur, & ut hoc feliciter fieret, secundum illud Poeticum,

*Imperium, promissa, preces, confudit in unum.*

Episcopus *Dunelmensis* Episcopatum suum resignat.

Cui Conventus humiliter respondit, Domine Rex, Regum Christianissime, memento si placet, juramenti quod jurasti coronandus, primi videlicet & præcipue, permitte sanctam Ecclesiam sua saltem aliquando gaudere libertate ut secundum Dominum nobis Patrem & Pastorem animarum nostrarum idoneum eligamus. Nosti, & novit mundus, quod & scientia & ætate insufficiens est frater vester memoratus, ut tam arduo officio colla supponat spirituali. **Cui Rex respondisse perhibetur.** Et ego potens sum, et bene mihi complacet, ut ipsum Episcopatum in manu mea teneam octo vel novem annis vel amplius, ut saltem tunc maturus ætate, vobis acceptetur. Which he might do by his Prerogative, to supply his pressing necessities. But he was not so good as his word; for the next year *Walter de Kirkham*, by his royal licence and assent, was elected and consecrated Bishop of this See.

The

The King by reason of his Royal Prerogative during the vacancy of the See of *Canterbury*, presented *William de Plessetis* to the Church of *Eneford* then void, belonging to that See, who after his institution was opposed by *Robert de Gloucester*, claiming a right thereunto by the Popes Provision, and commenced a Suit thereupon; which the Pope willing to determine, brought the examination of the cause before himself, and after many altercations, gave a definitive sentence for his own Provisor, against the Kings Clerk, without considering the Kings right, commanding the Bishops of *London* and *Lincoln* to put him into corporal possession thereof, to the manifest prejudice of the Kings Crown, Right, and Dignity; whereupon the King issued this memorable Prohibition to the Bishops, setting forth the antient Right, Prerogative of his Crown, the destructiveness of this Provision and proceedings of the Pope thereunto, and his duty to obviate the same; commanding them according to their Oath of Allegiance to defend the Rights of his Crown, and not to proceed or attempt any thing therein to its prejudice, under pain of seising their Baronies, as this memorable Record attests.

**R**EX Episcopis *London. & Lincoln.* salutem. *Olim Archiepisc. Cantuar. vacante* Pat. 33 H. 3: *& nobis custodiam ipsius habentibus, Willielmum de Plessetis dilectum Clericum* m. 9. dorso. *ratione vacationis ejusdem ad Ecclesiam de Eneford tunc vacantem, duximus presentandum. Cui instituto ad nostram presentationem in illa Magister Robertus de Glouc. se opponens, asseruit, sibi per Abbatem de Boxley auctoritate Literarum Domini Papæ eodem tempore fuisse provisum in eadem Ecclesia:* (the Popes new Provision being preferred before the Kings old Royal Jurisdiction.) *Super quo inter ipsos postmodum lis est orta, quam Dominus Papa terminare volens, causam ipsam ad suum revocabit examen.* In qua contra eundem Willielmum post multas altercationes habitas, quarum seriem presentibus longum foret inferere, diffinitivam tulit sententiam, *Jure nostro in judicium non deducto: Mandans vobis, ut amoto quolibet detentore, prælatum Magistrum in ipsius Ecclesiæ possessionem corporalem mittatis; ut dicitur, non sine nostræ dignitatis præjudicio manifesto. Cum enim ex approbata consuetudine et antiqua, debeamus ad hujusmodi Ecclesias vacantibus sedibus præsentare, patenter advertitur, quod si præmissa sententia speratum sortiretur effectum, contingeret eundem Clericum nostrum Ecclesia memorata destitui, et Jus nostrum quod in ipsa præsentatione habuimus, et in consimilibus præsentationibus habere debemus, per consequens enervari, sicque proculdubio nostræ læderetur Coronæ dignitas, et nostra gravis ac enormis exhereditatio sequeretur. Ceterum discriminis tantæ periculo volentes occurrere, sollempnem Nuncium cum Literis nostris ad Apostolicam sedem transmissimus, quibus Domino Papæ factum et Jus nostrum in præmissis negotio referamus. Quapropter vobis, quorum est Jura nostra tueri, prohibemus districte in virtute Juramenti fidelitatis, quo nobis estis affecti, firmiter injungentes, ne super Ecclesia præfata aliquid attemptetis vel exequamini contra nos, aut nostrum Clericum supradictum: Scituri quod si secus egeritis, contra vos super Baronis vestris, juxta quod decet Majestatem Regiam, procedamus.*

The Canons of *Tork* being by the Popes authority questioned in the Spiritual Court by the Abbot of *St. Genovefe* and his Covents, for the sale of the Mannor of *Brumford* within the Realm, when as Spiritual Courts ought not to hold Plea of any Lands or Chattels, but only of Matrimony, Testament, and Tythes; the King thereupon issued this Prohibition and Superfedeas to them.

**R**EX Abbati Sanctæ *Genovefe*, & Conventibus suis, salutem. Cum cognitio Ibid. memb. 4: *omnium Causarum tangentium fundum aliquem, sive res ali-*  
quas



quas in Regno nostro, exceptis causis Patrimonialibus, et Testamentariis, seu Decimarum, ad dignitatem et Coronam nostram spectant: Ita quod de eis alibi quam in foro nostro cognosci non debeat, nec consueverit temporibus prædecessorum nostrorum aut nostro; vos rogamus, quatenus causæ motæ coram vobis auctoritate Apostolica inter quosdam Canonicos Eboracensis Ecclesiæ super venditione Maneris de Brumford, sit in Regno prædicto, Supercedeatis omnino. Alioquin Magistro Nicholao Archidiacono Elyensi et Henrico de Helegeya, vel eorum alteri quem præsentem esse contigerit, damus potestatem appellandi Apostolicam sedem pro nobis in causa præfata. Teste Rege apud Geynton sexto die Augusti.

\* See here, p. 621, 622, 623.

King Henry the 3d. having conquered \*Wales, subdued the Welshmen, and brought them under the Lawes of England, notwithstanding they had put themselves under the Popes protection rendring him an annual Tribute, to defend them against the English; the Welsh Bishops, siding with their Countrymen against the King, had their Bishopricks, Churches so spoyled and destroyed, that they were enforced to beg their bread, and live upon the Alms of others; the Archbishop of St. Davids dying for grief: whereupon a new Bishop was elected by the Kings license, to whose election he gave his royal assent: Exercising the same regal Prerogative in the election and confirmation of all Bishops in Wales from thenceforth, as he did in England, thus registred to posterity.

Anno 1247.  
Mat. Paris Hist.  
Angl. p. 715,  
718.  
Misera oppressio Walliæ.

Arctabatur Wallia eisdem diebus, cessante eorum cultura, commercio, & pœndum custodia Pastoralis, & caperunt consumi inedia, Anglorum & inviti legibus incurvari. Emacuit antiqua eorum superba nobilitas, & etiam virorum Ecclesiasticorum cithara, conversa & in luctum & lamenta. Obiit ergo quasi præ dolore contabescens, Episcopus Menevensis, id est Sancti David. Episcopus vero de Landaff Willielmus, tacitate percutitur. Episcopus de Sancto Asaph, & Episcopus de Bangor, destructis Episcopatibus cade ac incendio, mendicare, ut de alieno viverent, cogebantur. Eodem tempore venit ad Sanctam Albanam Episcopus de Bangor Richardus, ut eidem depauperato finis pateret misericordie, & ibidem cum Domino Abbate, donec Episcopatus ejus, qui per bellum destructus erat, aliquantulum restauraretur, habitaret, & ipse cum Clericis suis à pressuris qua circumdederant eos, respiraret.

\* Thomas Wallensis Episcopus Menevensis.  
Mat. West. An.  
1247. p. 228.

\* Vacante igitur sede Menevensi, post innumeras Walliæ tribulationes per bellum & Principum eorum mortem, electus est in eundem Episcopatum Magister Thomas, cognomento Wallensis, eo quod in Wallia fuerat oriundus, Lincolnienſis Ecclesiæ Archidiaconus; Cui electioni, licet Episcopatus pauperrimus existeret, consensit, tum propter Episcopum Lincolnienſem, qui Canonicos suos superaverat, tum propter hoc, quod in natali patria ad curam vocabatur, & ad dulcedinem originis sue quilibet naturaliter attrahitur, tum ut miseros compatriotas suos; sua præsentia, consilio et auxilio consolaretur. Cui etiam electioni Dominus Rex gratanter consensit, et electum acceptavit, non multum constituens super hoc difficultatis, cum exilis fuerit Episcopatus.

King Henry the 3d. having thus presented to the Bishoprick of St. Davids, (as you heard before) the Dean and Chapter of St. Asaph having obtained a License from the King to elect a new Bishop, by their Letters Patents made this observable Prostration and acknowledgement of the Kings antient right to grant a *Conge de fier* or License upon their request, to elect a Bishop for their See upon every avoidance, before any election could be made, and to assent to the person elected after his election.

.Pas. 33 H. 3.  
m. 3.

U Niverſis Christi fidelibus ad quos præſens Scriptum pervenerit, Decanus & Capitulum de Sancto Asaph, salutem in Domino. *Conſuetudini antiquæ et dignitati* quas Dominus Henricus illustris Rex Angliæ, et progenitores ſui habuerunt in Eccleſia Anglicana, de petenda licentia eligendi vacantibus Episcopatum ſedibus, et de requirendo aſſenſu Regis poſt factam electionem, obviare nolentes, proteſtamur et recognoscimus nos quociens Eccleſia noſtra Paſtore vacaverit, ab illuſtri Domino

Domino Rege Anglia et Hæredibus suis debere reverenter petere licentiam eligendi, et post electionem factam assensum eorum requirere. Et ne super hoc futuris temporibus dubitetur, præsentî Scripto Sigilla nostra fecimus apponi. *Act. apud Sanctum Alaph 1249. in crastino exaltationis Sanctæ Crucis.*

The Bishop elect of St. Asaph and his Chapter about the same time made the like Protestation and Recognition under their Seals, thus entred in the Clause Rolls.

**O**mnibus Christi fidelibus ad quos, &c. E. Dei gratiâ electus de S. Asaph, & ejusdem loci Capitulum, salutem in Domino. Consuetudini antiquæ et dignitati quas Illustris Rex habet, et progenitores sui habuerunt in Ecclesia Anglicana, de petenda licentia eligendi vacantibus Episcopatum sedibus, et de requirendâ assensu Regis post factam electionem, obviare nolentes, protestamur et recognoscimus, quociens Ecclesia nostra Pastore vacaverit, ab Illustri Domino Rege Angliæ et Hæredibus suis debere reverenter petere licentiam eligendi, et post electionem factam assensum eorum requirere. Et ne super hoc futuris temporibus dubitetur, præsentî Scripto Sigilla nostra fecimus apponi. *Act. &c.*

Clauſ. 33 H. 3.  
memb. 11, dorſ.

The King having obtained the confirmation of an Immunity from Pope Innocent, which he formerly enjoyed by his own Royal Prerogative, exempting all his Free-Chappels, Oratories, and Canons in them from all Episcopal and Ecclesiastical Jurisdiction, Censures and Impositions, enjoined all Archbishops and Bishops through England perpetually to observe the same without violation, by this Writ.

**R**EX Venerabilibus Patribus Archiepiscopis & Episcopis per Regnum Angliæ constitutis, salutem. Sciatis nos habere Literas Apostolicas in hac verba. INNOCENTIUS Episcopus, &c. Charissimo in Christo filio Regi Angliæ illustri, salutem & Apostolicam Benedictionem. Tanto libentius Celsitudinis tuæ precibus benignum impartimur assensum, quanto inter Reges et Principes Christianos, te specialius in Domino reputamus dilectum filium et devotum. Tais itaque supplicationibus inclinati, districtius inhibemus, ne aliquis Ordinarius, aut etiam Delegatus, vel Subdelegatus in Capellas Regias et Oratoria eorundem, Ecclesiæ Romanæ immediate subjecta, seu Canonicos vel Servitores eorundem, contra tenorem Privilegiorum et Indulgentiarum Apostolicæ sedis, Excommunicationis vel Interdicti sententiam audeat promulgare, seu aliquod ipsius onus imponere, quod aliis exemptis Ecclesiis consuevit imponi, absque mandato sedis Apostolicæ speciali, quod expressum faciat de inhibitione hujusmodi mentionem. Nulli ergo hominum liceat hanc paginam nostræ inhibitionis infringere, vel ei ausu temerario contraire; si quis autem hoc attemptare præsumpserit indignationem omnipotentis Dei, et Beatorum Apostolorum Petri et Pauli se noverit incursum. Dat. Lugduni, 12. Calend. Augusti, Pontificatus nostri anno secundo. Volentes igitur Privilegium prædictum perpetuam firmitatem habere, vos rogamus et hortamur attente, quatenus illud inviolabiliter observetis, et faciatis vestris subditis observari. Et ne aliquis attemptet aliquid contra illud, sedem Apostolicam appellamus. Teste Rege apud North. 5. die Augusti, Anno Regni nostri 33.

Clauſ. 33 H. 3.  
m. 6, dorſo.  
\* See p. 720.

The King in pursuance of this Priviledge, issued this Writ of Prohibition, concerning his Free-Chappel of *Pencrich*.

R E X

Claus. 33 H.3.  
memb.9. dorso.

**R**EX *Thoma de Wymundeham*, salutem. Prohibemus tibi, ne de cætero intres infra limites liberæ Capellæ nostræ de *Pencrich*, exercendo ibidem aliquam Jurisdictionem, contra Libertates et consuetudines temporibus nostris, et Prædecessorum nostrorum usitatas super exemptione liberarum Capellarum nostrarum quas habemus in *Anglia*. Teste Rege apud *Clarendon*, nono die *Junii*.

The King as Patron of the Bishoprick of *Durham*, and Supreme Governour of the Church of *England*, declared, That the Successor Bishop who resigned his Bishoprick, ought not to pay the Debts of his Predecessors, and thereupon prohibited any distress to be made upon him by this Writ.

Claus. 33 H.3.  
memb.9. dorso.

**Q**uia *Nicholaus quondam Dunelmensis Episcopus qui cessit Episcopatu suo non tentatur solvere debita Prædecessorum suorum quondam Dunelmensis Ecclesiæ Episcoporum, Mandatum & Vicecom. Eborum, quod nullam distractionem super ipsum Episcopum faciat pro aliquibus debitis Prædecessorum suorum, sed distractionem si quam propter hoc fecerit penitus remittat, et averia sua ea occasione capta deliberari faciat.* Teste, &c.

\* Here p. 705.

He likewise issued two \*forecited Writs to the Sheriff of *Lincoln*, to summon the Bishop of *Lincoln* to appear before him; Ubicumque tunc fuerimus in *Anglia*, ostensus, quare fecit summoneri, et per Censuram Ecclesiasticam distringi Laicos homines et Laicas sceminas ad comparandum coram eo, et ad præstandum juramentum pro voluntate sua, ipsis invidis, in grave præjudicium Coronæ, et Regiæ Dignitatis nostræ, necnon et magnam læsionem, et contra consuetudinem Regni nostri, &c. Teste Rege apud *Westm.* secundo die *Maii*.

Mat. Westm.  
Anno 1248. p.  
232. Mar. Paris, p. 730.  
Monitur Simon de Langetuna.

Sub eodem quoque annali curriculo, (1248.) obiit *Magister Simon de Langetuna*, frater *Stephani Cantuariensis Archiepiscopi*, ejusdem Ecclesiæ Archidiaconus; qui fratrisse negligens, si Ecclesiæ suæ persecutor et perturbator extitisset non est mirandum: quoniam Regna *Francorum* et *Anglorum*, et eorundem Regnorum corda et status, ex multiplici bello non mediocriter movit, commovit et damnose perturbavit, sicut suo loco plenius enodatur: being the Popes great instrument.

Anno 1249.  
\* Mat. Paris p.  
737, 738.  
Imperator graviter diffamatur.

It is the observation of *Matthew Paris* Anno 1249. that when Cardinal *Remerius* at the Popes instigation, had published an infamous Satyrical elegant Letter against the Emperor *Frederick*, whereby his fame was not a little blasted in divers parts of the world, \* ut jam pejor *Herode*, & *Juda*, vel *Nerone* censeretur: Talis enim Epistola sætor exitialis ex factis suis exhalans, fidelium audientium aures & corda, non sine stupore & gemitu, quam plurimum exasperavit. Hæc igitur pagina auditu horribilis, cum ad multos pervenisset, medullas auditorum penetrando contra *Fredericum* crexisset, nisi Papales ejusdem *Frederici* abversarios, avaritiæ, symoniæ, et usuræ, aliorumque vitiorum maculæ coinquinassent. Qui inter cætera deliramenta, cruce signatos impudenter exagitant, nunc sub poena Excommunicationis ad Terram Sanctam, nunc ad Imperium *Romaniæ*, nunc innuendo ut super *Fredericum* insurgant et transmittantur, elabozant. Et quod detestabilis judicatur, Prædicatores et Minores facientes suos telonarios, viatica cruce signatorum quobis extorquent argumento. Unde etsi ignominiosa ipse tyrannus *Fredericum* operetur, adhuc tamen infinitos manifestos et quamplures occultos, in odium *Romanorum*, pro dolo, invenit fautores, et in facinoribus adjutores.

He



He subjoyns soon after, \* *Eisdemq. temporibus, Fratres Prædicatores & Minores, de præcepto Domini Papæ, cui obedienter obtemperabant, instanter nimis ac diligenter prædicationibus intendebant: & ad augendam fidelium devotionem, cum magna solennitate ad loca, ubi prædicatione eorum prius indicabatur, accedebant & advenientibus, multos dies indulgentia concedebant. Occurrerant namque eis Sacerdotes & Clerici in vestibus albis, cum crucibus & vexillis, trahentes secum fidei populi non minimam numerositatem, sicut solet diebus rogationum. Prædicantes igitur pro negotio crucis, homines cujuscunque ætatis, sexus, vel conditionis, vel baloxis, imo etiam valetudinarios vel valetudinarias, et ægotantes et senio deficientes cruce signaverunt: et in crastino et etiam incontinenti pro quantocunque præcio crucem a cruce signatis deponentes et reacipientes, quemlibet a voto suæ peregrinationis absoluebant. Quod videbatur multis inconveniens et absurdum, quia non post multos dies consequentes, Magistro Bernardo Clerico et Italico vindemsiante, Comes Richardus in ærario suo omnia coacerbavit. Unde non minimum scandalum in Ecclesia Dei et universo populo est exortum, et tepuit fidelium devotio manifeste. Whence*

\* *Matthew Westminster justly styles this year, Annus Romanæ Curia infamis.*

*Tunc quoque temporis, rediit a Curia Romana Episcopus Norwicensis Walterus, qui, ut dicebatur, privilegium adquisierat infame, de pecunia ex Episcopatu suo extorquenda: to make up the monies he had spent in Bulls and Gifts at Rome.*

*Anno quoque sub eodem, circa Paschalem solennitatem, Archiepiscopus Rothomagensis, quidam videlicet frater de ordine Minorum, origine Francus, venit in Angliam, ut quosdam redditus ad jus Ecclesiæ suæ pertinentes, impetrata Regis gratia, rebotaret. Quod cum prudenter impetraverat, facto Regi homagio de ipsis redditibus (as his Predecessor did) erant enim in Anglia, veniebat.*

The same year there happening a discord between the Abbot of Burg and his Covent, about Dilapidations, and for enriching his poor kintred with the Goods and Revenues of the Church, in enorme Ecclesiæ suæ damnum, and not reforming upon complaint, he was at last constrained, to prevent a deprivation, to resign his Abby into the Bishop of Lincoln's hands, who assigned him one Mannor for his more honourable maintenance, though he did not deserve it. \* *Regales autem illuc statim à Domino Rege missi, emolumentis inhiantes, redditibus Abbatis avidè inhiantes, rapinis & exterminio domus illius intenderunt. Irascitur quoque Rex vehementer, velens occasionem habere contra domum ipsam, quia dictum fuit ei, quod quia Domino Regi favorabilis et munificus fuerat, persequerentur ipsum Abbatem suum Monachi, et accusaverant. Conveniens igitur, ut Domini Regis confiscatis omnia, declinarent indignationem, Johannem de Cadamo, Priorem Ecclesiæ Sancti Swithini, Wintoniensem, ipso Rege sic volente et imperante, licet de domo alia, & natione alienum, videlicet Normannum, sibi in Abbatem bellent nolent, elegerunt.*

This year Robertus Passelevé, Curia volumina detestans, ad frugem melioris vite convolvavit, & ad gradum promotus est Sacerdotis. Propter quod Dominus Episcopus Eliensis, ipsi Roberto bonam Ecclesiæ de Deham, qua fuerat Jeremix Domini Regis Clerici nuper defuncti, contulit; sperans ipsum Sanctum fore post diuinam vitam sterilem, Sacerdotem. Sed Dominus Rex ipsum Episcopum conferentem, & ipsum Robertum recipientem, odio maximo persequeretur, quia Episcopus memoratus illam Ecclesiæ Ethelmaro fratri Domini Regis non contulerat.

Anno 1250. Many of the English Nobility, Bishops, Gentry and Commonalty crossed themselves for the relief of the Holy Land, some of them selling their Lands to defray their expenses in that expedition: \* *Innumerabiles quoque nudentes in propatulo signum crucis vel accipere vel in humeris portare, secreto voverunt & proposuerunt firmiter Terram Sanctam devotè ac potenter adire, multiplicas Romanæ Curia formidantes. The King himself soon after sending for all the Citizens of London, remitted all his anger and rancor towards them, and humbly craved pardon from them for all the injuries, oppressions, and unjust seizures of their goods formerly*

3 A

made.

\* Mat. Paris, p. 740. Fratres Prædicatores & Minores telonarii Papæ.

\* Anno 1249 p. 240.

Mat. Paris, p. 742. Rediit a Curia Romana Episcopus Norwicensis.

Mat. Paris, p. 740. Archiepiscopus Rothomagensis venit in Angliam.

\* Mat. Paris, p. 743. Discordia inter Abbatem de Burgo & ejus Conventum.

Mat. Paris, p. 741, 746. Robertus Passelevé vitat Curiam.

Anno 1250.

\* Mat. Paris, p. 747, 748. Multi Angliæ Nobiles cruce-signativendunt sua prædia.

\* Rex cum multis Nobilibus cruce signatur.

made. \* Eodemque die Dominus Rex crucem suscepit de manu Archiepiscopi Cantuariensis Bonifacii. Et postea ipse Archiepiscopus cruce signavit alios Nobiles, whose names you may read in Matthew Paris: who subjoyns, Sinistri verò interpretatores asserere presumpserunt, quod non propter aliud suscepit Dominus Rex crucem, nisi ut tali occasione violenter a suis Nobilibus, qui prius ei contradixerant id petenti, pecuniam extorqueret sub obtentu Terra Sancta conquistandæ, (as Popes then usually did) et crucis negotii promovendi: Verumtamen discreti & plur rationis habentes, hæc ad iudicium & probationem altum subsequendum reservabant. Huius autem dubitationis seminarium præstitit Regis Francorum exemplum perniciosum, qui infantiam (pecuniam) minime tamen Deo vindice profecturam à Regno suo maxime abstraxerat, ut suam promoveret peregrinationem. Sed quales inde fructus collegeris, sequens sermo declarabit.

\* Mat. Paris, p. 749. De unanimi consilio cruce signatorum.

In the mean time the English Nobility (who had most of them taken up the cross before King Henry) meeting at London, determined to begin their voyage before the King; \* Dominus autem Rex, qui sedulus explorator hac præcognoverat, à Romana Curia Literas ad votum, data et plus promissa pecunia, festinanter impetravit, quarum auctoritate iter eorum suspenderet, donec ipse tanquam Dux capitalis, in propria persona terram pienter adiret ultramarinam, ut sic decentius & securius progrediretur; & sic hic & inde crucis languis negotium infelicitè, heu, heu, mutilatum.

Mat. Paris, Edit. Londini, p. 785, 787. Magnatum Angliæ iter Hierosolymit.

Soon after, Celebri luce beati Augustini, cum omnes Angliæ Magnates cruce signati, fixum habentes propositum ad festum Sancti Johannis, iter arripere Hierosolymitanum, & terras suas vendiderant, vel impignoraverant, vel in laqueis Judæorum vel Causinorum se involverant, vale dicto amicis prompti fuerant & parati. Et ecce Dominus Rex, qui sicut puerulus læsus vel offensus ad matrem querulus soles recurrere, ad Papam miserat festinanter supplicans, ut hoc iter impediret, significans ei, quod quidam Regni sui præclari Magnates cruce signati, ipso invito et prohibente iter arripere Hierosolymitanum firmiter proposuerant, nec ipsum Regem Dominum suum cruce signatum, et idem iter arripere proponentem, expectare dignabantur. Qui etiam Regem Francorum capitalem inimicum suum qui eis, ut dicebant, prævius iter & introitum præparaverat in terram Orientalem, potius quam eum sequi maluerunt. Unde Papa per Literas suas, sicut et ipse Rex per verba imperiosa, districte sub pœna Excommunicationis inhibuit, ne quis eorum contra Regis voluntatem, qualecunque periculum Rex Francorum subiret aut discrimen, transiret. Insuper Dominus Rex in continenti, misit ad Castellanos Doveræ, & ad aliorum portuum custodes, ne aliquem Magnatem cruce signatum, permitterent transire. Allegatum tamen fuit contra hoc, quod scilicet Rex indiscretè fecerat, quia si tot & tales faciem suam prærent (fuerant pugnatores equites circiter quingenti, excepta eorum sequela innumerabili) diceret totius Christianitatis universitas obstruere: O quantus Rex est, & quam formidabilis, qui tales præmittit? O quot credendi sunt ipsum concomitari? & sic totus contremiscet Paganismus. Sed ut quid talis deceptio? Hoc enim peregrinationis bene contigit, licet præter prohibentium impedimentum: by reason of the French Kings overthrow. Interim tamen non cessavit Dominus Rex, undecunque pecuniam abstrahere, (by pretext of this Croysado) principaliter à Judæis, (he extorting from Aaron alone, a Jew born at York, no lesse then Thirty Thousand Marks of Silver, and Two Hundred Marks of Gold, besides what he wrested from other Jews upon sundry pretexts) secundo autem à suis hominibus Christianis & naturalibus, amounting to vast sums of money.

Bernardus de Nympha pecuniam collegit à cruce signatis.

Temporibus quæque sub eisdem, Bernardus de Nympha Clericus, Papalibus armatus munimentis, a cruce signatis ad opus Comititis Richardi, sub inhonestissima nimis forma magnam pecuniam collegit, ut potius rapina, quam iustitia videretur. Forma autem huius rapinæ inordinata, ne multorum aures cum cordibus offendat, in Libro Additamentorum plenius exaratur.

*Littera generales directæ per singulos Episcopatus, super collectione Decimarum, & redemptione votorum, & cruce signatorum, & aliorum, Comiti Richardo concessorum.*

Auctuarii Ad-  
dicamentorum  
Matthæi Paris,  
p. 225, 226.  
Forma Rapinæ  
Bernardi de  
Nympha.

**R**. Divina gratia *Lincoln.* Episcopus, dilectis in Christo filiis omnibus Archidiaconis per *Lincolniensem* Diocæsin constitutis, salutem, gratiam & benedictionem. Literas Domini *J. Sarraceni* Subdiaconi & Capellani Domini Papæ, Decani *Wellensis*, & *Bernardi de Nympha*, scriptoris ejusdem Domini, recepimus in hac verbis.

**R**everendo in Christo Patri ac Domino *R. Dei gratia Lincoln.* Episcopo, & discreti viro Officiali suo *J. Sarraceni*, Subdiaconus & Capellanus Domino Papæ, Decano *Wellensis*, & *Bernardus de Nympha* scriptor ejusdem Domini, cum sincera dilectione salutem. Noveritis nos post diversa mandata sedis Apostolicæ quæ ad nos & alios Prælatos Regni *Angliæ* hætenus emanarunt, **super redemptione votorum**, & aliis in eodem Regno; Nobili viro Domino *R. Comiti Cornubiæ* a præfata sede concessis, quorum copiam & tenorem sub sigillis nostris, nobis jam ab olim transmissum, penes vos esse novimus: suscepisse nuper mandatum Apostolicum, sub hac forma. *Innocentius* Episcopus servus servorum Dei, dilectis filiis *J. Sarraceno* Subdiacono & Capellano, Decano *Wellensis*, & Magistro *Bernardo de Nympha* scriptori, nostris in *Angliæ* commorantibus, salutem & Apostolicam Benedictionem. Ex parte dilecti filii nobilis viri *R. Comitis Cornubiæ*, fuit propositum coram nobis, quod cum post diversa mandata, quæ tam à nobis quam à felicitis recordationis *G. Papa* prædecessore nostro, **super redemptione votorum**, in Regno *Angliæ* Comiti præfato ab Apostolica sede concessa, ad ejusdem Regni Prælatos emanasse dicuntur. Tibi fili Decane, ministro ordinis *Sanctæ Trinitatis*, & captivorum in Regno prædicto, & Archidiacono *Berkshire*, duxerimus per Literas nostras injungendum: ut juxta Priorum Literarum formam in negotio ipso procedere curaretis, agente tandem eodem Archidiacono extra Regnum, & se in totum ab hujusmodi negotio excusante, ac ministro tibi fili *B. committente super hoc totaliter vices suas, illud remandamus; quatenus sine moræ dispendio in eodem negotio procedatis, super Priorum continentiam Literarum. Dat. *Lugduni* tertio Idus *Octobris*, Pontificatus nostri anno quarto. Cum igitur si filii obedientiæ, prout debemus, inveniri volumus; parendi nobis incumbat necessitas, & refragandi audacia prohibeatur; maxime cum præter id quod præfata sedi tenemur ad obedientiam specialem, tam mandatum Regium, quam assidua postulatio prædicti Domini Comitis, ad consummationem & accelerationem prædicti negotii nos coarctent. Attendentes insuper, quod per Ordinarios locorum potest consultius & salubrius, absque scandalo & strepitu circa præmissa cum optata celeritate procedi; eos nos providimus de prudentum consilio, & juxta ejusdem Comitis affectum, in partem hujusmodi oneris & sollicitudinis evocare: ut per opem & adjectionem consilii plurium, quæ super præmissis agenda sunt, sic rite ac prudenter Deo auctore procedant, quod apud Summum Pontificem inobedientia nobis non noceat, nec apud præfatum Dominum Comitem, neglectus accusetur. Quare discretionis vestræ cum reverentia vestra in virtute obedientiæ, qua injungitur nobis, injungimus, & sub pœna interdicti qua fungimur in hac parte, auctoritate districtè præcipimus, quatenus citetis peremptoriè omnes Archidiaconos & Officiales eorum, Civitatis & Diocæseos *Lincolniensis*, necnon Archidiaconos Monasteriorum exemptorum & non exemptorum ejusdem Civitatis & Diocæseos, quod personaliter compareant coram nobis in Ecclesia Sancti Martini magni *Lond.* die Lunæ, proxima post assumptionem beatæ Mariæ nuper venturam: facturi circa præmissorum executionem, quod per ejusdem Regni Prælatos ordinatum est & provisum: Pro certo scientes, quod quantumcunque vobis & vestris deferre velimus, contra rebelles tamen & resistentes, quantum de jure licuerit & poterimus, procedemus; vos autem tam de citatione facta, quam de nominibus Citatorum, nos per latorem præsentium Literis vestris patentibus certificare curetis: provisuri, ut alter vestrum cui fuerit hoc primò mandatum oblatum, illud, non expectato reliquo, sine dilatione qualibet exequatur. Dat. anno gratiæ 1247. 11 nonas *Junii*. Quapropter vobis mandamus in virtute obedientiæ, & sub pœna prædicta, vobis injuncta firmiter injungentes; quatenus omnes & singuli una cum Offi-*



Nota.

cialibus vestris dictis, die & loco compareatis juxta prædictum mandatum; quod jus dictaverit, facturi: sicut poenam prædictam volueritis evitare. Quibus autem die & loco has Literas receperitis, nobis per Literas vestras patentes significetis. Item, deputentur per vos in singulis parochiis Archidiaconatum vestrorum, aliqui fide digni cruce signati, una cum Sacerdote, qui conscribant nomina cruce signatorum decedentium; qui jam decesserunt, vel qui in futurum decedent: & quantum promiserint vel legaverint in subsidium *Terra Sancta*, & qui fuerint executores. **Et denuncietur executoribus, quod habeant præmissas pecunias peratas cum fuerint requisiti:** & scripturæ singularum parochiarum deferantur in Capitulis Decanorum per Rectores vel Sacerdotes, cum testimonio aliquorum vel alicujus cruce signati; & Decanus cum testimonio aliquorum ad hoc deputandorum, redigat omnes scripturas in unam scripturam: & apponat sigillum suum, cum sigillis sociorum suorum: & dictam scripturam deferat ad domum fratrum *Prædicatorum* vel *Minorum*, qui ibidem prædicaverint. **Et statim fiat Collecta hujusmodi pecuniæ,** per visum illius qui prædicaverit, vel ejus quem prædicator ipse ad hoc vocare poterit in locis singulis: & deponatur in æde sacra sub sigillo illius qui prædicaverit, & *Collectorum*: restituenda nobis & Domino *Wigornienfi* Episcopo, vel nostris assignatis, cum eam duxerimus exigendam. **De bonis vero cruce signatorum qui decedunt sine testamento,** quantum ad portionem eos contingentem, ordinetur per amicos defunctorum & fratres deputatos ibidem ad prædicandum; ut deputetur in subsidium *Terra Sancta*, quantum poterit sine scandalo; ut plenam habeant indulgentiam. Item, omnes infirmi & decedentes moneantur per Capellanos & alios qui confessioni testamenti eorum interfuerint, ut crucem assumant si nondum assumpserint; & tam isti quam illi qui crucem ante assumpserunt, nominent quantum velint dare ad subsidium *Terra Sancta*; & dicatur eis expresse, quod si omnino dederint secundum facultates, plenam habebunt indulgentiam; si minus, erunt participes tantum, scilicet secundum quantitatem subsidii & devotionis affectum: nullus tamen compellatur facere ultra voluntatem suam. Et hæc omnia scribantur & referantur, ut supra.

Hæc autem nos & Dominus *Wigornienfis*, auctoritate Apostolica injungimus Sacerdotibus, qui intererunt testamentis, in virtute obedientiæ; ut tam ipsis, quam aliis in remissionem peccatorum. Quid autem super hiis feceritis, nobis citra festum Assumptionis beatæ Mariæ, per Literas vestras Patentes constare faciatis. Dat. apud *Edevetnam*, in Diocæsi *Sarum*, Calendas *Augusti*, Pontificatus nostri anno duodecimo.

Sciendum est, quod eodem anno etiam antequam inciperetur hæc excogitata Collecta sic fieri, recepit Comes *Richardus* de *Terra Sancti Albani*, 25. libras, per manum Archidiaconi ejusdem loci.

\* Hist. Angliz  
Edit. Londini,  
p. 777, 779.  
Variz opinio-  
nes Colloquii  
Papæ cum Co-  
mite R.

\* *Matthew Paris* records, That the Pope this year gave a Noble entertainment to this Earl *Richard*, whom he secretly called to his Court, and with whom he had much private conference; *De causa autem itineris Comitissæ Richardi, aliquorum fuit opinio, nec sine causa, quod vocaverat eum Dominus Papa, ut eum in Imperium Romanæ, quem scivit nummis & multis thesauris abundare, promoveret, sciens illum avidum & ambitiosum, quos vellet Dominus Papa ad hoc exponere. Alii autem indubitanter asseverabant, quod Dominus Papa studiosè ad hoc desudabat, ut gratiam ipsius Comitissæ acquireret, quatenus ipsum venire, in Angliam, cupientem, benignè & reverenter susceperet, & ad hoc Dominum Regem fratrem suum & Magnates terra (præcipuè eos qui de consilio Domini Regis sunt) ut in Regnum Angliæ vocaretur, inclinaret.* However the Earl made use of the Popes favour to procure his forecited Bulls, under colour of ayding the Holy Land, to exact vast sums of money by this pious cheat from the people, whereof himself for the most part had the greatest share.

The King having gained Letters from the Pope to raise monies for this his pretended expedition, sent them to the three Archbishops in *Ireland*, to publish them in all places, as this ensuing Record assures us.

Claus. 34H. 3.  
m. 11, dorso.

**R**EX *Dublin*. Archiepiscopo, salutem. Summus Pontifex *Innocentius Christi Vicarius, & beatorum Petri & Pauli successor.* non solum quod expedit sed quod decet, in negotio Sanctæ Crucis, cujus signaculum portamus in humero, ponderans in fraterna discretionis præcipuè, fecit nobis gratiam specialem promotorem ipsius negotii plura prætextu nostræ cruce-signationis indulgens, juxta quod

quod in Literis suis quas vobis & quibusdam fratribus vestris transmittimus, continetur. Cum igitur proponamus pro nostris viribus vindicare injuriam crucifixi ad exaltationem fidei Christiana, nostrumque honorem, tam potenter quam magnifice in propria persona nostra exequi votum nostrum, paternitatem vestram rogamus, quatenus per Civitates & Dioeceses ac Provincias totamque Hyberniam, proponatis & proponi per aliquos quos ad hoc idoneos noveris verbum Crucis, ac earundem Literarum tenorem publicari, aliisque copiam habere faciatis, secundum quod videritis expedire, cum diligentia debita exequentes quacunque in eisdem Literis videritis contineri, ita quod tam vos, quam illi quibus hujusmodi officium commiseritis, sitis universi & singuli in pramissis exequendis solliciti per quod fidelitas & prudentia vestra debeat commendari, distas autem Literas quas Prior Sanctæ Trinitatis Dublin. vobis deferet in eodem Prioratu cum publicata fuerint, salvo reponi & custodiri faciatis. Ita quod ad eas cum necesse fuerit possit haberi recursus. Teste Rege apud Woodst. 16. die Junii.

Consimiles Litera scribuntur Cassal. Archiepiscopo, excepto quod Literas Domini Papæ quas Walterus Mansell ei deferret post ipsarum publicationem deponi fac. penes Prædicatores Cassal.

Item consimiliter scribitur Ardmachan. Archiepiscopo, & Priori fratrum Prædicatorum, & Ministro fratrum Minorum, Provincialibus Hybernix, excepto quod de depositione Litera Papalis eis transmissa non sit mentio.

What great extortions, oppressions the Laity and Clergy underwent not only in England, but also in France, by vertue of the Popes Bulls to raise monies to carry on Wars against the Saracens, and Emperor too, though a Christian, Matthew Paris thus relates.

Et si alix pecuniarum extorfiones per Regnum Francorum factæ, irrecitabiles dignæ aeterno sint silentio, unum tamen exemplum huic paginæ duximus inferendum. Notum est, quod Dominus Francorum Rex, ex permissione Romana Ecclesiæ, per triennium decimam ab Ecclesia Regni Francorum emunxit, tali conditione ut Papa tantundem in posterum ab eadem extorqueret, ut Fredericum potentius expugnaret. Cui tamen post primam triennii collectam, scilicet suam, Rex Francorum præmonitus, volenti suam vindemiare, multiformis emundatoris ars ut artem falleret, in faciem contradixit, hanc pretendens rationem, quod nullo modo toleraret Ecclesiam sui Regni depauperare, ad expugnandum Christianos: ad expugnandum vero incredulos, æquanimius tolerari potuit, et potius a laico quam sacerdote. Preterea, si alio proximo triennio deprædaretur, irrestitabili prædæ, quod tamen non curaret, pateret. Extorsit igitur, pecuniam memoratam per quosdam Papæ Ministrales, ut efficacius ipsam erigeret, et ut certius sciretur ad quantum pars Papalis ascenderet colligenda. Unde multorum corda doloze præcordiali exultabantur, maledicentium, et imprecantium, ut Propheta Isaia, imo Dei vereficaretur sententia, qui odio semper hæcenus habuit rapinam in holocausto. Utinam hæc rationis libra perpenderent Dominus Anglorum Rex, & frater ejus Comes Richardus, & alii Principes cruce signati, turpidus emolumentis incumbentes. Quamvis enim ipsum constat esse actum sanctæ peregrinationis, viatica tamen turpiter acquisita, piæ actionis coinquinat executionem. Hæc enim causa licet alix forte non defint, creditur fuisse jam descriptæ confusionis. Harum quoque in Francia factarum extorfionum, unam quia turpissimum, duximus memorandum. Contigit, ut memoratus Papalis exactor obvium haberet unum Clericum de Villa venientem, aquam in vasculo cum aspersorio, & frustra panis, data sibi pro aspersione aquæ benedictæ bajulantem. Cui Romanus insidiator ait, ad quantum premium ascendit beneficium hoc tibi ab Ecclesia concessum per annum? Cui clericus loquearum ignarus Romanorum, respondit. Ad viginti ut æstimo solidorum. Cui Romanus jam se manifestans ait, Hic ergo assurgunt ad fisci commodum per annum Viginti & quatuor denarii, scilicet duo solidi. Et suffocabit ipsum pauperem offitium mendicantem, dicens: Redde Domino Regi quod debes. Unde pro illa substantiola persolvenda cogeatur ille pauper

Mat. Paris, p. 753, 771, 772. & Mat. Westm. Exemplum memorabile turpissimæ extorfionis in Gallia factæ.

culus

culus, multis diebus scholas exercens, venditis in parvisio libellis vitam famelicam & Codrinam protelare.

The sad effects of these impious *Rapins*, and *Crossadoes*, ending in the totall overthrow and destruction of the *French* army, the Captivity of their King, the mischief and confusion of the whole Kingdom, yea in blasphemies against God and Christ himself; Apostacy from the Christian Religion, and detestation of these Papal *Extorsions*, *Cheats*, are at large recorded by the same historian, & thus Epitomised by him.

Mat. Paris  
Hist. Ang. p.  
771, 772.  
Indignatio  
Francorum au-  
dita clade suo-  
rum.

Hæc igitur lugubria postquam per aliquos ob Orientalibus partibus redeuntes, ad audientiam Domine *Blanchia*, & Magnatum *Francia* pervenissent, &c. tota *Francia* dolorem induit & confusionem, & tam Ecclesiastici viri quàm militares mærore querulo contabuerunt, nolentes recipere consolationem. Ubique enim patres, & matres suos filios, pupilli & orphani genitores, consanguinei consanguineos, amici amicos cecidisse conqueruntur: Immutata est mulierum speciositas, ferra de floribus projecta sunt. Cantilenæ suspenduntur. Instrumenta musica prohibentur. Omne quoque genus lætitiæ in luctum, & lamenta commutatur. Et quod pejus est, Dominum de injustitia redarguentes, in verba Blasphemie quæ Apostasiam vel hæresim sapere videbantur, præ mentis amaritudine et doloris immanitate sapientes prozumpunt. Et multorum caput fides vacillare. *Venetia* quoque Civitas Nobilissima, et multa Civitates *Italia* quas inhabitant semi-Christiani, in Apostasiam prolapsi essent, nisi Episcoporum et Sanctorum viro- rum religiosorum consolatione roborarentur. Qui veraciter affirmabant, ipsos occisos jam regnare Martyres in Cælestibus, nec modo velle, pro totius mundi auro in hujus mundi valle tenebrofa degere. Et sic hic quiebit aliquorum, non tamen omnium indignatio.

Historia, p. 751  
Fides multo-  
rum vacillat.

He addes, Cæperunt igitur multi, quos firma fides non roboraverat, tam desperatione & blasphemis, quàm fame contabescere. Et fides, heu, heu, multorum caput vacillare, dicentium ad invicem: Ut quid dereliquis nos Christus, pro quo & cui hætenus militavimus? Jam multoties nostris diebus victi confundimur, & hostes nostri, imò Christi, de nostro sanguine & spoliis gloriantur triumphantes. Primò apud *Damiatam* Civitatem istam, quando Nili fluentis circumdati, compulsi fuimus *Damiatam* tanto sanguine adquisitam, resignare. Iterum, non procul ab *Antiochia*, Templi inclita militia, signifero destrucato, victa confundebatur. Iterum, à Saracenis paucis annis avolutis apud *Gazaram* occubimus, à Comite *Richardo* quodam Anglico post redempti. Postea verò à Chorofminis ferè tota Christianorum universitas in Terra Sancta trucidabatur, qui loca omnia, qua dicuntur sancta, polluentes destruxerunt. Modo verò, quod omnibus gravius est, Rex noster Christianissimus miraculose suscitatus à mortuis, cum tota *Francia* Nobilitate ignominioso patet discrimini, factus est nobis Dominus velut inimicus. Et qui solet Dominus dici exercituum, nunc, pro dolor, à suis hostibus tanquam multoties superatus aspernatur. Quid nobis nostra devotio, religiosorum orationes, amicorum nostrorum pro sunt elemosynæ? Nunquid melior est lex Machometi lege Christi? Et sic deliramenta verborum ex fide titubante resonabant, & dies *Quadragesimales*, plus pœnales quàm penitenciales deducebant.

Mat. Paris, p.  
771.  
Querimonia  
super extorsio-  
nibus pecunia-  
rum.

Tales igitur fructus parturiunt rapinæ & deprædationes quas faciunt Magnates, pauperibus multimodas injurias patientibus, ut eorum marsupia repleantur permittente, imò docente Ecclesia Romana, quoties peregrinaturi ut Deo militent, proficiscuntur. Patet ergo luce clarius ex præmissis quantum Deo displicet questus talis, qui de pauperum surgit oppressionibus et depauperatione.

\* Here p. 683,  
684, 685.

To pass from these *Crossadoes*; this year the Prelates and their Officials being summoned to *Oxford*, about the grace and indulgence\* forementioned, granted to Archbishop *Boniface*, the King to preserve the Rights and exemptions of his free Chapples from this Papal imposition, issued this memorable prohibition to them.

Pat. 34 H. 3.  
Memb. 6. Dorso.

**R**EX Universis Prælati & eorum Procuratoribus vocatis et venturis apud *Oxoniam* pro gràtia *Cantuariensi* Archiepiscopo à Domino Papa concessa salutem. Cum Capellæ nostræ in Episcopatibus *Cestria*, *Sarum*, *London*, & alibi in Regno temporibus nostris ac progenitorum nostrorum, adeò liberæ extiterint & im-  
munes



munes, quod nec Dominus Papa, nec aliquis Archiepiscopus, Episcopus, seu Prelatus Jurisdictionem vel potestatem suam extenderit ad eandem; statuendo aliquid in eisdem vel exigendo subsidium, vel aliquid aliud quocunque nomine ab eisdem. Vobis districte inhibemus, quatenus metis vestris hactenus usitatis contenti, nichil exigatis nomine gratiæ prædictæ Cantuariensis Archiepiscopo concessæ, vel quacunque alia occasione a Capellis memoratis, vobis præcipientes ne sitis delatores vel accusatores apud sedem Apostolicam vel alibi super juribus et libertatibus nostris, sicut indignationem nostram velitis evitare et fidelitatem nobis vinculo Juramenti præstitam observare. In cujus, &c. Teste Rege apud Westmonasterium 20. die Aprilis

The Archbishoprick of Tuam in Ireland becoming void by death, the King upon the humble Petition of the Dean and Chapter, issued this signification of his licence to Elect another to the chief Justice of Ireland, provided they made choice of a fit person, profitable to his Realm of Ireland, and faithfull unto his Majesty.

**R**EX Dilecto & fideli suo J. filio Galfr. Justic. Hiberniæ, salutem. Veniens ad nos Crispinus Canonicus Ecclesiæ Tuamensis, intimavit nobis Ecclesiam suam per mortem Martini quondam Archiepiscopi ejusdem Ecclesiæ esse pastoris solatio destitutam, humiliter postulans ex parte Decani & Capituli loci memorati, quod eis concederemus licentiam eligendi altum in Patrem et Pastorem. Nos autem precibus eorum condescendere volentes, Vobis mandamus, quod si post mortem prædicti Archiepiscopi, si Archiepiscopatus ille in manu nostra extiterit, tunc eis ex parte nostra licentiam eligendi concedatis liberaliter & benigne. Eodem rogantes attente, ut talem eligant qui Ecclesiæ suæ idoneus, regno nostro Hiberniæ utilis, et nobis existat fidelis. In cujus, &c. Teste Rege apud Westmonasterium 16. die Januarii.

Par. 34 H. 3.  
Memb. 8. Dorso  
De licentia eligendi.

The Pope upon the Kings complaint, ordering the Bishop of Worcester to repeal a sentence given against William de Beauchamp and others, in a cause belonging to his temporal Court, and not to the Ecclesiastical, and in his default to the Archbishop of Canterbury to effect it, the King thereupon constituted Proctors by his Letters Patents to prosecute and accomplish it accordingly.

**O**mnibus Christi fidelibus præsentis Literas visuris vel audituris H. Dei gratiâ Rex Angliæ, &c. salutem. Noverit Universitas vestra, quod cum Dominus Papa ad instantiam nostram Domino Wigornienſi Episcopo suis dederit Literis in mandatis, ut sententiam quam ipse in Wilhelmo de Bello Campo Vic. nostrum & alios pro hiis quæ non ad Ecclesiasticum, sed ad nostrum Regium forum spectant, in nostri præjudicium proponitur promulgasse, & ita sit infra certum tempus sine difficultate relaxaret. Ac insuper venerabili patri Domino Cathar. Archiepiscopo extunc juxta formam Ecclesiæ sententiam relaxet eandem, prout in prædictis literis Apostolicis plenius continetur. Nos dilectos nostros Magistros Nicholaum de Plumpton, & Johannem Clarell constituimus & ordinamus, procuratores nostros substitutione, unumquemque eorum in solidum ad prædictam causam & ad omnia faciendâ in prædicto negotio quæ verus & legitimus procurator facere potest. Promittentes nos ratum habituros & firmum quicquid per ipsos vel eorum alterum quibuscunque diebus & locis coram quibuscunque Judicibus ordinariis vel delegatis super præmissis negotio nomine nostro factum fuerit justitia mediante. In cujus, &c. Sigillum nostrum fecimus apponi. Teste Rege apud Westmonasterium 7. die Maii.

Par. 34 H. 3.  
memb. 5. intus  
Literæ de procuratore.

The King this year by his Ecclesiastical supremacy, granted his Licence to the Jews of London, that the Master of their Law should publish a sentence of excommunication against all such Jews who had promised any aid towards the reparation of their Churchyard in London, and had not paid it, provided that all Jews thus excommunicated, should make amends only to himself, not to any other.

R E X

Pat. 34 H. 3.  
m. 5. Intus.  
De Excommu-  
nicatione pro-  
mulganda in  
Judæos An-  
gliz.

**R**EX Justiciariis suis ad custodiam *Judaorum* assignatis, salutem. *Sciatis*, quod concessimus *Judeis* nostris *London*, quod Magistri Legis eorumdem *Judeorum*, in Civitate *London*, promulgare possint sententiam excommunicationis, in omnes illos *Judeos* qui subsidium aliquod promiserint ad Cœmeterium suum *London*, sustinendum et illud non solverint. Ita quod nos et non alius de *Judeis* excommunicatis emendas recipiamus. In cujus, &c. Teste Rege apud *Clarendon* 28. die *Julii*.

The Pope by his Provisions intending to dispose of a Deanery belonging to the Kings presentation, by the vacancy of the Bishoprick of *Exeter*, in derogation of the Kings Crown and Dignity: the King thereupon issued this Writ to the Sheriff of *Cornwall*, and Dean of *Wells*, to prevent it.

Claus. 34 H. 3.  
Memb. 15.

**R**EX Vic. *Cornubia* salutem. Audivimus quod *J. Saracenus* Decanus *Wellen*, occasione provisionis ei a sede Apostolica demandata, proponit ordinare, et instituere Decanum in Ecclesia sancti *Carantoci*. Et quia ordinatio et institutio prædictæ manifeste esset contra pacem Coronam et dignitatem nostram, præsertim cum vacante sede Episcopatus *Exon*, collatio Præbendarum præfate Ecclesie sancti *Carantoci*, ad nos pleno jure pertinere dignoscitur, mandamus eidem Decano, et ejus vices gerenti firmiter inhibendo, ne in præfata Ecclesia vel alibi contra libertatem nostram ordinando vel instituendo aliquid attemptare præsumat. Et ideo præcipimus quod si contingat ipsos ad præfata Ecclesiam accedere vel destinare, ad ordinationem seu institutionem in eadem fac tu quantum in te fuerit hoc nullatenus fieri permittas, sed ab eadem omnem vim Laicam penitus amoveas. Et ita te habeas in hac parte, quod diligentiam tuam merito debeamus commendare. Teste Rege apud *Westmonasterium* 12. die *Martii*.

Et Mandatum est prædicto Decano ut supra.

The like Writ in substance he issued to the Sheriffs of *Lincoln*, to preserve the Patronage of the Abbot and Covent of *Thorney*, against all provisors intrusions to a Church to which they had presented his Brother *Adomar*; and to the Sheriffs of *Worcester* and *Hereford*, to defend the Church of *Oke* belonging to *Philip Luvell*, against Papal provisors, thus entred on Record.

Claus. 34 H. 3.  
Memb. 18.  
Dorso.  
Pro Adomaro  
de Lezignan.

**M**andatum est Vicecomiti *Linc*, quod si Abbas & Conventus de *Thorneia* præsentaverint *Adomarum de Lezignan*, fratrem Regis, ad aliquam Ecclesiam quæ sit in *Balliva sua*, non permittat aliquos provissores ingredi illam Ecclesiam. Et si sit in ea vis Laica eam amoveat. Teste Rege apud *Westmonasterium* 15. die *Januarii*.

Consimiles Literas habet *Philippus Luvell*, ad tuitionem Ecclesie suæ de *Oke*, directas *Uic. Wygorn*, et *Hereford*. Teste ut supra.

The King to gratifie Cardinal *Albo* for some courtesies done him in the Court of *Rome*, sent him the ornaments of his Chappel and a rich Miter by his Servant, which was reputed no Sacriledge for a Cardinal to receive, or the King to dispose of.

Claus. 34 H. 3.  
Memb. 10. Intus.  
De ornamento  
Capellæ libe-  
rando *Albo*  
Cardinali.

**M**andatum est *Edwardo de Westmonasterio*, quod ornamenta Capellæ, cum Mitra, unde Rex ei dixit liberet *Willielmo de Lucy*, latoz præsentum, deferenda ex parte Regis *Albo* Cardinali Domino suo. Teste Rege, apud *Woodst*. 8. die *Junii*.

The

The same year, Anno 1250. (34. H. 3.) there fell out a great difference between *Groftthead*, Bishop of *Lincoln*, and the Religious persons of his Diocese, thus recorded by *Mathew Paris*.

Tempore quoque sub eodem, Religiosorum fatigator indefessus Episcopus *Lincolniensis*, *Robertus*, omnes suæ diocesis Religiosos fecit citari ut in festo sancti *Hilarii* apud *Legecestriam* convenirent, mandatum domini *Papæ* ibidem audituri. Ad hæc enim idem Episcopus summo conamine anhelavit, ut Religiosorum per suam Diocesim constitutorum Ecclesias & redditus, de quibus idem Religiosi assensum Capituli & super hoc instrumenta Testimonium evidens perhibentia non haberent, in suam, quod multis nimis damnosum foret, revocaret potestatem. Et ad impetrandum *Magistrum Leonardum* Clericum suum frequentem *Romæ* pedam, non sine maxima pecuniæ effusione ad Romanam Curiam destinaverat. Quæ inquam Curia, instar barathri potestatem habet, et consuetudinem omnium redditus absorbendi, imo fere omnia quæcunque Episcopi possident et Abbates. Hujus autem impetrationis literæ potuerunt reperiri, in libro *Addamentorum*. Wherein they are thus Registered.

Matt. Paris  
Hist. Angl. p.  
747. *Lincoln*.  
Episc. citat suos  
Religioso

Nota.

**INNOCENTIUS** Episcopus, &c. Venerabili fratri Episcopo *Lincolniensi*, salutem & Apostolicam benedictionem. Tua nobis fraternitas intimavit, quod nonnulli Religiosi quamplures Ecclesiarum possessiones ac Decimas, in proprios usus præsumunt convertere, licet ad id non accesserit Capituli tui consensus. Quocirca fraternitati tuæ presentium autoritate concedimus, ut prædicta valeas legitimè revocare; contradicentes per Censuram Ecclesiasticam, appellatione postposita compescendo. Datum *Lugduni*, decimo sexto Kalendas *Julii*; Pontificatus nostri, anno sexto.

Addamenta  
Matt. Paris  
p. 179.

The Religious persons hereupon appealing from the Bishop to the Pope notwithstanding this Bull, the Bishop soon after crossed the Seas to the Popes Court upon this occasion, to dismiss their Appeals and complaints against him.

Causa autem solius Episcopi *Lincolniensis*, quare transfretaret patuit; vigilanter laboravit, ut eos quos vocaverat ad Papale mandatum, ut prædictum est, & contra inaudita gravamina sua ad sedem Apostolicam appellaverant, strictus suæ flecteret voluntati. Appellaverant enim exempti, *Templarii*, *Hospitalarii*, et multi alii, qui postea a Domino *Papæ* pecunia interveniente, caute sibi pacem redimerunt, secundum illud *Ethici*,

Matt. Paris;  
Hist. Angl.  
p. 747. Episc.  
*Lincol.* curiam  
Romanam ac-  
cedit.

*Judicis auxilium sub iniqua lege rogato.*

Quod cum Episcopo post multas expensarum effusiones, & labores inutiles innotuisset, confusus & tristis venit ad Dominum Papam, dicens: Domine sancte Pater, erubesco confusus in proposito meo, quod in literis et pollicitis beatis confidenter solidaui; spe frustror præconcepta, quia quos credideram edomuisse, liberi in meam recedunt confusionem. Cui Papa torvo vultu dicitur respondisse. Frater quid ad te? liberaſti animam tuam, fecimus eis gratiam. Nunquid oculus tuus nequam est, quia bonus sum? & cum Episcopus suspirans in seipso diceret, tamen auditus a Papa: O pecunia, pecunia quam potens præcipue in Curia Romana: exasperatus Dominus Papa respondit. O Anglici, hominum estis miserissimi. Quilibet vestrum alium corrodit ac studet depauperare. Quam multos elaborasti religiosos tibi subjectos, tuasque oves & indigenas ac domesticos, orationibus & hospitalitati intendentes, deprimere, ut de bonis eorum tyranniditæ ac cupiditati satisfaciens, alios et forte alienos reddas locupletes! Et sic confusus, & ab omnibus protervius acclamatus, recessit Episcopus, & ne nihil fecisse videretur illis negociis intendebat. \* Remansit autem in Curia Romana *Lincolniensis*, ut verus Papam propositum perficeret præconceptum. Which he was utterly unable to effect, the Religious and exempt persons out bribing him there.

\* Mat. Paris  
p. 754.



The Bishop having incurred the Popes displeasure by his forecited reprehension, and the King complaining against him to the Pope by speciall Messengers, that he had, against the Right of his Crown, excommunicated the Sheriff of *Rutland*, for not taking and imprisoning one *Rannulph* a Clerk, whom the Bishop had deprived and excommunicated for incontinency; upon his *significavit* directed to the Sheriff, the Pope thereupon issued a memorable inhibition to him, and all other Bishops and Officials, thus Recorded by *Mat. Paris*.

Mat. Paris.  
Hist. Angl.  
p. 751.  
Deterioratur  
Ecclesiasticæ li-  
bertatis conditio

Eodem quoque anno, contigit, quod Episcopus *Lincolniensis* privavit quendam Clericum beneficiatum, in Episcopatu suo, accusatum de incontinentia, nomine *Rannulphum*, & privatum excommunicavit, quia condemnatus, cedere recusavit. Nunc cum in sententia excommunicationis ultra quadraginta dies perseverasset, significavit Episcopus Vicecomiti *Rotolandia*, in cuius Vicecomitatu idem clericus manebat, ut ipsum captum teneret tanquam contumacem. Vicecomes autem eo quod fortè amicus dicti *Rannulphi* fuerat, hoc facere distulit vel recusavit, nunc enim erat Episcopo favorabilis. Quia enim, ut ait *Seneca*, qui diu distulit, diu nolit. Episcopus igitur Vicecomitis comperiens similitatem, ipsum excommunicavit solenniter. Vicecomes igitur iratus & verecundatus, Regem illico adiit, gravem super hoc reponens querimoniam. Quod cum audisset, & sui omnes aulici, commoti sunt universi, Rex autem iratus nimis, respondit addito marimo juramento: si quis meorum versus Episcopum illum vel quempiam foris fecisset, coram nobis querimoniam deberet reposuisse. Sed ut videtur, ne habuisset contemptui. Missus igitur ad Romanam curiam Legatis solennibus, hanc meruit literam in Ecclesiasticæ libertatis præjudicium, interbeniente pecunia, celeriter impetrare.

Litteræ Papales.

**I**NNOCENTIUS quartus Episcopus, &c. Dilectis filiis Abbati *Westmonasteriensi* Londini, salutem. *Celsitudinis charissimi in Christo filii Regis Angliæ illustris votis liberaliter annuimus, ut ei in his quæ digne deposcit nos favorabiles exhibeamus.* Cum igitur sicut ex parte sua fuit propositum coram nobis, nonnulli Pontifices et alii Prælati Regni sui Ballivos suos, super his quæ ad iurisdictionem Regiam pertinent, coram se pro suo compellant libito litigare, ac in eos nisi coram ipsis litigent excommunicationis ferant sententias, in ipsius Regis præjudicium et gravamen, Nos ejus supplicationibus inclinati, ut nullus ipsius Regni Archiepiscopus, Episcopus, vel alius Prælatus, Ballivos ipsos coram se super his, quæ ad Regiam iurisdictionem pertinent litigare compellat, vel hac de causa in eos hujusmodi ferant sententias, auctoritate litterarum districte durimus inhibendum. Quocirca discretioni vestre per Apostolica scripta mandamus, quatenus prædictum super his, contra inhibitionis nostræ tenorem, non permittatis ab aliquibus indebitè molestare Malefactores, &c. Datum Lugdini, 7 Idus Martii, Pontificatus nostri Anno 7. Hoc tamen non sine redarguatione peritorum, hæc fecit Dominus Rex, Quod scilicet conquestus est super hoc Dominus Papis. Having royal power to redress himself by his own Writs of Prohibition, as is evident by this remarkable Writ of K. Henry the 3d. in the 20th. year of his Reign, (casually omitted in its due place) directed to the Official of the Bishop of *Winchester*, enjoining him to absolve the Kings Bayliffs, whom he had unjustly Excommunicated at the suit of the Prior of St. *Swithin* in *Winchester*, for seising upon a Royal Fish, (belonging to the King by his Prerogative) which the Prior claimed, because drawn on shore upon his Land.

Claus. 20 H. 3.  
m. 3. dorso.

**R**EX Magistro W. Officiali P. Winton. Episcopi, salutem. Ad nostram pervenit noticiam, quod cum quidam Piscis Regius nuper applicaret in terra Prioris Sancti Swithinis Winton. & constantibus illuc tam Ballivis nostris, quam Ballivis ipsius Prioris, mansu communi esset ad terram tractus, & unanimi assensu Ballivorum nostrorum, & ipsius Prioris esset in quadam domo depositus & sale conditus, quia Ballivi nostri tandem non permisissent dictum Priorem pro voluntate sua de dicto Pisce disponere, relinquentes

resumentes eum ad opus Regium; delata inde vobis querela per præfatum Priorem, sententiam Excommunicationis in Ballivos nostros præcipitatis, unde si miremur et moveamur minime mirari debetis, cum nullus in Regno nostro jus habeat huiusmodi Regium Piscem vendicandi ubicunque applicuerit, nisi de jure speciali a nobis vel Prædecessoribus nostris ei fuerat indultum: Et licet Ballivi nostri graves existissent ipso Priori vel alicui super concessa ei à Regia potestate libertate, ob Regiam tamen reverentiam requirendi essemus, ut id emendari faceremus, et tunc demum si negligentes essemus in hac parte, posset in Ballivos nostros honestius animadverti. Et ideo vobis mandamus rogantes, quatenus præfatos Ballivos nostros a dicta sententia Excommunicationis faciatis absolvi: Et si memoratus Prior ostendere velit, quod jus habeat in huiusmodi Regio Piscis, parati sumus ipsum audire, & ei per considerationem Curia nostra iustitiam exhibere. Teste Rege apud Doncast. 27 die Septembris.

By which Writ, and the Kings forecited complaint and Popes Letters in pursuance thereof, it is apparent: First, That no Bishop, nor Ecclesiastical person or Court, ought to draw any of the Kings Officers or Bayliffs into their Ecclesiastical Courts, for any matter belonging to the Kings proper Jurisdiction or Temporal Courts, nor for the execution or neglect of their Offices. 2ly. That they ought not to Excommunicate them in their Courts for any Temporal cause, or executing their Offices; and that the King by his special Writs may command them to absolve them if Excommunicated. 3ly. That \* Royal Fishes (as Whales and Sturgeon) belong only to the Kings of England, wherever cast on shore, by vertue of their Prerogative; and that none can claim them but by special grant from the Crown; and that they ought to sue for them only in the Kings own Courts. 4ly. That in that age Abbots, Prelates, and Ecclesiastical Courts were very insolent, ingratefull, severe, and uncivil in vexing, Excommunicating the Kings Bayliffs, Sheriffs, Officers, upon every trifling occasion, without complaining first to the King, notwithstanding they claimed all their Priviledges, Royalties, Lands from the Crown. 5ly. That the King was very sensible of these affronts to him and his Officers, and industrious to redresse them by Writs out of his Temporal Courts, for the maintenance of the Rights, Prerogatives of his Crown, and encouragement of his Officers to discharge their duties.

The forementioned high-spirited Bishop Grosbeard in the second year of his Consecration, offered an high affront to the King, his Crown and Dignity, by prohibiting Clerks attached for holding Plea in the Spiritual Court of a Temporal matter, contrary to the Kings Prohibition, to appear or answer their contempts in the Kings Courts, whereupon he issued this notable Writ to him and his Justices of the Bench to maintain the Rights of his Crown against this Innovation and encroachment;

**R**EX Venerabili Patri R. eadem gratia *Lincoln*, Episcopo, salutem. Ad aures nostras nuper pervenit, quod cum temporibus Prædecessorum nostrorum Regum *Angliae*, et tempore nostro, Clerici, qui contra Prohibitionem Regiam in placitis ad Regiam dignitatem pertinentibus processerint in foro Ecclesiastico ea occasione attachiati secundum leges et consuetudines Regni, in Curia Regia inde respondere consueverint. Nosque ea semper gavisi sumus libertate et adhuc in ejusdem possessione. Nos in grave præjudicium dignitatis Regiæ libertatem prædictam nobis intenditis auferre; non permittebimus Clericos vestros de Diocesi vestra post contemptum Prohibitionis nostræ inde in Curia nostra respondere, de quo cogimur (mirari) vehementer et moveri. Cum igitur tantam et tam enormem injuriam non possumus, sicut nec debemus æquanimitèr tolerare: Vobis mandamus rogantes, et bona fide consulentes, quate-

\* Bracton l. 2. c. 5. sect. 7 f. 14. a. & c. 14. f. 2. f. 55. b. Britton l. 1. c. 17. 17 E. 2. c. 11. 39 E. 3. f. 25. b. Cooks 7 Report 16. 2. Brook Prerogative 24. Stamford Prerogative c. 11.

Clauſ. 20 H. 3. m. 10, 11. d. 101.

nus possessionem libertatis memorata nobis relinquentes illasam, nihil contra Coronam et Dignitatem attemperetis in hac parte, propter quod asperius erga vos moveri debeamus. Scituri indubitanter, quod nullo modo permittemus pro defectu defensionis sufficientis juri nostro aliquid deperire. Telle Rege apud Clarendon, 17 die Junii.

*Nota.*

Et mandatum est Justiciariis de Banco, quod quatenus in eis Dominum Regem in seiscina libertatis predicta, sicut ea usus est hucusque, manuteneant, non permittentes quod pro defectu sui aliquid jure Regio deperat. Telle ut supra.\*

As this turbulent innovating Bishop had very ill successe in these his Vsurpations upon the Crown and Subjects Liberties, and in his forementioned Visitation Oathes and Inquisitions, so he had as bad successe in the Appeals and complaints made against him to the Pope; whereupon after many months attendance and great expence of monies, despairing of successe, he returned much dammified and discontented to his Bishoprick, resolving to retire himself from the world, and desert his Bishoprick; which resolution he suspended, fearing lest the King seising upon the Temporalities, should impoverish the Bishoprick, and recommend an unworthy person to it, as *Matthew Paris* thus records.

Mat. Paris p.  
776. Mat.  
Westm. Annis  
1249, 1250.  
Redit Episcopus  
Lincolniensis à Curia  
Romana;

Et circa idem solum sancti Michaelis, Episcopus *Lincolniensis Robertus*, cum in Curia Romana pluribus diebus cum multarum expensarum inutili profusione stetit, et conceptum propositum ad votum perficere non valeret, tristis et vacuus in Angliam remeabit. Multos tamen religiosos ut se ab ejus impetu defenderent fatigaret, et non mediocriter damnificaret. Et cum in Episcopatum suum pervenisset, videntes materiam confusionis Ecclesie universali cominus imminere, ut sibi contemplanti, oranti, & studenti liberius vacaret, exemplo instructus Episcopi *Dunelmensis Nicholai*, se exuens à mundanis, quibus se sæpe inutiliter illaqueaverat, Magistro *Roberto de Marisco*, officiali suo, curam administrationis officii sui commisit sibi competentis, proponens mundo perituro valedicere, ac cedere Episcopatu: sed timens Regias rapinas, quæ vacantes consuevit depauperare, & demum indignas personas intrudere in eisdem, sub dissimulatione, suspensio adhuc tam arcano consilio, nescius quid in tanto mundi turbine ageret, anxius expectavit.

Mat. Paris, p.  
740, 748, 754,  
755, &c. Mat.  
Westm. Anno  
1250. Mat.  
Parker & Godwin, in vita  
Bonifacii.

The same year *Boniface* Archbishop of *Canterbury* being inthroned in his See (from which he had been long absent) with great pomp and state, the Bishops of his Province met together at *Oxford*, to compute whether he had levied the sum of money out of the First-fruits of Benefices formerly granted him by the Pope, where although they found by the Collectors of each Bishoprick, that he had received far more then the sum assigned, yet he demanded a great deal more upon pretext of his expenses, which he converted to his own profit; Episcopi igitur inviti quod exegit concesserunt, sentientes Dominum Papam sibi favozabilem. After which the Archbishop purposed to visit his Province, the better to fill his purse; which being the first Metropolitical Visitation I finde extant in our Histories, wherein he met with much opposition, I shall relate the passages thereof at large, as *Matthew Paris* and others report them.

Archiepiscopus  
Bonifacius pro-  
ponit Visitationem  
facere:

Diebus itaque sub eisdem, Archiepiscopus *Canthariensis Bonifacius*, exemplo *Lincolniensis Episcopi* provocatus, qui ut Canonicos suos visitaret, impetraverat potestatem, in sua Provincia Visitationem facere attemptavit, scilicet super Episcopos, Abbates, Clerum, & populum. Fecit igitur Visitationem primò in Capitulo suorum Monachorum *Canthariensium* rigide nimis, & immisericorditer, ut ad invicem dicerent: De eodem merito hoc patimur, quia peccavimus in prædecessorem ejus beatum *Edmundum* quem austerum reputavimus, & protervum: verè quæ promeruimus, toleramus, eligentes alienigenam, illiteratum, ignotum & inexpertum, bellicis plusquam spiritualibus negotiis idoneum et exercitatum. O quales habuit prædecessores, Martyres, Doctores, Autenticos, & Sanctos Dei Confessores? Heu quare in hac enormi electione, plus Regi terreno, quam



quam cœlesti obedivimus? Venit igitur illinc ad Abbatiam de *Reversham*, cujus visitationi propter tyrannidem suam non ausi sunt ipsi pusillanimes Monachi contradicere. Inde autem venit cum magno impetu, ad *Roffensem* Prioratum, ubi extorsit ab illa exili domo plus quam xxx *Barcas*: unde constat ipsum visitationis officium plus exercere cupiditate pecuniæ, quam pro ordinis vel morum reformatione, cum sit ordinis et morum ignarus, ac literatus.

Quarto vero idus Maii, videlicet die sanctorum *Pancratii* sociorumque ejus, venit idem Archiepiscopus *Londonium*, visitaturus Episcopum & ejus capitulum, & Religiosos ipsius civitatis, & hospitium suum cepit sine alicujus licentia, in domo nobilissima Episcopi *Cicestrensis*, non procul à domibus *Conversorum*, nec descendit apud domum suam propriam apud *Lambeth*, & fecit marescallos suos violenter comparare cibaria sua ad formam Regis, cum minis & convitiis, & injuriis mercatoribus illatis: paucos tamen vel nullos convivas invitavit. In crastino autem visitavit Episcopum *Friocensem*, apud quem inverecundiam ab eodem Archiepiscopo factam, si quis enarraret tum in poculentis, tum in ferratura, scilicet equorum deferratorum, aures & animos offenderet audientium, imò & corda cruentaret. Visitato autem Capitulo Sancti *Pauli London* resistenter Canonici, appellantes ad Pontificem, quamobrem Decanum et alios excommunicavit.

Mat. Paris p. 754. 755.  
Mat. West. p. 242. Mat. Park. and Godwins.  
Archiepisc. B. tyrannis in clerum Lond.

Resistit Ecclesia S. Barth. visitationi Archi.

Et in crastino, ira adhuc tumidus, & lorica, ut perhibent, qui viderunt, sub vestibus indutus, venit ad Prioratum Sancti *Bartholomæi*, ut ibi Canonicos visitaret. Cui adventanti, & Ecclesiam intranti, occurrit Subprior, quia Prior tunc domi non fuerat, comitante conventu processionaliter cum solemnitate in multorum accessione Cereorum, & sonitu Campanorum: erant autem in capis chorealibus & preciosis valde, quarum preciosissimam habuit Subprior memoratus. De quo sibi exhibitio honoris non multum curavit Archiepiscopus, dixit se illuc venisse, ut ipsos Canonicos visitaret. Erant autem jam omnes Canonici in medio Ecclesiæ, scilicet in choro, ipseque Archiepiscopus cum majori parte familiæ suæ, inordinate sese compimentis. Cui respondit unus Canonicorum pro omnibus dicens, quod Episcopus haberent peritum & diligentem, qui eos habuit, cum necesse fuerat, visitare, nec voluerunt, nec debuerunt ab alio, ne contemptus videretur visitari. Quod audiens Archiepiscopus, in iram secus quam deceret conversus, irruit in Subpriorem, suæque conditionis, et suorum antecessorum sanctitatis immemor, ipsum sanctum virum sacerdotem et religiosum in medio Ecclesiæ existentem, pugno imple tum percussit, tum in pectus senile, tum in faciem venerabilem, tum in caput caput impulsit truculenter multoties, clamosa voce dicens: Sicine, sicine decet *Anglicos* proditores impetere; & horribilus cum juramentis irrecitabilibus delirans, gladium suum exposculavit festinanter afferens. Et cum multiplicarentur tumultus, & niterentur Canonici suum Subpriorem de manibus tam violenter opprimentis liberare; ipse Archiepiscopus capam illam preciosam qua Subprior indutus erat, dilaceravit, & firmaculum, quod vulgariter morsus dicitur, avulsit, & inter pedes catervatim irruentium conculcatum est, & amissum, quod auro & argento & gemmis fuerat preciosum. Sed & ipsa capa Nobilissima conculcata & distacta irrestaurabiliter; violabatur, nec adhuc aversus est furor Archiepiscopi. Ipsum namque virum sanctum impetu violento repellens, & retroire cogens ad unam spondam, quæ duos de stallis dividebat, & pro podio facta fuit, adeo senile corpus pressit, ut ossa cum medullis conquassaret & præcordia collideret furibundus. Ceteri autem cum tantam in Archiepiscopo viderent immoderantiam, virum seminecem de mortis confinio vix eripuerunt, oppressorem repellentes. Qui cum cecidisset rectorum, & aversa fuerunt ejus vestimenta, visa est lorica ipsius a multis manifeste, qui abhorruerunt videntes Archiepiscopus lorica tum, unde prænotificabant multi, quod non ad visitandum, vel errores corrigendum illuc venerat, sed potius ad prælium excitandum. Interim sui ministras quos habuit impetuosos sibi comprovinciales in reliquos Canonicos imbelles, inermes, & improvisos, truculenter irruerunt, & tam ipse Archiepiscopus quam sui, jussu ejus exemplo, quamplures ex eis male tractaverunt, percutiendo, dilacerando, pro-

Nota.

prostrando & conculcando. Venerunt igitur Canonici pedes libore et cruore deturpati, et male læsi, hirsuti, et lacerati, ad Episcopum civitatis, super tam detestabili facto gravem querimoniam cum lachrymis reponentes. Quibus ille Episcopus: Dominus Rex est apud *Westmonast.* adite eum hoc monstraturi, ut saltem moveat eum suæ pacis in sua principali civitate læsio tam violenta et manifesta.

Rex Angl. au-  
dire noluit con-  
querentes de  
tyranni de  
Arch. B.

Quatuor igitur ex ipsis Canonicis, quia cæteri non poterant præ dolore ictuum, Regis præsentiam ut adirent *Westmonaster.* in conspectu populi multum compati-  
entes usque pervenerunt, monstrantes omnibus ictuum vestigia, cruorem scilicet, liborem, et tumorem, et vestes laceratas, qui tam enormem factum compati-  
entes detestabantur. Quintus autem, videlicet Subprior memora-  
tus, nullo modo eques vel pedes ad curiam venire valebat, sed gemibundus in in-  
firmariam portatus, sese in lectum recipiens, reliquum ætatis protraxit in languore.  
Rex autem, licet ad osium cameræ suæ diu expectasset, memoratos Canonicos  
querulos, nec audire voluit, nec videre. Unde eum majori confusione ad Ecclesi-  
am, quam dictus Archiepiscopus sanguine sacerdotum et religioso-  
rum pollutam prophanaverat, redierunt. Interim perturbata est to-  
ta civitas vehementer, et quasi seditione mota, proposuerunt ci-  
vibus communem campanam pulsare, et ipsum Archiepiscopum quic-  
quid postea contingeret, in frustra detruncare. Resonabant interim  
cum probris convicia, & dicebant ei ad *Lambith* domum suam properanti dum ipsum  
quererent catervatim ruentes: Ubi est ille ruptarius, percussor impius & cruentus,  
non animarum lucrator, sed pecuniarum exactor, quem non Deus, vel legitima  
vel libera promovit electio, sed Rex illicite potius intrusit, illiteratum et  
urozatum, et teterima de ipso infamia mota infecit totam jamjam  
civitatem? Et cito post transvectus clanculo per *Tamesim*, gravem super his cor-  
am Domino Rege reposuit querimoniam, justificans se, licet reum, & alios gra-  
viter accusando, & currens ad Reginam, coram ipsa reposuit gravio-  
rem. Rex igitur seditionem formidans vehementer, fecit voce præconia in civitate proclamari, ne  
aliquis super vitam & membra se de hac controversia intromitteret. Et sic spretus  
tam apud Canonicos *S. Bartholomei* quam apud *S. Trinitatem*, constanter  
appellantes, perterit Archiep. et sumens ex Regis favore cornua,  
apud *Lambith* in capella dictam sententiam in Canonicos *S. Pauli* la-  
tam solenniter innovabit, involvens Episcopum *Londinensem* tanquam  
fautorem cum Canonicis memoratis. Ipsi igitur Canonici undiq;  
læsionem et injuriam passi, sancto suo *Bartholomeo* cui jugiter nocte dieque  
servire dignoscuntur, causam hanc conquesti lachrymabiliter commiserunt, deprecantes,  
ut Deus ultionum Dominus, quod homo nequit, vel dissimulat, tantas dignaretur  
ulcisci transgressiones.

Arch. B. parat  
abitum versus  
curiam Roma-  
nam,  
See Mat. West.  
An. 1250. p.  
242. & Mat.  
Parker in Bo-  
nifacio.

Archiepiscopus autem selle adhuc repletus iracundia, in crastino ad manerium  
suum, quod *Harepes* dicitur, properavit, distans ab cœnobio *S. Albani* 7. Millia-  
ribus, ut ibi visitationis officium exerceret, ibiq; sententiam memoratam innova-  
bit. Et cum ab amicis suis & clericis, viris disertis & literatis dictum fuisset ei de  
nobilibus privilegiis illi Ecclesiæ à sede Apostolica concessis, super sedit dissimulans.  
Et reversus præparavit se ad transfretandum, ut in curia *Romana*, ubi præpotens  
fuerat, & consuetus magis quàm more boni Pastoris super gregem suam commora-  
ri, laqueos infontibus præpararet. Decanus autem *S. Pauli Londinensis*, vir quidem  
bonus & magni consilii & grandævus, & magister *Robertus de Barthona*, & magister  
*W. de Linchefelde*, viri disertis & literati, ejusdem Ecclesiæ Canonici, cum Procura-  
toribus sui Episcopi, & Canonicorum prædictorum, curiam Papalem adierunt,  
super his omnibus querelam coram summo Pontifice reposituri, instructique suf-  
ficienter, & multorum testimonio roborati, ad probandum prænotata.

Litera Episcopi  
Londinensis ad  
Abbatem S.  
Albani.

Episcopus autem *Londinensis* super his perurbationibus non mediocriter motus,  
hinc Regalem versus suos naturales umbratiliem amicitiam, illinc autem *Sabaudien-  
sium*, quos offendere non audebat, nobilitatem, vehementer, nec est mirandum,  
formidabat. Cupiens in harum angustiarum articulis habere Abbatis & Conventus

S. Albani consilium & auxilium scripsit eidem in hæc verba. *Viris venerabilibus & amicis in Christo charissimis, I. Dei gratia Abbati S. Albani, & ejusdem loci Conventui, ac omnibus aliis eidem domui subiectis, Fulco divina permissione Londinensis Episcopus salutem, & sincera dilectionis in Domino semper augmentum. Fama gradu multivago terram perlabitur; quæ statim minatur communis indicii, & edictum novelli discriminis in pluribus locis disseminat, pace quidem diutina nostra Diocesis, per patrem nostrum venerabilem Archiprasulem impugnata, via credemus jure defensionis arrepta, tanquam vestram bellatores pro jure omnium & singulorum provincia in fortuna arca præmissi, bellum nobis impositum; nisi omnipotentis, & vestri consilii solatio respiremus adjuti, vobis prædicimus acriter imponendum. Idem namque Dominus, quod forte vobis innotuit, visitationem totius Cleri & populi nostra Diocesis, ac procuratorem exigens ab eisdem à Capitulo nostro primitus, ac iterum à duobus Prioratibus civitatis, contradictionem passus pariter, & repulsam, licet curialem, prius in ipsos ipsam ad præmissa non admittentes. Secundo pro eo quod aliquibus nostra diocesis, ne ipsum in præjudicium Ecclesie nostræ admitterent mandavimus; in personam nostram excommunicationis sententias fulminavit, legitimis tum appellationibus preventus, causis justis, veris, & probabilibus expressis. Nec hæc inquiete sola quietem nostram aggreddens, imò sententias sic derivatas in sua Diocesi, & ut fertur, alibi fecit publicari. Missis igitur ad curiam jam procuratoribus, quosdam Coepiscopos nostros super præmissis sumus alloquuti, qui jura sua & libertates magnanimitate assumpta præstunt defendere. Quocirca dilectionem vestram duximus exorandam, quod causam hujus petitionis ac honoris vestrum & indemnitate considerantes, nulla tepescat prohibitio, nulla frigeat virilitas, sed in ipso ponentes fiduciam, qui ab iniustorum injuria tunc op-pressos, manum nobis velitis porrigere consilii salutaris. Valeat Universitas vestra semper in Domino. Decretales vero, ex quibus Archi. sumpsit hujus propositi occasionem, in libri Additamentorum plenius annotantur, cum disceptationibus partium ibidem conscribuntur.*

This Archbishop held this his Metropolitan Visitation (as \*Groshead Bishop of Lincoln did his Episcopal before him) not by his own inherent Archiepiscopal Authority, but by the special Bulls and new Decretals of Pope Innocent the 4th. thus recorded to posterity by Matthew Paris in his *Addimenta*, to which his History refers us.

\* Here p. 629, 630, 698, 699 &c.

**Decretales novæ Innocentii Quarti, quorum Auctoritate Archiepiscopus Cantuariensis Bonifacius, intendebat visitare in sua Provincia visitandos.**

Addimenta Mathæi Paris. p. 179, 180.

**R**OMANA, &c. Statuimus, ut quilibet Archiepiscopus suam volens visitare Provinciam, prius Ecclesie suæ Capitulum ac Civitatem, ac Diocesim propriam, plenè visitare procuret. Nec sit solum erga majorum, sed etiam minorum Ecclesiarum; nec circa Clericorum tantum, sed etiam populorum visitationem intentus. Et si commodè, vel absque difficultate accedere ad unamquamque non poterit, (as he ought of right, Acts 15. 36.) de pluribus locis ad unam congregationem Clericos & alios studeat evocare: ne in illis visitatio postponatur. Deinde liceat ei per totam Provinciam vel ejus partem, visitationis officium exercere, Civitates, & Dioceses, Suffraganeos, & eorum subditos, Cathedralium & aliarum Ecclesiarum, Monasteria, & Ecclesias, & alia Religiosa, & pia loca, Cleros, & populos, liberè visitando, ac procuratores a locis tantum recipere visitatis. Ex quo tamen aliquam de ipsis Diocesibus visitare ceperit, nunquam postea (sive totam sive partem ejus visitaverit) revertatur causa visitationis ad illam; priusquam omnes reliquæ ipsius Provincie Dioceses, in toto vel in parte (quàm scilicet secretò securè poterit) & suæ denuò fuerint ab eo visitatæ. Quod si fortè eadem Diocesis, vel aliqua ibi Ecclesia plùs aliis indigeat visitari, tunc aliarum visitatione intermissa, redeat ad eandem, si à loci Diocesano requisitus extiterit, vel de omnium aut majoris partis Episcoporum ejusdem Provincie, processerit consilio & assensu. Ad quod idem se pronos exhibeant, ne animarum profectus aliquatenus negligatur. Si verò maliciose in hiis difficultatem quamlibet adhibuerint, Archiepiscopus super hoc licentiam postulet confidenter. Postquam autem semel omnes Provincie suæ Dioceses visitaverit, licitum sit ei postea (prius tamen Suffraganeorum suorum requisito consilio) ipsius



ipius definitione super hoc habita coram eis quæ in scriptis redigi volumus, ut possint esse aliis nota, visitationem per eandem Provinciam recitare, juxta modum superius annotatum. Et si non interveniat in hoc Suffraganeorum ipsorum assensus, illam semper providentiam adhibendo, ut in posterioribus visitationibus, illas Ecclesias, illosque Cleros, & populos, prius visitet qui non fuerant ab eo in prioribus visitati, nisi magis sit aliis visitationis officium oportunum. Sanè hujusmodi impensurus officium, **proposito verbo Dei**, quærat de vita & conversatione ministrantium in Ecclesiis, & divino cultui deputatis: ac cæteris quæ ad officium ipsum spectant, **absque \* contradictione et exactione qualibet Juramenti**, ad ipsorum emendationem per salubria monita, nunc levia nunc aspera, juxta datam à Deo sibi prudentiam diligenter intendens. Quod si de aliquibus orta fuerit infamia contra eos, Ordinarius ipsarum, ut super hiis solenniter inquirant, denunciaret, si viderit expedire. Notoria vero crimina, quæ examinatione non tægeant, cum super hiis merito notari possit Ordinariorum negligentia, eorundem liberè corrigat; pœnam de illis debitam infligendo. **Procuraciones autem recipiat, nullam autem pecuniam ipse vel aliquis de familia sua, occasione alicujus officii vel consuetudinis, seu quolibet alio modo, earum nomine, sed in victualibus tantum recipiat moderatas.** Caveant insuper, ne ipse vel quisquam suorum, minus quodcumque sic vel qua iterum offeratur, **presumat recipere, ut non quæ sua sunt videantur quærere, sed quæ Jesu Christi.** Quod si fuerit contra præsumptum, recipiens maledictionem inveniat: a qua nunquam, nisi duplum restituat, liberetur. Volumus enim in hiis fraudem quamlibet penitus evitari.

\* coactione.  
Here p. 710.

Nota.

**Hanc autem visitandi formam, ab universis etiam Episcopis aliisque Prelatis, ordinario jure suos subditos visitantibus, plene observari præcipimus: salvis super hoc rationabilibus et approbatis Religiosorum consuetudinibus, et regularibus institutis.**

By which Decree of this Pope it is apparent: 1. That all Archbishops and Bishops were precisely enjoined to proceed in all their Visitations, **\* absque exactione qualibet Juramenti**, without any exaction of an Oath; wherefore Bishop *Grosstheads* exaction of an Oath, was directly contrary to this Decretal, and justly prohibited by the King, his Court and Council, by the premised \* Writs of Prohibition, as an **illegal Innovation**; neither is there any mention, that Archbishop *Boniface* exacted any Oath in his Visitations. 2ly. That no Archbishop, Bishop, or their Officers, in such Visitations, ought to exact or receive any money, fee, or Procurations, but merely victuals, and that only from the Churches which they personally visited, under pain of Excommunication till they shall make double restitution; which how much Archbishop *Boniface*, other Bishops and their Officers violate, our Histories and Experience evidence.

\* Here p. 699,  
704, 705, 706.

You have heard before of the Archbishops sentence published against the Dean and Canons of *St. Pauls* in *London*, and their Appeal to *Rome*, upon hearing whereof the Pope issued a Bull, declaring the Archbishops sentence of Excommunication to be utterly null and void.

Mat. Paris Hist. Angliæ Edit. Londini 1640. p. 804. Mat. Parker Antiqu. Eccles. Brit. in Bonifacio. Literæ Papales ad Abbatem de Sancto Albano & quosdam alios.

\* Here p. 619, 630, 698, 699.

Diebus autem sub eisdem, videlicet in adventu Domini, significavit Dominus Papa, de Sancto Albano & de *Wantham* Abbatibus, & Archidiacono Sancti Albani, quatenus in *Henricum* Decanum *Londinensem*, *Petrum* Archidiaconum, *Robertum* Cantorem *Londinensem*, Magistrum *Willielmum de Lichfeld*, *Willielmum Leafse*, & alios Canonicos *Londinenses*, propter delictum Capituli, sententiam promulgatam ab Archiepiscopo *Cantuariensi Bonifacio*, **penitus nullam fore.** Instabat autem nihilominus idem Archiepiscopus in Curia *Romana*, exigens in visitandos cum procuracionibus visitationes. Et eo instantius & confidentius, quia \* Episcopus *Lincolniensis*, qui eo minor esse dignoscitur, à Domino Papa paucis antè elapsis annis impetraverat, ut Canonicos suos *Lincolniensis* Ecclesiæ visitaret, multum reluctantes, **et maximum thesaurum in defensione eorum inaniter effundentes.** Hujus autem rei Literæ, scilicet denunciationis præcepti, in *Libro Addisamentorum* plenius annotantur; where they are thus registred at large.

Litera

*Littera Apostolica contra sententiam prolatam in Canonicos Sancti Pauli  
Londini, ab Archiepiscopo Cantuariensi, eos  
volente visitare.*

Addamenta  
Matthæi Paris.  
p. 180, 181.

**I**NNO CENTIUS Episcopus, Servus servorum Dei, Dilectis filiis de *Sancto Albano*, & de *Wauham* Abbatibus, & Archidiacono *Sancti Albani*, *Lincolniensis* & *Londoniensis* Dioeceseos salutem, & Apostolicam Benedictionem. Ex parte dilectorum filiorum, *Henrici Decani*, *Petri Archidiaconi*, *Roberti Cantoris*, Magistri *Gulielmi de Litchfield*, *Gulielmi de Faite*, & *Roberti dicti Monachi* Canonorum *Londonia* fuit propositum coram nobis, quod cum venerabilis frater noster *Cantuariensis* Archiepiscopus ad *Londoniensem* Ecclesiam, impensurus in ea visitationis officium accessisset, Capitulo proponente ejusdem Ecclesie, se ac Ecclesiam suam ab ipsius jurisdictione liberos & immunes, ac ideo eundem Archiepiscopum ad visitandum admittere, sibi que procuracionis prestare obsequium recusante, idem Archiepiscopus in personas eorum ob hujusmodi ejusdem Capituli delictum **excommunicationis sententiam, auctoritate propria promulgavit**, quam ipsi nunciari Missam humiliter petierunt. Ad quod memoratus Archiepiscopus ex adverso respondit, quod non ob Capituli, sed predictorum Decani & aliorum delictum, eandem in eos sententiam protulisset. Ipsius autem sententie forma, in nostra & fratrum nostrorum audientia lecta fuit, cujus tenorem presentium inferi fecimus, ad cautelam, *Novenerint universi, quod cum nos B. Dei gratia Cantuariensis Archiepiscopus, tunc Anglie Primas, Cantuariensi & Rossensi Civitatibus & Dioecesibus visitatis, ut venerabilem fratrem nostrum Londonie Episcopum visitassemus, descendimus ad visitandum Capitulum Cathedralis Ecclesie Sancti Pauli Londonie. Et monuimus vivam voce, ac per alios fecimus sapienter admoneri Decanum & Capitulum predictae Cathedralis Ecclesie Sancti Pauli, ut nos tanquam Metropolitanum suum, secundum formam a jure traditam, ad exercendum visitationis officium in sua Ecclesia admitterent reverenter. Quod ipse Decanus & Capitulum facere in humanitate denegarunt; affirmantes vivam voce coram nobis, quod nullatenus nos reciperent ad predictum visitationis officium exercendum: & venientes clausa ostia chori atque Capituli, ubi volebamus proponere Verbum Dei, manifeste impediverunt nos verbo & facto, ne possemus ibidem officii nostri debitum exercere. Et quamdiu in corpore ipsius Ecclesie Sancti Pauli fuimus presentes, divina laudis organa pro sua voluntatis libito suspenderunt; in manifestam injuriam, & grave prejudicium Cantuariensis Ecclesie, ac animarum periculum & scandalum plurimorum. Nos igitur offensam hujusmodi manifestam, nolumus, sicut nec debemus relinquere impunitam; ne ceteri exemplo similem assumant audaciam resistendi: premissa competenti monitione, quia nos ab exercendo visitationis officio tam temere & inhumaniter repulerunt, nec nobis super hoc parere & satisfacere curaverunt, Henricum Decanum, Petrum Archidiaconum, Robertum Cantorem Londonie, Magistrum Gulielmum de Lichefeldia, Gulielmum la Faite, & Robertum dictum Monachum, Canonicos Londonie, qui irreverenter se opponerant, & presentes aderant, & quos in hujusmodi contumacia rebellione & contradictione, evidenter nobis constabat esse culpabiles: auctoritate omnipotentis Dei, & beatorum Apostolorum Petri & Pauli, & beatissimi patroni nostri Sancti Thomae Martyris gloriosi, in scriptis **Excommunicamus, et Excommunicatos fore publice nunciamus.** Actum Londonie in predicta Ecclesia Sancti Pauli, die Martis post Ascensionem Domini, Anno ejusdem 1250.*

Auditis igitur & plenius intellectis, quae a partibus fuisse proposita hinc inde, nos praemissa verba sententie perspicaci discretionis examine ponderantes, ac volentes super hoc prolixae concertationis materiam quae in utriusque partis protelaretur dispendium, remedio salubris compendii remove: de predictorum fratrum consilio pronunciando decrevimus, praedictam sententiam quatenus in praedictos Henricum Decanum, Petrum Archidiaconum, Robertum Cantorem, & alios Canonicos Londonie, propter delictum memorati Capituli noscitur promulgata, **nullam penitus extitisse, ipsosque per eam aliquo vinculo non teneri, nec per denunciationem ipsius notandos esse aliquatenus vel visitandos.** Super eo vero, quod idem proponit Archiepiscopus, se in eos propter delictum ipsorum dictam sententiam protulisse, ipsum sicut de jure fuerit audiemus. Ideoque discretioni vestrae per Apostolica scripta mandamus, quatenus praedictae sententie denunciations, quas

ut dicitur contra præfatos Decanum & alios fieri facit Archiepiscopus supradictus, quatenus in prædictos Canonicos *Londonie* ob delictum Capituli est prolata, faciat omnino cassare: Contradictores auctoritate nostro, appellatione postposita, compescendo. Quod si non omnes hiis exequendis poteritis interesse, duo vestrum nihilominus exequantur. Datum *Lugduni*, quinto Calendas *Octobris*, Pontificatus nostri anno octavo.

This year there were extraordinary Tempests, stormes and inundations of the Sea in *England* and sundry other places, which *Matthew Paris* relating at large, makes this inference from them, that they were signs of Gods extraordinary indignation for the unspeakable enormities and injustice of the See of *Rome*.

Mat. Paris Hist.  
Angl. p. 773.

*In solita maris inflatio & commotio, &c.* Ut manifestè ira Dei tam in mari, quam in terra mortalibus appareret, secundum illud *Abacuc* vaticinium, vindicta videretur peccatorum imminere. Nunquid in fluminibus iratus es Domine, vel in mari indignatio tua? Et quid mirum? a Romana enim Curia, quæ sors esse totius justitiæ tenetur, enormitates irreversibiles emanant. Quarum unam indignam scribi, huic parginæ duximus inferendum.

Detestabilis ex-  
actio à Priora-  
tu de *Binham*.

Licet Prior de *Binham* jus plenarium haberet in Ecclesia de *Westle*, in usus proprios habenda, utpote per collationem patroni, confirmationemque duorum Episcoporum, & eorundem capituli, de tribus Romana Ecclesiæ Pontificibus, *Lucio* videlicet, *Eugenio* & *Gregorio* nono, quidam *Jannenſis*, spurcius, et illiteratus, tales à Domino Papa literas, contra jus et pietatem impetravit. Innocentium Episcopum, &c. Dilecto filio magistro B. de *Nympha*, scriptori nostro in *Anglia* commoranti, salutem & Apostolicam benedictionem. Cum dilectus filius noster N. *Camerarius* noster, quondam *Reinero de Solerio* Preposito *Yporiensis* nuper viam universa carnis ingresso, Ecclesiam *Westleicæ Eliensis Diocesis*, quam spectantem ad præsentationem dilectorum filiorum Prioris & Conventus de *Binham*, ordinis *S. Benedicti*, idem Prepositus dum viveret obtinebat in partibus Anglicanis, dilecto filio *Herrigetto* clerico, nato nobilis viri *Pertini de Malachana de Volta*, civis *Ianuenſis*, auctoritate nostra duximus conferendam, decernens irritum et inane, quicquid de ipsa contra collationem suam contigerit attentari. Nos quod à dicto *Camerario* factum est in hac parte, ratum habentes, discretionis tue per Apostolica scripta mandamus, quatenus procuratorem ipsius H. vel alium quem volueris, ejus nomine in possessionem Ecclesiæ memoratæ, amoto ab ea quolibet detentore, per te vel per alium procures inducere corporalem, et tuearis inductum, contradictores per censuram Ecclesiasticam, appellatione postposita, compescendo. Illa indulgentia non obstante, per quam *Anglis* est indultum, quod *Itali* clerici decedentis beneficium, vel cedentis alius *Italicus* immediatè nequeat obtinere, seu aliqua alia, de qua oporteat in præsentibus fieri mentionem, aut per quam hec collatio seu assignatio valeat impediri, vel etiam retardari, seu constitutione de duabus dietis edita in consilio generali. Datum *Lugd.* 3 Cal. Maii. Pont. nostri anno 7.

The same year, the Pope having a design to remove to *Burdeaux*, then under King *Henry* the third his Dominion, and from thence into *England*, and sending solemn Nuncios to King *Henry* for this purpose, he was thereupon put to a great dilemma, to avoid the Popes displeasure on the one hand, and manifold inconveniences of granting his request which would accrue to his Crown and Subjects, on the other hand; which he thought best to evade by delays.

Mat. Paris  
Hist. p. 777.  
Papa cupit a-  
pud *Burdegali-*  
um commorari.

Tempore quoque sub eodem, missis solennibus nunciis, Dominus Papa postulavit Dominum Regem *Angliæ*, ut liceret ei saltem apud *Burdegali* civitatem suam in *Gasconia* commorari. Fratres enim Domini Regis *Francorum* eum districtè conveniant, rogantes ex parte dicti Regis & sua, ut pacem iniret cum *Frederico* humiliato, & satisfactionem Ecclesiæ humiliter offerenti, sicut honorem universalis Ecclesiæ diligebat. Imponebant etiam illi dicti Regis fratres, videlicet *Pisavia* & *Provincia* Comites, quod per Papæ avaritiam totum evenit infortunium memoratum. Ipse enim Papa cruce signatos, ne in succursum Regis advenirent, per cuncta corruptus impedivit, et absolvit a voto suæ peregrinationis, quos paulo antè per suos misit prædicatores & minores cruce signavit. Pre-  
terea



tere cruce signatos Comiti &c. et aliis vendit Pagnatibus, sicut olim Judai consueverunt, oves et columbas in Templo vendere, quos Deum legimus in Evangelio ita punitos eiecisse. His autem persuasionibus, difficilem se Papa exhibuit & inexorabilem, unde durius verbis & litigiosis Dominus Papa & dicti Comites ab invicem recesserunt, & versus Angliam ire maturaverunt, ut Dominum Anglorum Regem persuaderent, quatenus ad succursum Francorum Regis praesentiam suam desiderantis & expectantis, secundum votum suum, sicut honorem Christi desideravit, properaret.

Arctabatur igitur Rex Anglia vehementer, quod si pateret vias Papae, fratrem suum Ethelmarum Papa offensum minimè promoveret: si sinum panderet ei refugium, Fredericum, per cujus terras necesse transire habet peregrinaturus, in iram provocaret. Francis quoque non placeret. Praeterea, quod multum prudentiores Anglia perterriti, si Papa in Burdegali commoraturus reciperetur, posset in brevi tempore per navigium in Angliam navigare, et illam praesentia sua deteriorare, et ut timetur, coinquinare. Qui enim sentiant illam suis corrumpi Caecis usurariis, magis formidabant ipsam sua Curia, si praesens esset, quod absit, maculari. (Such a dangerous, unclean, unwelcome guest was his Holiness then reputed, even in time of Popery to his Ghostly Sons, that they would rather have his room than company.) Ideo super hoc propensius consilium Regis protelabatur.

The Bishops and Clergy of the Province of Canterbury, to avoid the turbulent Visitation and Exactions of Archbishop Boniface, made a Tax and Collection to defray the Expenses of their Appeals and oppositions against him in the Court of Rome, which our Historians thus relate.

Episcopi Anglia interim cognoscetes ex dicti Episcopi (Lincolniensis) relationibus, nuper a Curia Romana redeuntis, & aliorum, quos miserant, procuratorum & exploratorum suorum, quod Archiepiscopus Cantuariensis laqueos damnosos ipsis parare moliebatur, pecuniam, ad expensas in Curia Romana effundendas, collegerunt: quae pecunia interveniente, more arundinis ventis agitata, huc illucque flecti consuevit. Acceperunt igitur à beneficiatis, de qualibet Marca duos denarios. Gravè enim erat, quod postulavit exactor memoratus, videlicet visitationem et procuratorem totius Cleri et populi in sua, quae ampla fuit, Provincia. Quae propter hoc magis angebat universos, quod constat ipsum Archiepiscopum morum & scientiae mendicum, ad ipsam visitationem, non propter religionis augmentum, vel morum reformationem, sed propter emolumenta turpia, et jam absconsecta, certius inhiare; As most usually did in such Visitations.

Diebus quoque sub eisdem, Cantuariensis Archiepiscopus cauteriatam suam sentiens conscientiam super enormi facto quod Londini perpetraverat, maxime in Ecclesia Sancti Bartholomaei, missis clanculo nunciis, tam comminationibus quam blanditiis, & tam ex parte Regis & Reginae, quam ipsius Archiepiscopi vocem querulam Canonorum suppressit. Moreover,

Cantuariensis Archiepiscopus perpendens, quod ex enormi facto, quod Londini in Ecclesia Canonorum Sancti Bartholomaei perpetraverat, infamiae & scandalorum sctor sulfureus totius Regionis infecerat latitudinem, missis caute nunciis, clamorem eorum blanditiis & promissis, admixtis comminationibus, suppressit. Ipsi igitur tum quia pauperes, tum quia potens erat Archiepiscopus, seipsum etiam manifestè culpabilem justificare, in patientia sua animas suas possidentes, siluerunt, Deo & beato Bartholomaeo causam suam commendantes.

Tempore quoque sub eodem, Archiepiscopus Cantuariensis Bonifacium comperiens quod Decanus Sancti Pauli, concomitantibus quibusdam ejusdem Ecclesiae Canonis, & eorum quos laeserat procuratoribus, consilio Legistarum animatus, & Regis Literis & protectione armatus, necnon & generis sui potentiae confusus, ut fortior fieret in tyrannide, per Papalem auctoritatem, Curiam Romanam abiit, in magna pompa et apparatu transfretavit. Bonifacius being at Rome, verissimas contra se commotiones paratas intelligens, adversarios tam Regis ac Reginae, quam suo nomine partim minis, partim blanditiis compevit.

Regis Anglorum Angustia.

Mar. Paris, p. 776, 777.  
Mar. Parker & Godwin in the life of Boniface. Episcopi Anglia se opponunt Archiepiscopo Cantuariensi.

Mar. Paris, p. 773, 774, 777.  
Archiepiscopus Cantuariensis metu suppressit vocem querulorum.

Archiepiscopi Cantuar. clamorem Canonorum S. Bartholomaei compevit.

Mar. Paris, p. 760.  
Mar. Parker in Bonifacio, p. 185, 186, 187.  
Cantuariensis Archiepiscopus Romanam Curiam abiit.

Deinde ut Provinciam *Cantuariensem* ad nutum suum in perpetuum prostraret, egit cum Papa, de visitationis suæ jure ejus auctoritate firmando; quod cum intellexissent Suffraganei, pecuniam grandem ad suppeditandos in jure sumptus in *Turia Romana* (quæ, pecunia interveniente, mox arundinis ventis agitata, huc illucque flecti consuevit) confababant. What the issue of his Journy, and the contests between him and his Suffragans was before the Pope, \* *Matthew Westminster* thus summarily relates. Tandem post multas hinc inde expensarum effusiones, & laborum diversas vexationes, determinatum est, ut suam Archiepiscopus (secundum jus commune) rationabilis & tolerabilis exerceret jurisdictionem, & sic visitationem prosequeretur, sub diffinita modificatione, & mora cessavit tempestas: of which more afterwards.

\* Mat. Westm.  
Anno 1250.  
p. 241.

Mat. Paris, p.  
776, 788.  
Mat. Westm.  
Anno 1250.  
Godwins Catalogue of Bps.  
Mortuo Episc.  
Roffensi, eligi-  
tur Laurentius  
de S. Martino.

Mat. Paris, p.  
774, 775, &c.  
Mat. Westm.  
Anno 1250.  
Mors Willielmi  
Episcopi Wintoni-  
ensis.

\* Here p. 581,  
to 596.

Rex omnem  
diligentiam ad-  
hibet ut frater  
ejus *Æthelmarus*  
in Episc.  
Wintoniensem  
postularetur.

Sermo Regis  
quasi prædi-  
cantis in Capi-  
tulo Wintoni-  
ensi.

What Jurisdiction and Interest King *Henry* the 3d. claimed and exercised this year in the election, confirmation of Bishops, and disposition of Bishopricks, these ensuing passages will inform us.

Eodemque anni tempore, obiit Episcopus *Roffensis*. Cujus loco Monachi *Roffenses* elegerunt Magistrum *Laurentium de Sancto Martino*, Domini Regis Clericum & Consiliarium specialem, ne si forte alium elegerint, se Rex electioni opposuisset. He got a Dispensation from the Pope to hold all his former Livings in Commendam with his Bishoprick, a practice newly invented.

Eodemque anno, circa festum Sancti *Matthæi*, apud *Turonim* obiit Episcopus *Wintoniensis Willielmus*; qui, ut sibi parceret in expensis, ibidem circiter undecim mensibus moram cum castigata familia continuaverat. Obligabatur enim Episcopus ejus debitis inestimabilibus contra Papam, ex illo tempore excrecentibus, quo Dominus Rex ipsum Episcopum persequendo ab *Anglia* exturbaverat. Cui finem consolationis Dominus Papa optime remuneratus tunc pandebat, ut præscriptum est. Facta igitur pace cum Papa, & Rege incurvato, ut pecuniam pactam citius coacervaret, qua Ecclesiam suam liberaret, solitam rescidit mensæ dapilitatem & familiæ numerositatem. Moriturus igitur, cum viaticum salutis videret afferri, cum in ostio intrans Sacerdos, Eucharistiam bajularet, ait, *Expecta amice, Dignum est, ut Dei mei proditor obviam ei trahar, & merito ut detractor*: & sic manibus ministrorum, qui ei obtemperaverunt, obviam Corpori Christi tractus, cum lachrymis & contritione viaticum assumpsit salutare. Et sic in timore Dei spiritum contritum exhalavit.

Quod cum Dominus Rex audisset, lætas querelas ac breves cum siccis lachrymis emittens, omni quo potuit statim nisu conabatur, ut in loco ipsius frater ejus *Æthelmarus*, licet ordine, ætate, et scientia insufficientis, substituere-  
tur. Misit igitur illico duos de præcipuis Clericis suis quos noverat ad omnem suggestionem sagacissimos, *Wintoniam* cum Literis ejus, ut accumulantes blanditias minis & promissis, animos Monachorum Ecclesiæ Cathedralis, ad quos pertinet electio, ad hoc inclinarent, ut ipsum *Æthelmarum* omnes in Episcopum postularent, & suarum Pastorem animarum. Et qui ad hoc mittebantur fuerant *Johannes Mansell*, & *Petrus Chacepore*, Clerici, qui ut desiderium Regis effectui manciparent, summam diligentiam adhibuerunt, & quamplurimum Monachorum corda enervarunt, ut eundem *Æthelmarum* postularent in Præsulem. Postularent, inquam, quia ad Præsulatus culmen omnino fuerat insufficientis et ineptus. Deinde elapsis circiter quindecim diebus, quibus quotidie dicti Clerici instantissime elaboraverant, ut eorum qui in Conventu constantiores videbantur, ad Regis terrenti, sperto Regis coelestis timore, voluntatem incurvarentur, venit ipse Rex *Wintoniam*, & illico ad Ecclesiam Sancti *Swithini*, videlicet Cathedralem accedens, quasi Episcopus vel Prior venit in Capitulum, et ascendens sedem Præfidentis, Sermonem sedens huic inchoavit, sibi thema præfigendo.

**J**ustitia & pax osculata sunt invicem, &c. & continuans sermonem, addidit: Ad me et Reges alios, necnon et Principes et Justitiariorum nostros, qui habent mediante Justitia populos gubernare, pertinet rigor Judicii et Justitiæ. Ad vos autem, qui estis pacis homines & religionis alumni, pertinet pax & tranquillitas. Hodie autem, quia ut audivi, petitioni meæ, ut veni sit vobis,

vobis, favorabiles vos feliciter exhibuistis, Justitia & pax osculatur sunt. Quod est dictum: Aliquando vobis mihi rebellibus in postulatione Willielmi de Rale, Episcopi vestri jam defuncti, mihi non accepti, gravis extiteram: nunc autem vobis favorabilis factus sum amicissimus, & memor vestra benignitatis, gratissimus impensor vicissitudinis. Præterea, constans est per mulierem primo ruinam mundo evenisse, & per mulierem remedium. Similiter in casu præfenti, ut uxori meæ, scilicet Regina, avunculum suum Willielmum electum Valentinum promovere in hunc Episcopatum desideranti, satisfacere, vos aliquando sollicitans inquietavi, & inquietando damnificavi: nunc autem ego, nimirum volens fratrem meum interinum promovere, qui ratione mulieris, scilicet Regina Isabellæ matris nostræ, mihi indubitanter sanguine fraterno conjungitur, vobis reconciliabor, vosque & Ecclesiam vestram efficaciter promovebo, & præcordialis amicitia brachiis amplexabor. Cæterum, libra rationis debetis non ultimum ponderare, quod in hac Civitate natus fui, & in hac Ecclesia baptizatus: unde majoris dilectionis mihi vinculis astringimini, nec debetis quomodolibet meæ voluntati contraire, sed in omnibus prompta devotione obsecundare. Nec vacat à causa consensus gratissimi, quod idem frater meus Ethelmarus postulandus Ecclesiam istam, velut Sol, radiis suæ Regalis generositatis, quæ fulget ex parte genitricis, & præclari sanguinis, quo pollet ex parte genitoris, & suæ gratissima benignitatis & juvenutis, qua Deo complacet & hominibus, per longa tempora, ut speramus, illustrabit. Ite igitur in pace, et inito consilio cito revertentes, sine alicujus contradictionis scrupulo, pium propositum nostrum, de quo mihi spem dedistis, palam coram me & omnibus electum, vel postulatam vestram communi assensu Ethelmarum fratrem meum sciliciter nominetis. Et in calce sermonis superaddidit, quod si ipsos Monachos persuasionibus suis rebelles inveniret, profecto confunderet universos: secundum illud Poëticum;

— Stricto supplicat ense potens.

Monachi igitur sedentes, in arcto positi, super his diligenter conferentes, pristinas tribulationes, quas pro Will. electo Val. graves, & graviores pro postulatione Will. Episcopi eorum jam defuncti, perpeffi sunt, memoriter recitarunt, dicentes: Ecce preces Domini Regis armatæ, quibus contradicere grave est ac nimis formidabile, ac Ecclesiæ nostræ periculosum! **Papa enim Regi in omnibus obtemperat**, & quia in arcto positus, Principes offendere vitat & formidat. Unde si secundum idoneam personam aliam quam fratrem suum eligeremus vel postularem, Rex in iram, imò furorem versus, factum nostrum, licet sanctum Petrum, si superstes esset, constitueremus, cassando, nos persequeretur. **et si hinc Regem haberemus inimicum, et inde Papam qui corruptibilis est, potenter adversantem, quasi inter duas molas contritis, immineret confusio cum ruina inconsolabili.** Præterea, postquam Will. Episcopum Norwicensem in Episcopum nostrum promovendo postulavimus, & colla nostræ ejus jugo, Rege invito & constanter contradicente, & nos opprimente, supposuimus, idem W. postquam plenam adeptus est potestatem, nos licet indigena & legum terræ peritus, & quæ sperabimus per omnia Deo placitum, & nobis frugalem, immisericorditer persequabatur, & irreversibiliter damnificavit, acceptorum immemor beneficiorum, & innumerabilium quas pro eo toleravimus injuriarum. Unde incatcerabamur capti, tracti & fustigati, fame affecti, cruentati, & quasi fures compediti. In quem igitur de cætero poterimus confidere, in quem sperare? in quo salutem expectare? Hinc Scyllam, illinc Charybdem formidamus imminentem. **Si autem hoc egerimus, mors nobis est: si autem non egerimus, manus Regias non effugiemus.** Præter hæc etiam, quod nos debet merito deterrere, si memoratum Ethelmarum in Episcopatum promoveamus, semper erit electus, non Episcopus, quod nunquam contigit huic Ecclesiæ, nec utinam contingat. **Item forte impetrabit a Papa, ut remaneant sibi electo, quos jam obtinet, redditus infiniti.** Quid enim his temporibus non obtinent et impetrant in curia Romana, munera effundentes? Quod si hoc, nulli in Angliæ in divitiis & potestate præterquam vix Regi secundus existeret, & tunc poterit, si placuerit, sed utinam

Monachi Wintonienses coacti, postularunt Ethelmarum in Episcopum suum.

Nota.



utinam non patrisset vel *Pictavisset*, totam *Angliam* in *Pictaviam*, vel *Pictaviam* tanquam Regni ostiarius potensissimus redigere in *Angliam*, & sic *Anglorum* de sub cælo delere memoriam. Tandem post multas, quibus involvebantur, angustias, videntes dies malos, nec ad finem patris nostri *Papæ*, qui solet ad eum confugientibus suffragari, patere refugium, voluntati Regis coacti sunt in arcum prædium conversi incurvari. Postularunt igitur voce communi, sed non corde unanimi, in Episcopum & animarum suarum Pastorem spirituales *Ethelmarum*, fratrem Regis uterinum, ex patre *Hugone Bruno*, Comite de *Marchia* & *Isabella*, quondam *Anglia* Regina, uxore sua, procreatum, natum in *Pictavia*, licet ætate, scientia, & ordine insufficientem, annuis redditibus innumerabilibus Archipræsulatui condignis abundantem, Monachi *Wintoniensis* Regis victi importunitate, & de *Papæ* adjutorio desperantes. Sic igitur ipsum *Ethelmarum* tanquam electum suum vel postulatum, in præsentia Domini Regis solenniter in propatulo nominarunt, addita conditione tali, si videlicet possit talis ex dispensatione Domini *Papæ* ad dignitatem Pontificis promoveri.

Rex Anglia destinat nuncios suos ad Papam.

Rex igitur vultu, gestu & voce exaltata gaudium protestans, iussit *Roberto* de *Southindona* clerico suo & electo Rhetori, ut elegantissimam & efficacissimam Epistolam super his componeret, Domino *Papæ* transmittendam, in qua precibus urgentibus, comminationes terribiles & aduberes intermiseret promissiones. Missit igitur Dominus Rex nuncios solennes & eloquentes qui bene norunt tam Papam quam Cardinales ad suum incurvare propositum, ad *Romanam* curiam, ut ipsam Papam super hoc arduo negotio, Domino Regi tam placido & præcordiali, convenirent, & ad assensum tam prece quam pretio vigilanter inclinarent.

Littere Regis Angliæ querule ad Papam.

Proh dolor, ut quid mundi languor amplius protelatur, quoniam exularunt pax & iustitia, de quibus Rex sermonis ac prædicationis suæ sumpsit exordium? Ubinam libera electio? Pax Ecclesiæ quam inviolabiliter juravit Rex tenere in coronatione sua primitiva? Heu, heu, modo contemptis Regni naturalibus, viris sanctis, literatis & religiosis, intruduntur alieni, honore quolibet indigni, literarum & idiomatis *Anglicani* penitus ignari, confessionibus, prædicationibus omnino inutiles, nec compositi, nec moribus informati, pecuniæ extortores, animarum contemptores. Quondam sancti viri, religiosi, et literati, spiritu sancto cooperante et revelante, ad Cathedras, licet renitentes, trahabantur, quas per fas aulici, tribuales, vel barbari occupant violenter. Omnes jam domus, ad quas electio pertinet Pontificalis quam Conventuales, cum vacantes ad manus Regis devolvantur, quæ utique manus defensiva esse teneretur & protectiva prædæ patent & rapinæ. O *Papa* patrum pater, ut quid permittis *Christianorum* climata talibus inquinari? Merito igitur, merito ab urbe et sede pulsus propria, tanquam et profugus alter *Cain* cogaris exulare: prosperantur hostes tui *Fredericales*: fugis fugantes, et qui te persequuntur, sunt vesoces et potentes. Ubique in tibi subjectos tua bulla fulgurat, sed viscescit apud rebelles. Ubique suspensis a beneficiorum collationibus prælatis, jubentur fieri provisiones, sed indignis, barbaris, et ignotis qui ab ovibus obilis dominici lac querentes, carnes, et velleræ tondent, radunt, excoriant eas et eviscerant. Nec alicui a patris patribus indulata privilegia possunt suffragari. Inter cæteras quoque nationes et regiones, *Anglia* ubi, ut nobis mundus, plus viget fides *Christiana*, visus concutitur, suisque bonis et laboribus opprimente *Papa* spoliatur. Nullus ei, si ipsa cuiuslibet sit prædoni. Ubinam scitur *Anglicus* aliquis redditum habere in patribus *Romæ*, *Italiæ*, *Fannæ*, vel regnorum aliorum, cum tales in *Anglia* rapiant universa. O Deus ultionum Domine, quando exarces ut fulgur gladium, ut cruore talium inebrietur: profecto peccata nostra nobis gravamina merito talia præpararunt.

\* Who preferred by Popes provisions.

*Ethel-*

*Ethelmar* going to *Rome* with the Kings Letters of recommendation, by his great friends and money obtained from the Pope not only a confirmation of his election, but likewise a dispensation to hold all his former Rents and Benefices, notwithstanding his youth, want of learning, and insufficiency for so great a Cure of souls.

Anno Dom. 1250. Circa idem tempus, (Calend. Martii) confirmatus est in Episcopatum *Wintoniensem* à Domino Papa *Ethelmarus* frater Domini Regis uterinus, non obstantibus iuventute et literarum ignorantia, et omnimoda ad tantam dignitatem, et tot animarum regimen insufficientia. Concessa est etiam eidem a Domino Papa tanta gratia, ut prius obtentos redditus retineret. Procurabit enim hæc omnia urgeter, Domini Regis vigil diligentia. Sed ne videretur Dominus Papa in *Gerilli* littoze, sine messis utilitate seminasse, illico erexit à Rege provideri filio Comitiss *Burgundia* puerulo, in redditu quingentarum marcarum. So as he gained on all hands by this bargain.

Mat. Paris, p. 788, 789.  
Confirmatur  
*Ethelmarus*  
in Episcopatum  
*Wintoniensem*.

*Laurentius de S. Martino* Bp. elect of *Rocheſter*, obtained the like confirmation and dispensation with *Ethelmar*: Quibus concessum est, et per aliquot annos sequentes redditus prius obtentos retinere. Et sic jam in consuetudinem et usum hæc abusus suscitatur, ut quis ad Episcopatum vocatus, non Episcopus permaneat, sed electus, ut scilicet pastoz non pascat, sed pascatur. Et ut Episcopatus prius redditus retineat, ut multiforme monstrum habeatur. Et ut aliquis Episcopus ad alium Episcopatum distiozem postulatus, transferatur, ut una Ecclesia, alterius peller habeatur. An unsufferable abuse, continuing ever since without redresse, to the great scandal of Religion, and prejudice of the peoples souls.

Confirmatur  
Episcopus *Roſ-*  
*ſensis* electus.

In the mean time, as *Matthew Paris* observes, \* Fuit autem Dominus Rex ad natale Domini apud *Wintoniam*. Et quia sedes Episcopalis vacabat, & ad eandem postulatus fuerat *Ethelmarus* frater ejus, ut prædictum est, cohibuit manus rapaces, ne bona distraheret Episcopatus, ut solebat. Veruntamen quia ægrè dediscitur usus, sylvas præcepit abscidi & vendi, & inde pecuniam ærario suo addi accumulandam, licet satis diceretur ei, quod peregrinatoris & Deo militaturis, talis rapina nullatenus fuerat profutura.

\* Mat. Paris, p. 780.  
Rex Angliæ celebrat natalicia *Wintoniæ*.

The Bishop of *London* being involved in the Archbishops \* premised excommunication, he thereupon Anno 1250. made these propositions to the Archbishop for an amicable accord between him and the rest of his Diocefans, who refused to embrace them.

\* Here p. 741.

Ad hoc quod Dominus Archiepiscopus monet Dominum *Londinensem*, ut Mandatum suum directum Priori sanctæ *Trinitatis* revocet, petit Dominus *Londinensis*, ut exhibeatur ei illud mandatum, in quo si fuerit aliquid corrigendum vel revocandum, paratus est illud facere quatenus fuerit de jure faciendum.

Archæarium  
Additamentorum  
*Mathæi*  
Paris. p. 231.

Petit Dominus *Londinensis*, ut idem unà cum ipso eligant quatuor viros probos, fide dignos & Jurisperitos, & ipse unà cum quinto comuniter electo, audiant rationes Domini Episcopi, pro se & subditis suæ Ecclesiæ, & rationes Domini *Cantuariensis*, circa factum visitationis, & terminent negotium (si fieri possit) cum pace. Et si non conveniant in unam sententiam, consulant Dominum Papam, & expectetur ejus diffinitio.

Aliter. Petit Dominus Episcopus, quod Dominus Archiepiscopus de facto revocet quod de facto fecit, circa Sententias suas, per legitimas appellationes præventas, & medio tempore, quiescat ab executione visitationis insolite, & faciat Convocationem de tractibus Coepiscopis, & habito consilio eorum & deliberatione cum ipsis, fiat provisio quid faciendum sit, cum justitia, pace & honesta ipsius Archiepiscopi & subditorum. Et ipse Episcopus cum subditis suis: Et si fuerit dissensio inter Episcopos, promittit pro se, quod majori & saniori parti adharebit.

Aliter. Petit Dominus *Londinensis*, quod facta revocatione sententiarum suarum (sicut superius petiit) Dominus Archiepiscopus procedat ad visitationem reliquorum Episcoporum provincie, sicut fecit in visitatione personarum: & subditos su-

os dimittat in pace, donec Dominus Papa consultus, post audita & intellecta gravamina Ecclesiarum, ordinet expressè quid sit in talibus finaliter agendum.

Notandum quoque, quod præcisè denegavit Archiepiscopus tam Episcopo quam Canonicis, copiam sui Autentici.

Anno 1251.  
• Mat. Paris, p.  
782, 783.  
Rex Angliæ di-  
xit fratres suos.

What Arguments induced the Bishop of London to make these Propositions, is thus related at large by *Matthew Paris* the year following. \* Verum Rex in honores Ecclesiasticos, alienos indignos procuravit vigilantè sublimari, & sublimatos contra Anglos armare & animare, & in causis defendere ventilatis. Scripserat namque Rex Domino Papæ devotissimè supplicans, ut favorabilis esset Archiepiscopo *Canuariensi Bonifacio*, in causa quæ inter ipsum & Prælatos Angliæ vertebatur, & maximè inter ipsum Archiepiscopum, & Episcopum, & Canonicos *Londinenses*, ut nullo modo Archiepiscopus à suo frustraretur desiderio: (were it right or wrong, just or unjust.)

Episcopus  
Londinensis.

Hæc autem satis sagaci considerationis acie perpendens Episcopus *Londinensis*, quem nuper enormiter injuriando Archiepiscopus Excommunicaverat, et Excommunicatum longe lateque fecit denunciari, ait infra se: Honor Angliæ in præcipiti declinat; Archiepiscopus me, & omnes Anglos persequitur. Alienigena indigenam & sanguine Nobilium Anglorum insignitum. Si igitur Rex occasionem in me & genus meum saviendi haberet, ad hoc insurgeret laus & festinus, & meos consanguineos bonis suis quomodolibet spoliaret, & eisdem bonis alienos locupletaret. Et sic in Angliâ mala malis possent accumulari. His igitur subtiliter pensatis incommotis, quali inter duas molas contritus, angustabatur, hinc honor & causa Ecclesiæ suæ, hinc impetus Regalis iracundiæ, ipsum hinc inde distrahebant. Tandem verò, ut minus malum subiret, prælegit, quamvis læsus & quamvis passus injuriam, ad tempus humiliari, & jurare stare provisioni Archiepiscopi licet adversantis, potius quam Regalis impetus discrimen experiri: & sic absolutus est à sententia qua innodabatur, admirantibus multis quod illius Prophetici comminatio non timebatur: *Va qui justificatus impium, &c.* But what would not carnal fears, self ends, and worldly respects then induce our *English* Prelates to do, both against their Judgements, Consciences, and Churches Interests, in that age of wonders? For *Matthew Paris* and *Matthew Westminster* conclude this year 1250. with many strange remarkable observations, out of which I shall only abstract what is most pertinent to my subject matter, omitting the rest.

Mat. Paris, p.  
777, 778, &c.  
Mat. Westm.  
Anno 1250.  
p. 244, 245.  
25. Quinquagenæ consummatæ à tempore gratiæ.

Completo igitur hoc anno, jam fluxerunt de tempore gratiæ viginti quinque quinquagenæ annorum, id est, mille, ducenti, & quinquaginta. Notandum autem est, & non leviter attendendum, quod in nulla illarum quinquagenarum, scilicet 24. sicut in ista ultima quinquagena, quæ jam præterit, videlicet vigesima quinta, tot mirabilia, et insolitæ novitates ebenerunt, ut in ista ultima. Et sunt quidam & multi historiarum scriptores, & diligentes inspectores, qui dicunt, quod nec in omnibus aliis quinquagenis visa sunt tot prodigia et novitates admirandæ, sicut in hac jam terminata. Et his tamen majora cum formidine expectantur.

Mirabilia ultimæ Quinquagenæ.

In hac enim, prædicante Magistro *Olivero*, in partibus *Germaniæ*, apparuit omnibus manifestè *Christus* crucifixus in aëre: (by the Popes persecuting, excommunicating, deposing the Emperor, and encouraging his Subjects with other Christians to take up the sign of the Cross to raise Souldiers, Armies, Monies to murder and destroy him, as worse then any *Saracen*.) *Recessit Græcia Ecclesiæ a subjectione Romanæ Ecclesiæ*, propter ejusdem *Romanæ Ecclesiæ* varias enormitates, maxime in usuris, Symoniis, justitiæ venditionibus, et aliis injuriis intolerabilibus. *Angliæ Interdictum* passa est per annos circiter septem: Regnum quoque *Angliæ* per tantundem fere temporis, bellum toleravit intestinum. Tandemque per inertiâ Regis *Johannis*, tunc regnantis, facta est Tributaria. Idem Rex *Johannes Normanniam*, & multas alias terras ultramarinas amisit: *Angliam & Hiberniam*, *Innocentio 3. Papæ jure Tributario subjugavit*. Idem Rex *Anglorum Johannes*, juxta quorundam prophetias quando obiit, nihil terræ pacifice possedit, unde extorris dicebatur. Privilegia autem *Sanctorum Patrum Romanorum* suo robore præstantur



præbantur et auctoritate, p̄r hanc adjectionem (non obstante) non  
 \* sine eorum injuria et contemptu. Permissum est uni personæ fructus plu-  
 rium Episcopatum recipere, permissumque est alicui, in Episcopatum promoti, pri-  
 stinos redditus prius obtentos retinere. Prohibentur, et postea pecunia in-  
 terueniente, permittuntur aliqui plures Ecclesias habere, et legiti-  
 mantur spuris. Prohibitum est ne quis Ecclesiæ Patri immediate  
 succedat, sine Papali dispensatione, vel illegitimus ad dignitatem  
 promoveatur. Otto Imperator Romanorum, persequente Innocentio  
 tertio Papa, miseram passus est ruinam in p̄sso, victus, excommu-  
 nicatus, et cassatus. Otto et Fredericum, Papæ rebelles Imperatores,  
 confunduntur: quibus prostratis culmen emarcuit Imperiale. Papa  
 duos in apicem Imperii promovere conabatur; Sed antequam ele-  
 varentur elisit eos Dominus, videlicet Henricum de Rassen, Landegravium de  
 Hassia & Thuringia, & Comitem Sowartzenburgi, ac Gulielmum Comitem Hollan-  
 dia, &c. Gulielmus tamen cepit infra memoratam quinquagenam elevari, sed cito  
 post perfit interfectus. Captus est, et totus exercitus ejus dissipatus.  
 Concilium generale bis celebratum, Roma scilicet, & Lugduni: In ultimo,  
 cassatus est Imperator Romanorum Fredericus. In mari \* non procul à Janna cap-  
 tus est Otto Cardinalis, quondam Legatus in Angliā, cum pluribus Archiepiscopis,  
 Episcopis, Abbatibus, Prælati, & Jannensibus, è quibus multi sunt submersi. Papa  
 velut exul et ab Arce expulsi aut fugitivus, aut latitans, moratur  
 Agnania et Perussi, persequente Frederico Imperatore. Qui imposuit  
 ei, quod cum Deo militaret in Terra Sancta, Imperium nitebatur occu-  
 pare. Templarii quoque ex odio Papali sumentes occasionem, eum  
 voluerunt Soldano tradere Babylonie. Post obitum Gregorii Papæ, vacavit sedes  
 Papalis per annum & novem menses. Tres Apostolici viri sederunt infra duos an-  
 nos. Unus quoque Cardinalis omnibus præstantior Cardinalibus, Anglicus natio-  
 ne, Magister scilicet Robertus de Sumercota, de quo timebant alii, ne in Papam elige-  
 retur, in palatio, quod Regia solis dicitur, dum de electione tractaretur, obiit, invi-  
 dia, ut dicitur, stimulante suffocatus. Tandem electus Sinebaldus Cardinalis, qui &  
 dictus Innocentius quartus, sequens sui prædecessoris vestigia, ipsum Im-  
 peratorem Fredericum excommunicavit; fugiens igitur de loco ad lo-  
 cum ejus persecutionem, tandem venit Lugdunum, ibi tutius latita-  
 vit. Ille tamen nullatenus flagellum Domini castigantis recog-  
 noscens, Ecclesiam plus gravabat quam antecessores ejus unives-  
 sos (addes Matthew Westminster.) Lugduni Concilio generali celebra-  
 to, (Papa) ipsum Fredericum Imperatorem deposuit, et extorta ab  
 Ecclesiæ Prælati impudenter infinita pecunia Landegravium de Du-  
 ringa, et postea Willielmum Comitem Hollandia, nitebatur promovere in  
 Imperium. Sed uno mortuo alio victo, minime profecit in propo-  
 sito. Usurarii, qui nomine Christiano censebantur, dicti Caurfni, Papæ  
 tolerante primo, et postea manifeste protegente, (cum sit usura in  
 utroq; testamento condemnata.) Permissi sunt in Angliā, ibiq; recep-  
 tacula et pacem inveniunt, et jam quasi licite, ut habitent Christiani  
 usurarii inter Christianos; Et se sine rubore, mercatores vel escam-  
 biatores nominant Papæ. Suspenduntur Prælati a collationibus  
 beneficiorum, donec satisfiat avaritiæ Papali, de indignis barbaris  
 suis, pro quibus scribit ut eis provideatur in quantum duxerint ac-  
 ceptandum; qui nunquam in Angliā apparuerunt, nec de animarum  
 custodia quicquam curaverunt. Plurium ordinum fratres secatent, nunc Predica-  
 tores, nunc Minores, nunc Cruciferi, nunc Carmelitani. In Alemannia autem, mulie-  
 rum continentium, quæ se Beginas volunt appellari, multitudo surrexit innumera-  
 bilis, adeo ut solam Coloniam mille vel plures inhabitarent. Predicatores vero &  
 Minores, primo vitam pauperem & sanctissimam deducentes, prædicationibus, con-  
 fessionibus, divinis in Ecclesia obsequiis, lectionibus & studiis penitus intendebant,  
 5 D paupertatem

\* Here p. 751.  
 Pluralities &  
 Commendæ.

\* See here p.  
 555, 556.

Nota.

paupertatem voluntariam pro Deo, relictis multis redditibus, amplectentes, nihil in victualibus usque in crastinum sibi reservantes. **Sed infra paucos annos sese sollicitè instaurabant, ædificia sumptuosa nimis construentes.** Papa insuper de ipsis licet invidiis, suos fecit telonarios nuncios, et multiformes pecuniarum Papalium exactores, et sedulos collectores, prædicando, cruce signando, et iterum facto sine resumendo: infirmis morituris et testamenta condituris assistendo; Omnia ad commodum Domini Papæ diligentes negotiatores, multimodis armati potestatibus, convertebant. Videbatur igitur tempus innovari, de quo plenus spiritus sanctorum omnium factus, in principio regulæ suæ commemorat. *Benedictus*, ubi de generibus diversorum tractat Monachorum. Nec est ipsius Sancti *Benedicti*, vel beati *Augustini*, à suæ principio constitutionis per tantum temporis ordo retrogressus, &c. Nobilis sedes & Ecclesia *Cantuarie*, tot sanctorum prædecessorum Archipræsulum illustrata sanctitate, à penitus insufficiente, Rege intrudente, occupatur, Ecclesiarum vacantium fructus primi anni, per totam ejus Provinciam per spaciū septem annorum emungente, eodem et multos opprimente, exemplo *Lincolniensis* Episcopi provocatus, qui super Canonicos suos renitentes potestatem visitandi impetrabit. *Saracenis* hoc ultimo hujus quadragesimo annorum ad votum triumphantibus, totus *Christianorum exercitus* (propheta doloꝝ) trucidatur in *Egypto*, ex omni *Francia*, *Templi*, *Hospitalis*, Sanctæ *Maria Theutonicorum*, & Sancti *Lazari*, constans nobilitate. Ubi etiam captus est cum duobus fratribus, *Pictavia* & *Provincia* Comitibus, pius *Francorum* Rex *Lodovicus*. *Willielmus* quoque *Longa spata*, cum multis *Anglie* Nobilibus, ibidem interiit interfectus. *Roberto* fratre dicti Regis, Comite scilicet *Atrebatensi*, fugiente de prælio & submerso. **Papa et tota *Turia Romana*, eo quod cruce signati venduntur, et absoluti pro pecunia absoluntur, et multiformiter retardantur, gratiam tam Cleri quam populi diutim amisit.** *Tota Christianitas* ex odio et discordia inter ipsum Papam et *Fredericum* exortis, bellis suscitatis perturbatur, et Ecclesia universalis periclitatur, &c.

To omit the several prodigies and distempers of all the four Elements this year, which he there musters up as sad Omens of Gods indignation for the Popes and Clergies unparallel'd sinnes and corruptions; he subjoynes, *Obiit insuper super mundi Fredericus, die sancto Lucia, in Apulia*: being there once poysoned by the Popes instigation, & not dying presently thereof, he endeavoured to poyson him the 2. time, by *Peter de Vineis*, his bosome friend, had it not been discovered. The manner whereof is thus recorded by *Mat. Paris*.

Mat. Paris Hist.  
p. 739. Imperator  
F. lethiferum  
pot onem  
evadit.

Eodem Anno (1250.) *Fredericus*, ut Dominum Papam invaderet, rediit in *Apuliam*, ut dicitur potionatus. Qui cum graviter infirmaretur, consilium habuit à suis Physicis ut purgationem medicinalem, & postea quoddam balneum ad hoc specialiter præparatum, acciperet. Habuit autem magister *Petrus de Vinea*, qui ipsius *Frederici* familiarissimus consiliarius & singularis animæ illius custos fuerat, quendam Physicum secum, qui ex præcepto *Frederici* quam ipsius *Petri*, ad purgationem dictam necessaria præparaturus, subdolis accessit: de consilio enim ipsius *Petri*, venenum lethiferum & efficax valde potioni immiscuit, & balneo, ut Dominum suum in ipsis perimerent confidentem. Ecclesiæ autem inimici dixerunt, quod Dominus Papa ad hoc facinus cor *Petri* enerbando muneribus et pollicitis maximis inclinaret. *Fredericus* verò super hoc scelere per aliquem amicorum suorum in ipsa hora qua sumendus fuit potus ille prætaxatus, secretius præmonitus & plenius edoctus, Physico potionem ostendenti & *Petro*, ait: Amici, confidit in vobis anima mea. Caveatis, supplico, ne mihi in vobis confidenti virus pro medicina porrigatis. Cui *Petrus*, O Domine mi, pluries dedit iste meus Physicus salutarem vobis potionem, quare modo formidatis? *Fredericus* autem ostendenti cyphum Physico dixit, torvo tamen aspectu, & posita à tergo custodia, ne evadere possent proditores: Propina mihi potum dimidicando. Physicus igitur ob stupefactus, & sibi conscius de scelere, simulans offendiculum pedibus lapsum fecisse, corruit in faciem suam, & venenum effudit pro majori parte. Minimam autem, quæ

quæ superaret partem, damnatis quibusdam iussit extractis de carcere dare, & statim miserâs animas exhalarunt. Certificatus igitur de prodicione lethifera sibi præparata, iussit Physicum suspendi, & merito *Petrus* exoculatum per multas *Italia* & *Apulie* civitates fecit adduci, ut in propatulo coram omnibus conceptum facinus confiteretur. Tandem iussit idem *F.* ut *Pisani*, qui ipsum *Petrus* inexorabiliter oderant, præsentaretur perimendus. Quod cum audiret *Petrus*, ne arbitrio hostium moreretur, quia ut dicit *Seneca*: *Arbitrio hostium mori, est his mori*: ad colomnam, ad quam alligatus fuerat, caput fortiter assidens, seipsum excerebravit.

*Fredericus* igitur ad se reversus, cepit inconsolabiliter dolere & uberrimè atque amarissime lachrymari, & exitus aquarum deducebant oculi ejus. Quod erat miserabile videre in homine tantæ auctoritatis & ætatis, & lamentando contorquens digitos, ait: Vix mihi, contra quem propria pugnant viscera: *Petrus* quem petram credideram, & dimidium animæ meæ, mihi mortis insidias præparavit. Ecce Dominus *Papa*, quem Imperium sub magnificis antecessoribus meis de nullo creavit et ditavit, illud molitur exterminare, et in me ipse Imperii titubantis rectorem, interitum machinatur. In quem confidam? ubi tutus, ubi lætus esse possum de cætero? Et condoluerunt circumstantes amici ejus, usque ad suspiria et lachrymarum effusionem. Et abscondit Domini *Papæ* fama per hoc non mediocriter. Veritatem tamen novit Deus, secretorum perscrutator infallibilis.

The Kings of *England*, *France*, and most other Princes frequently urged the Pope to a Reconciliation with the Emperor, who notwithstanding continued his implacable malice against him till his death, refusing all reconciliation even when he lay upon his death-bed. Hear this one testimony of his detestable implacableness, and pride.

Eodemque tempore mortuus est quidam alius *Fredericus* filius naturalis in *Apulia*. Ipsemet & jam *Fredericus* percussus est morbo, qui dicitur *Lupus*, vel *Sacer* ignis, unde tot oppressus adversitatibus, inconsolabiliter doluit. Unde humiliatus, secundum illud *Davidicum*, Imple facies eorum ignominia & querunt nomen tuum, Domine: obtulit honestam pacis formam Domino *Papæ*. Sed *Papa* lætificatus de adversitatibus suis, noluit quæ obtulit acceptare: unde multorum incubit indignationem et *Francorum* Nobilium, qui coeperunt ipsum *Fredericum* consolari, et eidem adherere, et superbiam serbi serborum Dei detestari. And not satisfied herewith.

Sub eorum quoque dierum curriculo, *Petrus Caboch* Clericus Domini *Papæ*, et amicus præpotens, missus est a Domino *Papa* in *Apuliam* Legatus, magna armatus potentia ad remittenda peccata, ut ipsum *Fredericum* contereret et *Fredericales*; et multiplicatis viribus, quas undique data pecunia, et concessa plena peccatorum indulgentia collegerat, eundem *Fredericum* damnificavit, et multos Nobiles ab ejusdem *Frederici* imperio revocavit. Such an Execrable Monster of inhumanity, Treachery, Impiety, Sedition, Malice, Rapine, Revenge was this most nocent Pope *Innocent*. Upon all which considerations, *Matthew Paris* thus concluded this Jubile, year, and his own Chronicle ending with it.

Hæc autem incalculabilia et novitates, quæ nec audita, neque scripta reperciuntur a sanctis patrum nostrorum retroactis temporibus, in hunc usque ultimæ annorum quinquagennæ tempore contigerunt. Hic terminatur fratris, *Mathæi Parisiensis*, Monachi sanctæ *Alban* Chronicæ, quæ pro utilitate posteritatis subsecuturæ, Dei pro amore, & beati *Albani* Anglorum Protomartyris honore, ne memoriam eventuum modernorum vetustas aut oblivio deleat, literis commendavit.

I now proceed to the year, 1251. the 35. of King *Henry* the 3d. his reign.

This year the King as Supream Governour of the Church of *England*, without any authority or Bull from the Pope, by these his Letters Patents enjoined the Archbishop of *Robur*, and all Ministers, Bishops, Abbots, Priors, and other religious persons who had any Land or Rents in *England*, during his life to keep an anniversary day for his deceased Mother Queen *Isabel*, and to insert her name in their

Lamentatio  
Frederici.

Mat. Paris, p.  
742.  
Mortuo alio filio  
Fredericus infirmatur.

Petrus Caboch  
Legatus in  
Apuliam missus

Mat. Paris, p.  
78.9  
Mat. West. An.  
1250.

An. 1251.



Martyrologie, with Masses and Prayers for her, himself, Queen *Elisavet*, and their Children.

Pat. 35 H. 3.  
m. 11. intus.  
De die anni-  
versar. Isabellæ  
Matris Regis.

**R**EX Archiepiscopo *Rothom.* & Ministris, Episcopis, ac Abbatibus, Prioribus, & ceteris viris Religiosis habentibus terras siue redditus in Regno nostro Angliæ, salutem: Naturalis dilectio felicitis memorie *Isabellæ*, Genitricis nostræ, nos esse non sinit immemores, sic sicut ipsa non sine gravitate corporalis angustie nos, donec nasceremur gestavit in utero, sic ejus animæ subvenire piis beneficiorum remediis volumus quamdiu vixerimus in hoc mundo. Volentes igitur amicorum nostrorum mendicare suffragia, qui pro delictis nostris non sufficimus satisfactionem præstare condignam, universitatem vestram requirimus et rogamus, quatinus diem obitus ipsius matris nostræ Martilogio vestro scribi, et pro ejus Anima, præsertim anniversario die celebrari missas, et orationes fieri faciatis, nostri et *Alienore* Regine nostræ, liberorumque nostrorum in orationibus atque beneficiis vestris, si placet, habentes memoriam specialem, per quam pie nostra valeat insufficientia celebrari. Ad istud autem negotium plenius exequendum, dilectum nobis fratrem *Th. de Fern.* latorem præsentium, specialiter destinamus, rogando quatinus ipsum ad hoc favorabiliter admittas. In cujus, &c. Teste Rege apud *Westm.* die Febr.

The King having by a former Patent granted an Annuity of 30*l.* to the Cardinal Deacon of *St. Angelo*, during his life, the better to solicit and promote his affairs in the Court of *Rome*, by this new Charter ordered it to be paid out of his Exchequer every *Michaelmas*, nothing being to be obtained in that age at *Rome*, but by Pensions and Bribes to Cardinals, as well as to the Pope, Who this year received his \* Tribute of a thousand Marks from the King, for to obtain his own ends.

\* Here p. 310.

Pat. 35 H. 3.  
m. 6. intus.  
Pro Richardo  
sancto Angeli  
Diacano Car-  
dinali.

**R**EX Omnibus &c. salutem. Scitatis quod cum venerabili Patri *Richardo* sancti *Angeli* Diacono Cardinali, xxx. Marcas annuas de Scaccario nostro percipiendas quamdiu vixerit per Chartam nostram dudum concesserimus Nos sibi gratiam facere volentes amplio rem, pro nobis & Hæredibus nostris concedimus & promittimus, quod quamdiu idem Cardinalis vixerit, dictas xxx. Marcas sibi vel certo Nuncio suo in festo sancti *Michaelis* ad Scaccarium nostrum singulis Annis solvi faciemus. In cujus, &c. Teste Rege apud *Woodstock*, 10. die Julii.

Per *I. Mansell* & *P. Chacepore*.

The King preferring *Will. de Kilkenny* to the Church of *Dungarvan* in *Ireland*, commanded his chief Justice of *Ireland* in his right to present him thereunto only by his Proctor, and the Bishop of *Lismore* to admit him thereunto, though absent.

Pat. 35 H. 3.  
m. 3.  
Pro presentati-  
one ad Ecclesi-  
am.

**R**EX *J. filio Galfrido*, Justiciario suo *Hibernia*, salutem. Cum Ecclesia de *Dungarvan* vacantem & ad nostram donationem spectantem, contulerimus dilecto Clerico nostro Magistro *Will. de Kilkenny*, Archid. Coventr. Vobis mandamus, quod ipsum Magistrum *W.* per procuratorem suum quem ad hoc per literas suas patentes constituerit, illi ad quem pertinet institutio in eadem Ecclesia vice nostra presentetis ad eandem nomine præfati Magistri instituendum. Damus enim vobis potestatem omnia exequendi quæ ad prædictam præsentationem pertinent usque, ad completionem totius negotii memorati. In cujus, &c. Teste Rege apud *Bucking*, 10. die Septembris.

Per ipsum Regem.

Idem Magister *W. de Kilkenny*, habet literas Domini Regis de præsentatione ad Ecclesiam de *Dungarvan* vacantem, & ad Donationem Regis spectantem, & diriguntur Literæ illæ *Lismorensi* Episcopo. Teste ut supra.

Per Regem.

The Archbishop of *Cassall* in *Ireland*, citing the Bishop elect of *Limeric* in *Ireland* to appear in his Court to confirm his election if Canonically made, notwithstanding the Kings Prerogative, that his Royal license and assent was not had thereto, as of right it ought, the King thereupon issued this Writ to command the Archbishop to revoke

revoke whatever he had done therein, in prejudice of his Prerogative, or else *Richard de Rapella* was commanded to lease his Temporalities into the Kings hands, if he revoked it not, and to renew his Appeal therein.

**Q**uia *Cassall*. Archiepiscopus citavit electum *Limeric* Ecclesie, quod compareret coram eo die Jovis proxima ante Passionem Domini proximo præteritam in Ecclesia *Limeric*, in occursum suum: Ita quod si invenerit ipsam electionem Canonitam, eandem, non obstante dignitate Regis, de assensu requirendo, confirmaret: Rescriptum est ei, Quod quicquid in præjudicium Regis attemptaverit revocet sine mora. Et mandatum est *Richardo de Rapella*, quod Temporalia ipsius Archiepiscopi capiat in manum Regis, si errorem illum non revocet, et quod innobet Appellationem Regis. Teste Rege apud *Windesf.* 29 die *Aprilis*.

Claus. 39. H. 3.  
m. 15. doct.

So apt were Archbishops and Bishops then both in *Ireland* and *England* to invade the Rights of the Crown, and obstinately to persist therein without revocation, till their Temporalities were seized for their contempt; which will further appear by this Prohibition to the Bishops of *Lincoln* and *Chichester*, and their Commissaries, for examining a Judgement given for the King for Goods, against an Executor, in his Exchequer, in their Spiritual Courts and other cases this year.

**R**EX. *Lincol.* & *Chicestr.* Episcopis, Magistro *R. de Mar.* & eorum Commissar. salutem. Prohibemus vobis ne teneatis placitum in Curia Christianitatis inter *Exec. Agn.* quondam *Com. Dereb.* et *Will. de Ferr.* *Com. Dereb.* de Catallis quæ fuerunt ejusdem Comitissæ, unius hæredum *Ran. Com. Cestr.* super quibus pro debitis in quibus nobis tenebatur idem *Com. Ran.* coram Baronibus nostris de *Scaccario*, Judicium est prolatum, donec a prædictis debitis per eisdem *Exec.* juxta judicium præfati *Scaccarii* nobis plenius fuerit satisfactum. Teste Rege apud *Windsf.* 8. die *Maii*.

Claus. 35 H. 3.  
m. 35. doct.

Per *Johannem de Lexington.*

Postea in eadem forma mandatum est Thesaurario *Exon.*

That the Croysadoes granted to King *Henry* and others in *Ireland* and elsewhere with the redemptions thereof, by the Popes Bulls, were only pious cheats to pick mens purses and raise monies, or for other uses, is most apparent by these 3. Records.

**M**andatum est *Innocentio* Summo Pontifici, quod Decimas Proventuum Ecclesiasticorum in *Auxitan.* & *Burdegali.* Provinciis, super cujus concessione ad opus *Gaufridi de Lexington* *R.* per *Literas* Papales fuit requisitus, assensum præbere non potest, tum *Rex* ex hoc decrementum incurret et dampnum. Teste Rege apud *Windsf.* 4. die *Augusti*, Anno, &c.

Claus. 35 H. 3.  
m. 9. doct.

Per Regem.

**R**EX *L. Dublinens.* Archiepiscopo salutem. Nolentes gratiam, dilecto Consanguineo nostro *Stephano Langepe* à summo Pontifice concessam, de pecunia illa quæ de redemptione votorum cruce signatorum colligi possit in terra quæ *Lagania* dicitur in *Hibernia* subtrahere, sed potius amplius, paternitatem vestram rogamus, quatinus non impediat, vel impediri permittatis præfatum consanguineum nostrum Cruce signatum, proponentem transire magnifice in Terræ Sanctæ subsidium, vel assignatos suos, quin, concessionem sibi a Domino Papa factam de redemptione, votorum cruce signatorum, in dicta terra *Lagania*, sicut in Literis Papalibus plenius continetur, usque ad tempus illud quo nos tuimus crucis caractere insigniti, integrè colligere possint, restituentes eidem vel ejus procuratoribus si quid per vos vel per aliquem de terra prædicta collectum fuerit, vel in alios usus deputatum, usque ad tempus prædictum. Teste Rege apud *Winton.* 9. die *Novembris*.

Claus. 35 H. 3.  
m. 25. doct.

R E X

Claus. 35 H. 3.  
m. 21. dorf.

**R**EX Papæ salutem, Cum super pecunia de redemptionibus voto-  
rum cruce signatorum Legatis seu alio modo concessis succur-  
rit Terræ Sanctæ nobis feceritis gratiam specialem, sanctitati vestre  
supplicamus attente, quatinus venerabilibus Patribus *Cieslr. & Norwic.* Episcopis  
ac *Johannum Mansell*, præposito *Beverlaci* per literas vestras mandare velitis, ut ra-  
tiorum seu compotum, *W. Wygorn.* Episcopi de hiis quæ recepit & distribuit,  
de prædicta pecunia audiant, & si quid inde residuum fuerit, nobis integrè faciant  
assignari. Ita quod liberalitatem vestram sentiamus more solito fructuosam.  
(the King and Pope serving each others turns for their own advantages.) Teste  
Rege apud *Wodstock* 28. die *Januarii*.

How apt the Bishops and Clergy in this age were, even against their Oath of Feal-  
ty to the King, to encroach upon his Royal Perogative and Temporal Jurisdiction, in  
holding Plea in their Ecclesiastical Courts & at *Rome*, of Temporal causes, no way be-  
longing to them; and Excommunicating his Sheriffs against his expresse Prohibitions;  
and how vigilant, zealous the King and his Nobles were to prevent such incroach-  
ments upon his Crown and Perogative, by Prohibitions, and seizures of their Baronies,  
this memorable Record will inform us.

Claus. 35 H. 3.  
m. 25. dorf.

\* Here p. 735.

**R**EX Papæ salutem. Ex hoc quod Venerabilis Pater *W. Wygorn.*  
Episcopus tanquam immemor fidelitatis nobis præstiti Jura-  
menti, placitum nam si vetiti inter ipsum et dilectum et fidelem ho-  
strum \* *Willielmum de Bello Campo*, Vicecomitem nostrum *Wigorn.* etor-  
tum, contra prohibitionem nostram sibi factam expresse, tam viva vo-  
ce quam literis prosequitur in Curia nostra, non sine læsione et nostra  
præjudicio dignitatis, cum cordis turbatione admiratio nobis crevisset,  
quamquam non de eodem placito, sed de sententia excommunicationis  
quam ipse occasione in dictam Nobilitate tulisset, se affectu agere  
coram vobis; unde de Consilio Magnatum nostrorum, Baronum  
quam idem Episcopus de nobis tenet in Capite, sicut est legis et con-  
suetudinis Regni nostri, prohibemus capere in manum nostram, ipsam  
tamen captivam ad instantiam R. Com. *Cornub.* distulimus usque ad  
instant festum Purificationis beatæ *Mariæ*, si forte dictus Episcopus a  
prosecutione præfata penitus duxerit desistendum. Igitur ne Pater-  
nitatem vestram, quæ omnia nostram Coronam et Dignitatem  
Regiam tangentia, semper voluit et vult illæsa servari, decretum  
nostrum lateat in hac parte, præsentibus vobis literas destinamus,  
supplices attente, quatinus juxta quod vobis supplicavimus ali-  
as eidem Episcopo nullum præbere velitis audientiam in placito  
memorato, seu aliis quæ nostrum forum, et dignitatis nostre cul-  
men tangere dinoscuntur. Teste Rege apud *Winton.* 21. die *Decembris*.

The Mayor and Bayliffs of *Bristol* seising some Stones, collected for repair of *St. Thomas Church* in *Dublin* by the Kings license, to repair the Castle of *Bristol*, the  
King thereupon issued this Writ to restore them.

Claus. 35 H. 3.  
m. 21.

**M**Andatum est Majori & Ballivis *Bristol*, quatinus Petram quam *Abbas & Con-*  
ventus *S. Thome Dublin* colligi fecerunt apud *Bristol* ad construendum Ecclesi-  
am *Dublin*, & quam arrestari fecerunt ad Castrum Regis *Bristol* reparandum, eis-  
dem canonis liberent, si quam in operatione Regis ibidem posuerint et restaurantes,  
& quocienscunq; aliquam collectam *Petra* illuc fecerint ad fabricam Ecclesiæ suæ, per-  
mittant ipsos eandem *Petram* cariare quo voluerint. Teste Rege apud *Winton.* 19.  
die *Jan.*

The inhabitants of *Rockester*, having intruded one *Christian*, condemned for the  
death of her Brother, into the Church of *Rockester*, as into a Sanctuary, to save her  
from



from Execution, and some of them taking Sanctuary in the same Church for this offence, the King to curb these offenders, and bring them to condigne punishment, issued this Writ to the Sheriff of Kent, to seise the Liberties of the Town into his own hands, and to attach twelve of the discreetest men therein, and keep in safe custody all Clerks and Laymen who had taken Sanctuary in the Church upon this occasion.

**M**andatum est Vic. Kancia, quod capiat in manum Regis libertatem Villæ Roffæ, & attachiat Ballivos & xii. de probioribus & discretioribus ejusdem Villæ, quod sint coram Rege in crastino Sancti Dionisii apud Westmonasterium, ad respondendum Regi de hiis quæ eis dicuntur ex parte Regis; & omnes illos qui sunt in prisona nostra Roffæ, pro intrusione Christianæ filiz Dunstani damnatæ pro morte fratris sui venire faciat coram Rege, ad prædictum diem & locum, & omnes illos tam Laicos quam Clericos, qui se tenent in Ecclesia pro intrusione prædicta mulieris, salvo custodiat, ita quod non exeant ante quam faciant quod facere debuerint secundum consuetudinem terræ.

Rot. Fin. 35.  
H. 3. m. 20.

The King having built a New Chappel at Windsor, issued this Mandate to provide a Mass-Book, Breviary, with other Books, Vestments, Furniture and Ornaments, fit for performance of the devotions then used therein.

**M**andatum est Edwardo de Westmonast. quod Regi habere faciat in nova Capella sua apud Windes. unum Missale, unum Breviar. Collectar. Capitular. & Impuar. duo Antiphonar. duo Salteria, duo Gradal. & Tropar. unum Calicem, & quatuor Manutergia, & quatuor Tual. super altare, ad Ministrandum in Capella prædicta. Teste Rege apud Wind. 21. die Maii.

Claus. 35 H.3.  
m. 13. intus.  
De pluribus inveniendis in Capella de Windlethour.

The King before the \* Statute of Mortmain, Anno. 7. E. 1. de Religiosis, issued this Writ of Prohibition, not to sell any Lands held in Capite to Religious persons or others, to the impairing of the Revenues of the Crown.

\* See Rastal Mortmain, 1, 2, & 3. Pat. 7 E. 1. m. 3. Claus. 7 E. 1. m. 8. dorf. Cooks 2 Instit. De Prohibitione contra Barthol. de Creeke.

**M**andatum est Bartholomæo de Creeke, in fide qua Regi tenetur firmiter inhibendo, ne terram, seu aliqua tenementa quæ de Rege tenet in Capite, velis Religiosis vendat, nec de eisdem aliquam alienationem faciat per quam Regi aut hæredibus Regis de hiis quæ ad Regem pertinent aliquid subtrahatur. Teste Rege apud Wind. 16. die Junii.

The Archbishop of Canterbury his Suffragans and Agents endeavouring to Subject the Kings Free-Chappels and Household Clerks officiating in them, to the Tax granted by the Pope to Archbishop Boniface, against the \* promised Bulls of the Pope, and Kings Prohibitions; the King thereupon procured this new Inhibition and Exemption of them from Pope Innocent, for preservation of his Prerogative.

\* Here p. 720, 721.

**I**NNOCENTIUS Episcopus servus servorum Dei, Charissimo in Christo filio Illustri Regi Angliæ, salutem & Apostolicam Benedictionem. Ut tuus incessanter obsequiis Prærogativa favoris gratia prosequamur, tua sinceritatis præamina nos hortantur. Cum igitur Venerabili fratri nostro Archiepiscopo Cantuariensi, omnium \* vacaturorum Beneficiorum sua Provincia primi anni proventus, usque ad certis temporis spatium, pro exoneratione debitorum Cantuar. Ecclesia duximus concedendos: Nos valentes tibi famulantibus tui consideratione specialem gratiam facere in hac parte, tuis precibus inclinati, Autoritate præsentium tibi indulgemus, ut familiares Clerici tui ad exhibitionem proventus hujusmodi, nequeant coarctari, sed ab eorum præstatione sint liberi penitus et immunes. Nulli ergo hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire; si quis autem contra hæc attemptare presumpserit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursurum. Dat. Lugduni, 3 Non. Martii, Pontificatus nostri anno octavo. Et ad hoc privilegium Regis exequendum, constitutus est Magister Nicholaus de Plumpton, coram Abbate Westmonasterii conservatore Regis hujus privilegii: Et habet inde Literas Regi Patentes.

Claus. 35 H.3.  
m. 9. dorso.

\* Here p. 683, 684, 685.

The

\* Claus. 35 H.  
3. m. 6. Here  
p. 705.

The \* *Kings Prohibition* issued this year to the Sheriffs of *Gloucester, Worcester*, and Bishop of *Worcester*, against the Bishops citing Laymen to take an Oath before him, and making Inquiry upon Articles in their Visitations without the Kings special Commission and Command, I have already cited, and shall referre you thereunto.

How much this Pope *Innocents* corruptions then infested not only the Church, Prelates, and Ecclesiastical, but Civil Courts and proceedings of Justice in *England*, *Matthew Paris* himself, and the continuer of his History, give us this special notice, as fit to be recorded to posterity.

Mat. Paris Hist.  
Angl. p. 784.  
Detestabiles  
adjectio non  
obstante in Cu-  
rias Laicorum  
derivatur.

Ipsis quoque diebus, dum placitum moveretur inter Episcopum *Karlesensem* Sylvestrum & quendam Baronem, super quodam Manerio, quod idem Baro prædecessori dicti Episcopi *Waltero* venderat, & iterum illud voluit revocare, ipse Episcopus *Sylvester* respondit per se prudenter, adversarius enim ejus, licet ejus præsentessent procuratores, tunc in partibus agebat transmarinis. Impetravit igitur à Rege Literas protectionis Regiæ, dum absens erat Baro memoratus, & sic lætus repatriavit. Pars autem adversa sub silentio commorans, cum elongaretur Episcopus, impetravit a Rege Literas, ut non obstante præiore litera, negotium Baronis nullam caperet dilationem. Quod factum fuisse non creditur, sine muneris opitulatione: (the Popes *Non obstantes* being so obtained.) Sparsumque jam tales Literæ, in quibus inserta est hæc detestabilis adjectio, *Non obstante præiore mandato*; vel hæc, *Non obstante antiqua libertate*, procedat negotium, *Quæritabantur*. Præterea, sinistra interpretatio jam in Chartis facta subrepat, ut scilicet si scribatur sc.; *Concedimus hanc libertatem domui tali*, & domus illa districtè nominetur, & sequatur sic, & omnibus Maneriis ejus, si Maneria non expressè sigillatim nominentur, nullius est vigoris adjectio. Hoc autem rationi constat esse dissonum et omni justitiæ, imo contra Logicæ regulam, quæ est investigatrix veritatis infallibilis. Quod cum comperisset, quidam vir discretus tunc Justitiarius, scilicet *Rogerus de Thurkeby*, ab alto ducens suspiria, de prædictæ adjectionis appositione, dixit: *Heu, heu, hos ut quid dies expectabimus? Ecce jam Civilis Curia exemplo Ecclesiasticæ coinquinatur, et a sulphureo fonte tribulus intorquatur*. Which I could heartily wish all Judges, \* *who give too much countenance to such Non obstantes*, would seriously consider, and all who grant them too.

\* See 2 R. 3.  
12. 2 H. 7. 6.  
Brook Patents  
109. Hobarts  
Reports, p.  
146, 214, 230.  
Plowdens Com-  
ment. p. 502.

\* Hist. Angl.  
p. 757.

\* *Matthew Paris* informs us, that the year before, the King had granted a Charter to the Abby of *Westminster* of certain Liberties, to the prejudice of former Charters granted to *St. Albans*; and another Charter for a liberty of a free Warren in the Land of *St. Albans*, near the Town, to one *Galfridus Rufus*, educated in *St. Albans*, and a tenant thereunto, contra antiquas Ecclesiæ illius libertates, & Chartas obtentas à piis præstis Regibus & continue usitatas, necnon & contra Chartam Regis *Henrici* tunc præsentis. Nec erubuit dictus *Galfridus Rufus* contra Ecclesiæ Dominam suam quæ ipsum educatum exaltaverat, recalcitrare, ut nota macularitur paterna, sed non materna prodianis: Et cum frater *Matthæus Parisiensis*, Dominum Regem super his imperpetratis redargueret, ait Rex: *Nonne Papa facit similiter, subjungens in Literis suis manifeste, Non obstante aliquo privilegio vel indulgentia? Vnus tamen modestius loquens, subjunxit: Nunc, nunc, nos inde cogitabimus. Sed dictorum ac promissorum memoria, cum sonitu pertransiit*. In both which he was the Popes real but unhappy Schollar, introducing *Non obstantes* to evade and null his own and Ancestors Charters, whereby Popes evaded their own and their Predecessors Bulls and Indulgences, which this King, the whole Kingdom and Clergy of *England* particularly \* *complained of to this Pope but three years before*, as a great grievance both to the Church and Realm of *England*, whereby infinite persons in the Realm were grievously oppressed and afflicted: Which induced Justice *Thurkeby* thus in open Court with great grief to cry out against both Papal and Regal *Non obstantes*, which subverted publick Justice, and then defiled, intoxicated Civil, as they had done Ecclesiastical Courts, with their sulphureous source and filth;

\* See here, p.  
666, 667.

\* Mat. Paris;  
p. 727.

\* *Parcitis paucorum diffundere crimen in omnes*.

This

This year the Bishop of *Durham* moving the Pope to resume the 3. Mannors settled upon his Predecessor *who resigned his Bishoprick*, for his better maintenance during his life, received a repulse and check from him, because it was done by the Bishops own, and his, and the Kings consent.

• Here p. 714.

Tempore quoque sub eodem, quidam adulatores pessimi, cupientes placere Episcopo *Dunelmensi Waltero*, Dominum Papam adierunt, dicentes, quod irrationabiliter facta fuit portio Episcopatus *Dunelmensis* Episcopo *Nicholao* cedenti, & quod ipse *Nicholans* ferè tertiam partem Episcopatus habuerat, unde petierunt Episcopatum vel redintegrari, vel saltem minus damnicari. Quibus Papa: Miramur super his. Nonne facta fuit distributio illa & partitio per magnam deliberationem & considerationem virorum peritorum, & consensum partium? **et res jam confirmata est per nos, et Regem Angliæ, et per Principes:** & cum esset tunc temporis Episcopus *Bathoniensis* in Curia, qui erat unus Provisorum, advocabatur ut veritatem testimonium perhiberet, qui cum omnia ritè facta fuisse testificaretur, repulsi sunt accusatores cum probis, & dum crederent partem dicti Episcopi *Nicholai* infirmasse, magis roborarunt. Et factum est, non sine dedecore Episcopi *Dunelmensis Walteri*, & Prioris & Conventus *Dunelmensis*, qui videbantur huic machinationi conniventibus oculis consensisse.

Mar. Paris Hist. p. 784, 785. Godwins Catalogue of Bps. p. 519, 520. Lis super portione Episcopi quondam *Dunelmensis*.

Some Abbots and Covents perceiving that B. shop *Grosthed* and other Bishops intended to vex and oppress them, by their new powers to visit them derived from the Pope, combined together to make a common purse to oppose and withstand them by Appeals to the Pope, whom they hoped would back them for money, as the Bishops combined together to withstand the Archbishops Visitation in his Province.

Anno quoque sub eodem, quidam Prælati & Religiosi Ecclesiarum Conventualium liquido temperientes, **quod undique quos solebant habere defensores, censerunt jam manifestos persecutores Episcopos, et Laicis ac secularibus nociviores, necnon Summum Pontificem, qui quanto potentior est, tanto gravior ad opprimendum, studuerunt confederari, ut alterutrum onera portantes, minus gravarentur.** Concederati sunt igitur cum Abbate & Conventu de *Waltham*, Conventus Ecclesie Episcopi *Cantuariensis*. Ipsum genus quoque subsidij & consolationis sibi impendi, tam ipsi, quam alij, à Cœnobio *Sancti Albani*, humilliter postularunt: of which more hereafter.

Mar. Paris Hist. p. 783. Confederatio aliquorum Religiosorum.

Notwithstanding this combination, *Grosthed* Bishop of *Lincoln* proceeded to visit both the Monasteries and Nunneries in his Diocese, with great severity and tyranny, thus related by *Matthew Paris* in his History.

Diebus quoque sub eisdem, Episcopus *Lincolniensis* Visitacionem fecit in domibus Religiosorum in Diocesi sua constitutis. In qua, si quis omnes tyrannides quas exercuit, recitaret, non levis, sed potius austerus et inhumanus censeretur. Cum enim inter cætera ad *Ramsiam* pervenisset, stipatus secularibus, in dormitorio lectos Monachorum in propria persona percutando, omnia circuit, universa revolvit, & si quid communium inveniret, demoliebatur, & quasi effractarius scrinia dissipans, ciphos quos invenit circularis vel pedibus redimitos, comminuit conculcatos, quos, si circumspicius fecisset, posset pauperibus integros erogasse. Et quod indignum est scribi, ad domos Religiosarum veniens, fecit exprimi mamillas earundem, ut sic physice si esset inter eas corruptela, experiretur. Addiditque horribiles maledictiones, quas super capita transgredientium statuta sua congestit, quas *Moses* scripsit, et benedictiones *Mosaicæ* super eos qui eadem fuerant obsecraturi. In Quadragesima vero sequente, suspensus est ab officio Episcopali, pro eo quod noluit admittere quendam *Italicum Anglicanæ* linguæ ignarum, ad quoddam opimum beneficium in Episcopatu suo. Sed hæc omnia fecisse creditur, ut subjectos de quorum animabus habet respondere à peccatis coerceret.

Mar. Paris Hist. p. 789. Visitatio Episcopi Lincoln.

Diebus etiam sub eisdem, Episcopus *Lincolniensis* facto scrutinio et diligenti inquisitione et excussione per suam Diocesim, beneficiatos cogit esse continentes, et suspectas etiam mulierculas ab ipsis longius amoveri. Transgressores autem per beneficiorum suorum privationem puniens, Episcopatum suum à vitiis studuit emundare. Precibus quoque blandis & austeris persuasionibus multos trahens & impellens, ad ordinem & officium subvexit sacerdotale.

Mar. Paris Hist. p. 799. Episcopus Lincolnensis puniit incontinentes, & multos sacæ Presbyteros,



Nota.

\* See here p.  
705, 706.

\* See here p.  
744, 745.

Mat. Paris Hist.  
Angl. p. 784.  
Decanus &  
Canonici Lon-  
dinenfes absol-  
vuntur.

Mat. Paris, p.  
786.  
Decanus &  
Canonici Lon-  
dinenfes Ex-  
communicantur.

Mat. Paris, p.  
787.  
Succiduntur  
nemora Archi-  
episcopatus  
Cantuariensis.

Mat. Paris, p.  
790.  
Decanus Lon-  
dinenfis Ro-  
manam Curi-  
am adiit.

\* Flores Hist.  
pars 2. p. 349.

tale. Frequenter quoque sermonem fecit populo, quem circum degentes sub poenis taxatis Sacerdotes convocatos, coëgit audire. **Improbos autem Romanos præceptum habentes Papale, ut eis prohiberetur, quasi venenum odisset serpentinum.** Dicebat enim, quod si animarum custodiam ipsis traderet, **Sathanizaret.** Unde sæpe projectis Literis Papalibus Bullis, talibus mandatis præcise contradixit.

These fierce illegal proceedings of his in Visitations, as well against Noblemen, Women, and other Laymen, as Monks and Religious persons, summoning them personally to make Inquisitions upon his Visitation Articles, and give in testimony against themselves and others upon Oath this year, notwithstanding former Prohibitions, occasioned the \* forecited complaints to, and Prohibitions, Attachments of the King against him, Claus. Anno 34 H. 3. m. 11. dorso, & Claus. 36 H. 3. m. 14. dorso, on which you may reflect, as his opposition against the Popes Provisions to Benefices, exasperated the Pope to suspend him from his Bishoprick.

As the Bishop of *Lincoln* vexed the Monks, Nuns, Nobility, Gentry, and Commons of his Diocese with his Visitations, Appeals to *Rome*, and Excommunications on the one hand; so the Archbishop of *Canterbury* molested the Dean and Canons of *Pauls*, and other his Suffragans, with his Excommunications and Suits, by his power, friends, and money in the Court of *Rome*, on the other hand; Excommunicating them afresh for one cause, as soon as they were \* absolved by the Popes command for another, to the great scandal of the Court of *Rome* and *English* Clergy, worrying and vexing one another with perpetual contests, thus recorded.

Eodem quoque tempore, Decanus Ecclesiæ Sancti *Pauls London.* & Canonici, de quibus in antecedentibus facta est mentio, auctoritate Domini Papæ, per Dominum Abbatem Sancti *Albani*, & per Dominum Abbatem de *Walsham*, & Archidiaconum Sancti *Albani*, sunt absoluti à sententia, qua Dominus Archiepiscopus *Cantuariensis Bonifacius*, ipsos innodaverat. Sed postea alia ratione sunt innodati; Thus related.

Tunc verò temporis, procuravit Archiepiscopus *Cantuariensis*, mediante Magistro *Enfachio de Len*, Officiali suo, (super quo mirabantur multi) ut Decanus, & memorati Canonici *Londinenses*, ratione proprioꝝum delictoꝝum denunciarentur excommunicati. Insuper, ut coram Papa apparerent, sunt citati. Ortum est igitur turpe scandalum, dum nunc ab his denunciabantur excommunicati in his, nunc in aliis ab his partibus absoluti. Canonici vero non mediocriter perturbati, omnes *Anglia* Episcopos super hac oppressione in magna mentis amaritudine precabantur, ut tanto impetui resistentes imminenti, cum paries proximus arderet, subvenirent. Rex autem, quia ipsum Archiepiscopum creaverat, & Regina, quia ejus fuit avunculus, erubescerent, non poterant ipsum Archiepiscopum, licet causa ejus fuisset injusta, relinquere desolatam. Who to maintain his suits, and feed the Cormorants at *Rome* to obtain his will, made havock of his Woods and Temporalities in *England*, residing at *Rome*, but exposing his flock to the rapine of Wolves, without taking the least care for their souls or bodies.

Temporibus quoque sub eisdem, Archiepiscopatus nemora succiduntur, homines depauperantur. Reditus vacantes ad arbitrium alienigenarum alienis distribuuntur, de quorum moribus vel scientia nihil constat distributoribus, & sic absente Pastore, oves lupis exponuntur.

On the other hand the Dean of *Pauls*, though aged, is enforced to travel to *Rome* to defend the Rights and Liberties of his Church, and purchase a new absolution.

Ipso quoque tempore, Decanus *Londinensis* ætate grandævus, toties pro libertate Ecclesiæ suæ vexatus, adhuc pro juribus Ecclesiæ suæ contuendis *Romanam* Curiam adiit, pro scandalo multiplici jam per Archiepiscopum exorto. Quos enim Dominus Papa præcepit absolvi, adversarii eorum ex parte Domini Papæ, præceperunt alia ratione excommunicari. Ita quod Laicis esset eorum lris, nec mirum, ridiculosa. Archiepiscopus *Cantuariensis* Canonicos *London.* eo quod illos visitare vellet, cum maximo gravamine potenter conatur confundere, (addes \* *Mathew Westminster*) tandem visitavit sed cum moderamine.

Neither were the Abbots and Covents lesse schismatical and litigious then the Bishops, Deans and Canons, persecuting, suing, yea murdering each other in sundry places,

places, of which \* *Matthew Paris* renders some sad instances, to the great scandal of Religion. I shall only instance one contest between the Abbot and Convent of *Westminster*, wherein the King withstood the Popes Bulls granted in the Abbots favour, to the prejudice of his Prerogative, discovering the insatiable avarice, rapine of the Pope and Court of *Rome*.

\* *Historiz Edit.*  
Lond. p. 752.

Diebus autem sub eisdem, ortum est scandalum in nobili Cœnobio *Westmonasteriensi*, eo quod discordia partibus nimis damnosa & indecens est exorta. Abbas enim, vir quidam literatus & prudens, conabatur factum antecessoris sui, *Authozitate Apostolica* iuritate, qui bona Ecclesiæ suæ in usus suos, & usus Conventus, ut majori pice gauderent, separaverat. Et summo conamine nitebatur, divisa solidare, & omnia nutibus suis inclinare. Et idcirco Dominus Papæ adherens, ipsum pedetentim sequebatur, et moram non minimam in Curia, non sine multarum expensarum profusione, continuabat. Unde propter suam prudentiam, facundiam, & elegantiam, inter familiares Papæ annumerabatur, & Capellanus Domini Papæ meruit esse & appellari, & multa de suo proposito ad votum impetrare. Quod audiens Conventus, non mediocriter formidare, ne quod prædecessor istius Abbatis, scilicet *Richardus* Abbas, piè ordinaverat, infirmaretur, & eorum conditio deterioraretur. Missis igitur aliquibus de Conventu præstantioribus ad Regem facta lachrymabili querela dixerunt ei: O Domine, Abbas, quem nobis habere fecistis, domum nostram imò potius vestram specialem, nititur perturbare, & quod ad quietem nostram ordinatum piè extulit, infirmare: vestrum est, domum vestram Regaleque vestrum domicilium protegere, ne nullo adversantium impulsu labes vel labor. Quibus Dominus Rex, addito magno Sacramento, ait: Nunquam certe prævalebit. Et concepta indignatione cum ira et odio palam protesta- tus est, dicens: *Pœnitent me fecisse hominem.*

*Mat. Paris Hist.*  
Angl. p. 790.  
Discordia inter  
Abbatem &  
Conventum  
*Westmonaster.*

Circa idem tempus Abbas *Westmonasteriensis* Domini Papæ Capellanus à Curia Romana rediit, non minimis debitis involutus et obligationibus innodatus: (by bribes to the Pope and Cardinals.) Moram enim diutinam in Curia continuaverat, & multorum Curialium sibi corda conciliaverat, ita quod cerè credebatur, quod cum Domino Papa penitus, quia vir fuit arduus idoneus satis consiliis, moraretur. Venit autem multiplici armatus potentia, ut Conventum suum suæ incurvaret voluntati. Et illico accedens ad Regem apud *Windesores*, ipsi celebriter nimis & Pontificaliter, Missam cantavit. Erat utique tam voce quàm corporali elegantia, vir desideriorum. Confidenter igitur Regem aggressus est, multorum potentum illi Literas ostendens, ut liceret ei totaliter domum *Westmonasterii*, quam Dominus Rex illi regendam commiserat, sane administrando gubernare, et divisa solidando possessiones redintegrare. Dominus Rex cujus cor aversum fuit ab eo, ipsum Abbatem obliquo ac torvo intuitu respiciens, elevata voce, multis irrecitabilibus probris lacessivit. Inter cætera improperans, quod ipsum immerito exaltaverat, addens, quod ad consilium suum arcanum inconsulte advocaverat. Et quomodo de tua fidelitate confidere possem, qui fratres tuos socios ab antiquo & commensales, gravare niteris & molestare? Et licet multi amicorum suorum, videlicet *Johannes Mansell*, & multi alii, quos longum esset nominare, intercederent pro ipso Abbate, Rex iratus valdè, ipsum tam à consilio suo quàm dilectione, expulit elongatum. Tandem Abbas molestè ferens Regis indignationem, consensit in arbitros, ut quod ipsi disponderent, si Domino Regi complaceret, ipse ratum haberet & acceptum, videlicet Comitem *Richardum* & *Johannem*. Quod Conventus, licet ipsi duo Abbati fuissent amicissimi, benignè acceptavit, & Rex benè comprobavit. Ipsi igitur, post multas disceptationes, penitus Conventus desiderio & postulationi excluso Abbate, consenserunt: Quia sic Regi sciebant complacere. Sed hæc controversia hoc anno non terminabatur.

*Mat. Paris Hist.*  
Angl. p. 793.  
Adventus Ab-  
batis *Westmo-*  
*nasterii* à Cu-  
ria Romana.

Rex igitur misertus Conventus *Westmonasteriensis*, qui tot gravamina & damna jam per multos annos toleraverat, concessit benignè eidem, ut vacante Abbacia *Westmonasteriensis*, disponatur liberè de possessionibus ipsum Conventum contingentibus, quas consuevit Rex in manu sua retinere, in magnum damnum domus & gravamen, donec Abbas ibidem ordinaretur. Et super hoc, talem eisdem Monachis Chartam confecit. Which I find likewise entred in the \* *Classe Rolls*.

*Mat. Paris, p.*  
*814, 815.*  
Privilegium  
Regis Conven-  
tui *Westmona-*  
*steriensis* con-  
cessum.

\* *Par. 36 H. 3.*  
m. 3. intus.

HENRICUS

Charta Regis  
Angliæ, pro  
Priore & Con-  
ventu Westm.

**H**ENRICUS Dei gratia, &c. Omnibus ad quas presentes Litera pervenerint, salutem. Cum bona Abbatis Westmonasteriensis & ejusdem loci Prioris & Conventus discreta sunt ab invicem, & separata, volentes indemnitati & tranquillitati eorundem Prioris & Conventus providere, contedimus eis pro nobis & Hæredibus nostris, quod quotiescunque Abbatiam vacare contigerit per cessionem vel decessum Abbatum suorum, habeant ipsi Prior & Conventus liberam administrationem de bonis suis separatis: salva nobis et Hæredibus nostris tempore vacationis prædictæ domus custodia de bonis ad prædictos Abbates pertinentibus. In cuius rei testimonium, &c. Teste meipso apud Sanctum Edmundum, Anno Regni mei trigésimo sexto. Hæc autem acta sunt apud Sanctum Edmundum, ubi Dominus Rex, ad magnum domus illius incommodum, ferè tribus septimanis morabatur infirmatus.

Mat. Paris Hist.  
p. 814, 815.  
Regis furor in  
Abbatem West-  
monasteriense.

After this, Dominus autem Rex, timens ne Abbas *Westmonasteriensis* Curiam Romanam, quam jam benè noverat, ut Domini Papæ Capellanus, contra ipsum, maxime quia idem Abbas appellaverat, exasperaret, & domum *Westmonasteriensem* irremediabiliter debitis obligaret, concessit in ipsum probra iterum & maledicta in ira magna, quæ constat fuisse nulla subnixâ veritate, sed ipsa solummodò iracundia ebullire. Fecit insuper Dominus Rex per totam *Londinensem* Civitatem voce præconia acclamari, ne quis Abbati *Westmonasteriensi* quomodolibet pecuniam accommodaret, nec scripto vel sigillo ejusdem fidem aliquatenus adhiberet. Quod in magnum opprobrium Abbatis videbatur redundare. Hujus autem rei auditores universi supra modum admirantur, quod de Regi amicissimo factus est Abbas reprobis & alienus. Prout Poëta introducit amicam de amico conquerente dicere:

*Alter in alterum jactantes lumina vultus,  
Quærebant taciti, nosse ubi esset amor.*

This Writ of the King I find extant on Record, running in these words.

Claus. 36H.3.  
m. 14. dorso.  
De Monasterio  
Westmonaster.

**R**EX Omnibus & singulis Mercatoribus ultra-marinis *London*, commorantibus, salutem. Quoniam Monasterium *Westmonaster*, quæ nostra Capella est, & cuius sumus Patroni, specialiter reputamus nostrum, & speciali diligimus affectione, nolentes illud ære nimis obligari alieno, vobis præcisè mandamus, quod Monachis ejusdem Monasterii super sigillum Capituli, sine nostro, & Abbatis consensu, nec etiam ipsi Abbati, nostro assensu serequisito, pecuniam ullam mutuare præsumatis. Hoc idem locis vestris in Curia Papali, seu alibi commorantibus intimantes. Teste Rege apud *Rading*, 17 die Junii.

I pretermitt the complaints to the King by the Nobility, Commonalty and others of the Diocese of *Lincoln*, against the Bishop, his Deans and Officials, for vexing them with Citations from place to place, and enforcing them to make Inquisitions and give testimony against their wills upon Oath, and the memorable forecited Prohibitions issued to him thereupon, which you may peruse p. 705, 706.

What strange Dispensations for Pluralities and Commendæ the Pope then granted to Foreigners and unworthy persons (and the King by his example) to the oppression of the *English* Clergy and Religious persons, and how one ill president, usurpation, *Non obstante* produced another, will appear by this relation.

Mat. Paris, p.  
794.  
Adventus electi  
Wintoniensis  
in Angliam à  
Curia Romana.

Eodemque tempore, electus *Wintoniensis* *Ethelmarius*, de partibus veniens transmarinis cum Comitatu copioso & pomposo, applicuit in *Anglia*. Cui adventanti Rex lætabundus cum nobilibus, & præcipuè *Pictavensium* multitudine copiosa occurrit. In qua fuerunt fratres ejus *Willielmus de Valentia*, & *Gulfridus de Lizinnem*, Rege tertio existente, mutuo applaudentes, & in crastino Sanctæ *Mariæ Magdalene*, scilicet die Dominica, festo factò celeberrimo *Wintoniæ* convivabantur, & sic devoluta est magna jam *Angliæ* Nobilitas, exclusis indigenis, ad alienigenas. Auxit autem causas lætitiæ gratia Papalis, quam sibi electus memoratus comparaverat cum gratia Regali, quam singulis fraternus excitaverat. Quibus cooperantibus, meruit obtinere redditus prius obtentos, quæ ad plusquam mille marcarum summam ascenderunt, quas ipse egenus electus, dignos-

citur



citur ex fratribus sui Domini Regis extorsione possedisse. Nulla enim creditur fuisse notabilis Ecclesia, de cujus uberibus in Anglia lac non creditur exuisse. Unde huic libello quiddam, quod lachrymas excutere debeat ab oculis audientium, duximus inferendum. Abbas Ecclesie Sancti Albani per extorsionem Domini Regis satis enormem & impudentem, ad opus Simonis de Norwico Clerici de Pincerna sua, solvit de Camera sua centum solidos. Ipso nempe Simone vicesimo anno sequente decedente, & vix sepulto, postulavit idem Dominus Rex precibus armatis, ut translatus redditus ille quendam alium & alienum saginaret. Quod & invito Abbate & ingemisciente factum est. Rogaverat insuper Dominus Rex, ut fratri suo Aimerio jam Wintoniensi electo decem marca annua de Camera concederentur ac solverentur. Ipso igitur Aimerio in Præsulatum Wintoniensem electo, illico postulavit, ut cuidam Clerico Pistavensi, ipse eadem decem marca, quas per aliquot annos receperat Aimerius memoratus, facta tali translatione, Dominus Rex non erubuit postulare. Quod in periculum Ecclesie, præter damnum, dignoscitur redundare. Sic enim servitus indelebilis & damnum irreparabile subrepere minabatur. Et præter hæc, alias quamplures & pluries multas & multiformes Ecclesie beati Prothomartyris Anglorum Albani injurias & gravamina, Rex tyrannizans non est veritus irrogare. Quæ scribenti, tedious foret enumerando scribere, & auditoribus audire foret onerosum. To which \* Matthew Westminster subjoyns; **Prælati et viri Religiosi, Papa jubente, et Rege spoliante, in ultimam servitutem detruduntur. Hæc detestabilis adjectio (Non obstante) enerbat Sanctorum scripta et facta.**

\* Anno 1351.  
P. 249.

How strangely and unworthily this Pope, against his own former expresse Bulls and Grants, not to grant *Provisions* to *Italians* and other *Foreigners* in succession, presumed by his *Non obstante* to grant *Provisions* to them of any Churches voyd or to be void, in the gift of Abbots and other Religious persons, against their Charters, Priviledges; and what great scandal and schism they produced, inducing men to depart from the Pope and Church of *Rome* as *Antichristian*, this Bull of Pope *Innocent*, and subsequent relation will inform us.

Tempore quoque sub eodem, transmisit Dominus Papa Abbati sancti Albani literas sub hac forma. INNOCENTIUS Episcopus, &c. Dilectis filiis Abbati & Conventui S. Albani, Lincolnienfis Diocesis, Salutem & Apostolicam benedictionem. Cum dilectus filius Iohannes de Camecana, nepos & Capellanus noster, Ecclesiam de Wengrave, in qua, sicut intelliximus, ius patronatus ad vos dignoscatur pertinere; discretionem vestram affectione paterna rogamus, per Apostolica vobis scripta mandantes, quatenus eidem Capellano, dictam Ecclesiam cum alia Ecclesia primo vacatura, qua ad presentationem vestram spectare noscatur, quam etiam dictus Capellanus vel ejus procurator duxerit acceptandum, commutetis, illam donationi nostre nihilominus reservando. Inhibitione seu reservatione quælibet non obstante, aut etiam indulgentia illa quæ dicitur Anglicis esse concessa; Ne beneficia Clericorum Italicorum cedentium vel decedentium, immediate alicui Clerico Italicæ conferantur. Datum Lugduni, secundo Idus Decembris. Hoc verò huic libro duximus inferendum, ut legentibus innotescat, quot angariis et injuriis nos miseros Anglos exagitat curia Romana. Dependens enim hujus literæ tenorem, multiplicem poterit considerare contemptum, injuriam, et oppressionem. Sed ut Apostoli adimpleatur sententia comminatoria: Nisi prius venerit discessio, non revelabitur filius iniquitatis. Ecce causa, ecce materia quare recedunt corda, etsi non corpora, a patre nostro Papa, qui in vitricalem exasperatur austeritatem, et a matre nostra Ecclesia Romana, quæ in novercalem delabitur persecutionem.

Mac, Paris Hist.  
p. 791.  
Indignæ Literæ  
Papales.

Nota.  
2 Thel. 2.

Whereupon \* Matthew Paris gives us this Character and Epitome of this year 1251. in relation to the Pope, and Court of Rome.

\* Hist. p. 801.

Transit igitur annus illæ frugifer & fructifer usque ad sufficientiam, & potius abundantiam quamvis procellolus, turbidus, & fulgure formidabilis. Domino vero Papæ et curiæ Romanæ, laboriosus, sumptuosus, et propter transmigrationem periculolus.

Annalis Copulatus.

The

The Pope pilling and polling the Bishops, Archbishops, and extorting great summs of money from them, for their confirmation in their Sees, (no Symony or sin at all in his Holiness, but a Papal vertue) to make them some recompence to reimburse their monies, granted them not only Licenses to hold all their former Livings and Revenues in *Commenda* with their Bishopricks, but likewise to extort annual pensions from their Clergy who had benefices, to their great oppression; as in the cases of Archbishop *Boniface*, *Grosthead*, *Arhelmar*, and others forecited, so of the New Bishop of *Rockester* Anno. 1252.

Anno 1252.  
Mat. Paris  
p. 804.  
Episcopus Ros-  
fensis colligit  
quintam par-  
tem reddituum  
suorum subje-  
ctorum.

Anno quoque sub eodem, scilicet primo quo creatus extitit, adquisivit sibi Episcopus *Roffensis* adhuc novellus à curia *Romana*, ubi notus fuerat, ob hoc quia Domini Regis ibi diu extiterat procurator, potestatem, non sine multorum admiratione, extorquendi a beneficiatis in suo Episcopatu quintam partem reddituum suorum usque in quinquennium: licet idem Episcopus pristinos redditus suos, quos antequam ad Episcopatum promoveretur ex indulgentia Papali sibi retinisset: necesse enim habuit, ut asserui, Episcopatum suum exilem a paupertate relebare. Opprobrium enim ei videbatur, quod ille Episcopatus inter omnes *Anglia* Episcopatus pauperimus diceretur, et a *Karleolensi* jam superaretur. Erigebat igitur sibi summam memoratam exhsberi, non secundum estimationem bonorum Ecclesiasticorum a subjectis, sed quocunque modo ex bonis Ecclesiasticis emergentium.

The Pope under pretence of relieving the King of *France*, who was taken captive in the Holy Land, and the distressed Christians there, but in truth to promote his own designs, earnestly pressed the King of *England*, to expedire his voyage to the Holy Land which he had long delayed, retarding others who were ready to march to its assistance. Who joyfull of his opportunity, made good use of it for his own advantage to pillage both the *Jews* and *Christians*. Thus related.

Mat. Paris Hist.  
p. 801.  
Papa animat  
Regem Angliæ  
ad Peregrinandum.

Ipsius quoque diebus, misit dominus Papa Domino Regi *Anglia* persuasoriam & efficacem valde Epistolam, ut idem Rex viriliter accingeret, & sine damnosa dilatione ad *Terram sanctam* adjuvandam, & ut Domino Regi *Francorum* auxilium præstolanti, oportunum ac festinum impenderet adminiculum. Quod si nollet, saltem alios transfretari & peregrinari paratos & desiderantes, non impediret. Hæc autem clausula finalis adjecta fuit, quia quosdam Magnates *Terram sanctam* adire paratos, in magnum damnum & jacturam eorundem, retardavit. Dominus autem Rex, ut Papali desiderio & persuasioni obtemperaret, à *Judeis* quicquid ipsi miseri habere videbantur, non tantum abradendo vel excoriando, sed eviscerando extorsit. Auri quoque sititoz *Hydropicus*, talenta, vel crusta, aut scallia, adeo abide tam a *Christianis* quam *Judeis* emunxit, ut videretur *Grassum* a mortuis nobis resuscitatus.

To colour this his rapine the better, to make all his subjects believe he really intended a speedy passage to the Holy Land, and induce them to take up the crosse, to extort more money from them by dispensations with their vows.

Mat. Paris Hist.  
p. 807.  
Rex Angliæ  
jurat peregrinaturum in  
Terram Sanctam.

Anni quoque sub ejusdem circulo, die videlicet Lunæ, quæ ipsam diem præcedit proximo quem *Hokedai* vulgariter appellamus, fecit Dominus Rex omnes *Londonenses* à minimo usque ad maximum voce præconia convocari, præcipiendo sub edito Regio ut omnes ad *Westmonasterium* voluntatem suam audiri convenirent. Quibus congregatis, iussit Rex, ut *Wigorniensis*, & *Cicestrensis* Episcopi, & Abbas *Westmonasteriensis*, sermonem facerent populo solennem nimis & efficacem, de cruce suscipienda. Ad quorum prædicationem, propter *Romana* curiæ varias pecuniæ extorsiones et illusiones, pauci de civibus vel compatriotis crucem susceperunt. Veruntamen de curialibus, *Richardus* de *Gray*, *Johannes* frater ejus, & *I. de Plexeto*, ad crucis susceptionem avolarunt. Quos illico Rex accurrens cum amplexibus, osculabatur, vocans eos fratres suos. Et objurgans vocavit *Londonenses* ignobiles mercenarios, eo quod eorum pauci crucem susceperunt. Audacissimi autem hanc, imo pertinaciam *Roma* parturivit, eo quod a Papa

a Papa jam impetraverat, ut per triennium decimam reciperet a Regni clero et populo, quæ si colligeretur, ad plusquam sexcenta millia totalis ejus summa ascendere, in perpetuum Regni detrimen- tum, videretur. Unde dictum est secretius, quod piis mentibus est incredibile, \* ipsum non ob aliud Regem crucem humeris susce- pisse, nisi ut regnum tali argumento bonis spoliaret. Tamen pas- sagium suum juravit à die sancti *Johannis Baptista* in sequens triennium, nisi morte vel gravi infirmitate vel alia rationabili causa impediretur: (by which conditions inserted he easily evaded his Oath.) Et jurans hoc, apposuit manum suam dexteram ad pectus suum more sacerdotis, & postea supra Evangelia apposita, & osculatus est ea more laici. Nec tamen hoc circumstantes reddidit certi- ores. Præteritarum enim transgressionum memoria, suspicionem in præsentibus suscitabit.

\* As the event demonstrated.

The Pope to animate the King to undertake this voyage, (at least wise in pre- text) had granted him a new Triennial Disme upon the Clergy of *England and Ire- land*, towards this expedition, whereupon the King summoning the Bishops of the Province of *Canterbury*, to appear before him to collect and levie this Disme, they all made answer, that they could not do it without the Archbishops assent who was their head (then absent at *Rome*,) wherefore the King sent this Writ unto him for his assent and assistance in promoting this affair.

**R**EX Archiepiscopo *Canuariensi* salutem. Cum passagium nostrum juravimus & statuerimus à festo nativitatis beati *Johannis Baptista* proximo venturo, in quatuor annos, et Dominus Papa nobis concesserit per literas suas decimam Ecclesia- sticorum proventuum trium annorum in Regno *Anglia*, & aliis terris nostræ diti- oni subiectis, per Triennium ante idem passagium colligendam, suffraganeos vestros ad nostram nuper præsentiam convocatos rogavimus, ut mandato Apostolico, cujus transcriptum sub sigillo Abbatis *Westmonasteriensis* vobis mittimus, liberaliter assen- tirent. Qui dixerunt; se super prædicto Mandato sine vobis, qui eorum estis honorabile caput, nobis ad plenum non posse respondere. Quo- circa paternitatem vestram de qua specialiter confidimus affectuose rogamus, quatinus cum hujusmodi negotii exordium à vobis dependeat, dictæ collectioni per Tri- ennium ante dictum passagium annuere velitis, literas vestras patentes al- sensum vestrum testificantes super dicta Collecta, juxta mandatum Apostolicum faciendum, tam nobis quam diocesis suffraganeis vestris nobis transmittentes, rogantes eisdem ut vestra non expectata præsentia, dictum negotium, quod potissime desideratis expedi- ri, optato curent effectui mancipare. Teste Rege apud *Westm.* 15. die *Maii*.

Claus. 36 H. 3.  
m. 16. dorf.  
Archiepiscopo  
Canuar. pro.  
Rege.

Ten dayes after he issued this Writ to the Archbishop of *Tork*.

**R**EX Archiepiscopo *Eboracensi* salutem. Paternitatem vestram rogamus quatinus per fratres prædicatores & minores, ac alios quos videritis idoneos, prædicati- one Crucis diligenter insistatis prout melius videritis expedire, juxta mandatum Apo- stolicum vobis inde directum, et redemptiones votozum cruce signatorum nec non legata relicta, obventiones, et cætera omnia ex quacunque cau- sa subsidio terræ sanctæ deputata concessa et concedenda, quæ Do- minus Papa tempore cruce signationis nostræ nobis concessit, per vos vel alios colligi, et in loco competenti et securo deponi faciatis, nobis assignanda, sicut plenius in literis Apostolicis nobis et quibus- dam aliis Episcopis Regni nostri directis continetur. Teste Rege apud *Merton* 26. die *Maii*.

Claus. 36 H. 3.  
m. 15. dorf.  
De prædicatio-  
ne Crucis.

Eodem modo scribitur *Canuariensi* Archiepiscopo, *Horsford. Elyensi, Dunelm. & Norwic.* Episcopis, & Abbati *Westm.*

The



The King soon after having taken a solemn Vow to passe to the Holy Land, by a prefixed day, (though not intended as the event discovered) issued this Writ to the Archbishops of *Ireland* to promote the Collection of those Dismes, the Pope had there granted him for that voyage.

Claus. 36 H. 3.  
m. 17. dorso.  
Hibern.

**M**andatum est *Cassalensis* Archiepiscopo, quod quia Rex firmavit passagium suum in *terram Sanctam* ab instanti festo *nativitatis Sancti Johannis Baptiste*, in quatuor annos, quod prædicationem de cruce assidue, per fratres prædicatores & alios idoneos fieri faciat, & permittat Collectores *Regis* legata promissa, et redemptiones de Cruce, ac ea, quæ de cruce signatis et aliis sunt concessa, colligere et unire.

Eodem modo mandatum est *Tuamensis* Archiepiscopo.

Et mandatum est Archiepiscopo *Dublin* quod decimam de Clericis beneficiatis per Consilium *I. filii Galfridi Justic. Hibernie* uniri faciat.

Et mandatum est *Mauritio* filio *Geroldi* quod magnates de terra *Hibernia* inducat, quod iter suum cum Rege aggrediantur.

Eodem modo Mandatum est *Justic. Hibernie*.

Eodem modo Mandatum est *I. de Frisney*.

He likewise sent this Writ to *Boniface*, Archbishop of *Canterbury* to promote this affair.

\* Claus. 36 H.  
3. m. 17. dorso.  
De gratia Do-  
mino Regi con-  
cessa per Do-  
minum Papam.

**R**E X Venerabili in Christo Patri B. eadem gratia *Canuariensis* Archiepiscopo totius *Anglia* primati, salutem. Cum in subsidium sanctæ tetraz nobis sit ab Apostolica sede concessa decima proventuum Ecclesiasticorum Regni *Anglia*, ac aliarum terrarum quæ sunt nostræ jurisdictioni subjectæ, per triennium, et vos ac venerabiles patres *W. Eborum* Archiepiscopum, *Hereford. Elyens. & Dunelm.* Episcopos Dominus Papa dederit executores, ut postquam passagium nostrum fuerit statutum & juratum, per biennium ante idem passagium decimam ipsam cum redemptionibus votorum, legatis reliatis, vel alio modo concessis subsidio prædictæ sanctæ tetraz à tempore cruce signationis nostræ, si non aliis fuerint ipsa legata, concessa vel assignata, per vos ipsos Archiepiscopum & Episcopos, & alias idoneas personas colligantur, & locis tutis deponantur, et ea nobis integre cum heraripuerimus transmarinum assignentur, sicut per transcriptum priorum literarum Domini Papæ prædicta continentium, vobis & prædicto, Archiepiscopo directarum quod vobis transmittimus, plenius perpendere poteritis: Verum cum passagium nostrum jam statutum sit & juratum, & in posterioribus literis Domini Papæ, quarum transcriptum vobis similiter mittimus, quæ quidem literæ Archiepiscopis & Episcopis per Regnum *Anglia* constitutis diriguntur, contentum sit; Quod collecta prædicta fieri possit per triennium ante passagium prædictum, & vobis expediat quod maturius fiat quam in Prioribus litteris continebatur, eo quod subditiendi *Sanctæ tetraz* ardens in nobis desiderium accenditur, Paternitatem vestram non minori quam possimus affectione, quatinus sicut de vobis habemus fiduciam indubitam, voti nostri, nec non & itineris tam salutiferi, velitis esse Coadjutores. Dantes in mandatis subditis vestris, quod instanti festo sancti *Michaelis* proximo venturo prædictam collectam incipiant usque ad consummationem prædicti termini proficiendam, scribentes suffraganeis Episcopis vestris & aliis vobis subditis, quod quantum in vobis est assentiat collectioni dictæ decimæ faciendæ in prædicto festo. Precantes eosdem, quod ipsi ad hoc consentiant, & subditos suos efficaciter inducant. (The Popes grant without their consents being not binding to them) Teste, &c.

Eodem modo scribitur Episcopo *Hereford*.

To promote this collection the better, the King issued these two Mandates to the Priors of the *Freers Minorites* and *Preachers*, to send a sufficient number of *Preaching Freers* of their Order to him, who had skill to preach and promote this *Croisado*, (not *Jesus Christ* and him crucified) they being then the prime instruments to advance, collect the *Popes* and *Kings Taxes, Exactions*, under a pretext of *Devotion*, but in truth for their own gain and preferment.

Mandatum

**M**andatum est Ministro Fratrum *Minorum* in *Angliā*, quod in 15. Pasch. proximo futuri venire faciat ad Regem usque *London*. sufficientem numerum prudentum Fratrum, qui habeant scientiam prædicandi de Cruce, pro negotio ejusdem Crucis. Teste Rege apud *Maiden*, 12 die *Martii*.

Claus. 36 H. 3.  
m. 22. dorso.

Eodem modo mandatum est Priori ordinis Fratrum *Prædicatorum*.

The King the better to promote his design; to induce his Subjects to take up the Crosse, and pick their purses by this pious Papal pretext, indulged these Priviledges to such as should crosse themselves, commanding the Archbishops and Bishops to see them published in their respective Diocesses, by the Frees Minorites and others employed in that service.

**R**EX Archiepiscopo *Eborum*, salutem. Volentes Crucesignatis gratias facere speciales, concedimus, & præsentibus Literis protestamur, quod omnes Crucesignati & Crucesignandi de Regno nostro, qui in propriis personis suis nobiscum in *Terram Sanctam* proficiscuntur & potentes sint ad pugnandum, de cætero sint immunes à præstatione usurar. in *Judaismo* nostro. Et quod omnes Crucesignati & Crucesignandi de eodem Regno habeant in Curiis nostris celerem justiciam de omnibus querelis suis, quantum leges terræ nostræ permittunt. Et quod nullus Crucesignatus vel Crucesignandus compelli possit ab aliquo ad plus præstandum in subsidium *Terræ Sanctæ*, quam promiserit in sumptione Crucis, & modo quo promiserit: Rogandos igitur vos duximus quatenus ista Suffraganeis vestris communicetis, & per Fratres *Prædicatores* & *Minores*, & alios ad negotium Crucis deputatos ac deputandos, per Provinciam vestram publicari faciatis. Teste Rege apud *Merleberg*. 24. die *Julii*.

Claus. 36 H. 3.  
m. 11. dorso.  
Pro crucefig-  
natis.

Eodem modo mandatum est *Cicestrensi* Episcopo, nisi quod terminatio Literarum illarum quæ diriguntur Episcopis est; Et volumus quod ista publicentur per Fratres *Prædicatores* & *Minores*, & alios ad negotium Crucis deputatos & deputandos. In cujus, &c. Teste ut supra, & debet ista clausula intrare ante illam clausulam, Rogandos igitur *R. Exon*. Episcopo, *A. Winton*. electo.

The King soon after sent these ensuing Letters to the King and Queen of *France*, the Patriarch of *Jerusalem*, the Archbishop of *Tyre*, the King of *Cyprus*, with other Princes, and to the Master of the *Templers* and *Hospitalers*, concerning this his intended voyage to the Holy Land, thus recorded.

**E**xcellentissimo Principi *L. Dei gratia Regi Franciæ, H. eadem gratia Rex Angliæ*, &c. salutem. Requisiti dudum per Literas vestras, quod adventum nostrum acceleraremus in succursum *Terræ Sanctæ*, recolimus Serenitati vestræ rescriptisse, quod si terras nostras per vos & Progenitores vestros occupatas freti salubri consilio nobis redderetis, passagium nostrum acceleraremus, & personam & res nostras exponeremus in obsequium crucifixi, ad honoris vestri incrementum. Et si cet jam passagium nostrum sit juratum, et certo tempore statutum, idem tamen passagium anticipabimus, potenter nos accingendo ad prædictæ terræ succursum, dum tamen occupata prædicta nobis benigne restituantis. Quod vestræ Regiæ dignitati ad salutem cedit perpetuam, & ad laudem famæ temporalis. Teste Rege apud *Westm.* 8. die *Junii*.

Pat. 36 H. 3.  
m. 7. dorso.  
De crucefig-  
natione Regiæ.

**R**EX *M. Reginæ Franciæ*, salutem. Noverit dilectio vestra, quod passagium nostrum in *Terram Sanctam* statuimus à Nativitate Sancti *Johannis Baptista*, Anno gratiæ 1232. in quatuor annos. Et si placeret Domino vestro Regi *Franciæ*, quod terræ nostræ a prædecessoribus suis, et ab ipso occupa-

Pat. 36 H. 3.  
m. 7. dorso.

tæ nobis restituerentur, proculdubio maturius passagium nostrum pareremus, potenter nos accingendo ad honorem crucifixi, et Domini vestri, et totius Christianitatis commodum et honorem, quod quidem ei scire faciatis, ipsumque efficaciter inducatis ad prædictam restitutionem nobis faciendam. Nos enim ex tunc sine moræ dispendio terminum

passagii nostri anticipabimus, & manu valida ad perpetuum crucifixi & Domini vestri honoris incrementum. Teste ut supra.

Pat. 36 H. 3.  
m. 6. dorso.

**R**EX R. Dei gratia Patriarchæ *Hierosolym.* salutem. Cum caractere Crucis sumus insigniti, & pungat nos negotium *Terra Sanctæ* stimulis interioribus, in 15. Paschæ, Anno gratiæ 1252. præsentibus pluribus Magnatibus Regni nostri, firmavimus passagium nostrum certum terminum eidem assignando, videlicet, à Nativitate Sancti *Johannis Baptistæ*, ejusdem anni in quatuor annos, ad quem terminum per auxilium *Jesu Christi*, nos ad ipsius Domini servitium accingemus, quod intimare poteritis Magnatibus *Terra Sanctæ*, prout vestra viderit discretio expedire. Scire etiam vos volumus quod si illustri Rex *Francia* terras nostras a *Progenitoribus suis*, et ab ipso occupatas nobis restituerit, indubitanter passagium anticiparemus. Teste Rege apud *Westm.* 6. die Junii.

Pat. 36 H. 3.  
m. 6. dorso.  
Item de negotio Crucis.

**E**odem modo mandatum est Archiepiscopo *Tyrensi*, *Tb. Regi Cypri*, *Boemund. Principi Antioch.* & Com. *Tropol. A. Etton*, Regi *Armen. Constan.* *Bajulo Arm. Johanni de Ibellen.* Com. *Jopen.* *Johanni de Fogis* Constab. *Acon.* *Philippo de Montforti*, *T. Domino Tarron.* *J. Cesar.* Consuli & Communitati *Jannun.* Consuli & Communitati *Pisan.* Consuli & Communitati *Venetorum.*

Pat. 36 H. 3.  
m. 6. dorso.

**E**odem modo scribitur Magistris *Templar. Hospitalar.* & domus *Hospital. Tenton.* cum hac adjunctione. Cæterum cum bonas ut. audivimus habeatis in domo vestra naves, vos rogamus attentè, quatenus meliores naves & fortiores quas habetis præparetis nobis commodandas. Ita quod præparentur & munitæ sint, nautis & armamentis convenienter per unum annum ante passagium nostrum, ut equi, arma & alia quæ promittere volumus in *Terram Sanctam* salvè valeant in eis deferri; providentes, quod cum applicuerint servientes nostri cum prædictis præmissis salvas habeant domos, & receptacula secunda quibus se cum rebus prædictis, usque ad adventum nostrum valeant receptari, & anno sequenti remittantur naves prædictæ, quibus nos ipsi cum sequacibus nostris valeamus securè transfretare: Tam sollicitè vos habentes circa prædicta, quod per experientiam addiscamus quam ferventem habeatis ad succursum *Terra Sanctæ* devotionem, & versus personam nostram affectionem. Teste ut supra.

The Archbishops, Bishops, and Clergy being very averse and backwards to assent to, or levy the Triennial Disme granted by the Pope to the King, towards his voyage to the *Holy Land*, he thereupon summoned all or most of them then in *England* to a Parliament at *London*, where he pressed them to give their assents to the Popes grant for his supply; the proceedings therein, and great oppositions made against it by the Bishops and Lords, is thus at large related by our Historians.

Mat. Paris Hist.  
Angl. p. 811,  
812, 813.  
Magnum Parliamentum  
Londoni habitum.  
See Matthew  
Parker, Holinshed,  
Grafton, Speed, Daniel.

Festo autem beati *Edwardi* imminente, (quod de consuetudine Dominus Rex consuevit semper in magno Comitatu & apparatu splendido celebrare) convenerunt, veluti ex Fdicto Regio convocati, totius *Angliæ* Prælati ferè universi. Omnes nempe Episcopi, præter *Cestrensem* valetudinarium, & Archiepiscopum *Cantuariensem*, qui in partibus tum temporis agebat transmarinis, simul & *Herefordensem*, & præter Archiepiscopum *Eboracensem*, qui ob incertam nobis causam, nisi fortè quia remotus abest, remansit, ibidem præsentem exsistere. Protulit igitur in medium Dominus Rex coram omnibus ibidem congregatis, Papale mandatum, omnibus Regni æmulatoribus exosum & detestabile. Quod videlicet contulerat Dominus Papa totam Regni decimam, videlicet proventuum totius Ecclesiæ *Anglicanæ*, de potestate sibi à Deo concessa, per triennium, ad Regia viatica peregrinationis, adjuncto magnæ verbo offensionis, scilicet, non secundum æstimationem Ecclesiarum præstamam, sed secundum æstimationem novam ad inquisitionem strictissimam, ad voluntatem et arbitrium Regiorum satellitum et extortorum faciendum, qui acute nimis et damnum Ecclesiæ inestimabile, et servitutem perpetuam procurantes, suis semper primum propriis, deinde vero etiam Regis emolumentis inhiarent. Argumentosè igitur Regii Nuntii Episcopis congregatis supponentes, quod tali ac tantæ contributioni consensissent, vulpina calliditate exigebant, quod soluta pecunia duorum annorum, secundum Papale mandatum, pecunia tertii anni ante peregrinationem



nem, licet hoc in Papali mandato autentico non contineatur, pecunia totaliter, secundum formam prætaxatam collecta, solvatur peregrinatur, vel saltem ejus pars dimidia, Regi benigna gratuitate ac benignitate gratuita concederetur. Tunc enim, ut dicebant, Dominus Rex versus Orientem iter dirigeret & vexilla. Quod cum inter alios Episcopus \**Lincolniensis*, admirans verba tam venerata, & ad subversionem Ecclesiæ intoxicata, audiret, in ira magna respondit: O quid est hoc pro nostra Domina? Vos ex inconcessis proceditis. Supponitisne vos, quod nos in hanc maledictam contributionem consenserimus? Absit hæc à nobis ad *Baal* genuum incurvatio. Cui electus *Wintoniensis* ait: **Pater, quomodo poterimus resistere voluntati Papali ac Regiæ? Unus impellit, alter attrahit.** Consenserunt *Franci* in hoc casu contributioni contumeli, ut videlicet Regi suo peregrinatur subvenirent. Fortiores nobis sunt, & ad resistendum consueverunt esse proniores. Et nos qualiter valemus illis resistere? Ad hæc respondit iterum *Lincolniensis* Episcopus: Eo ipso resistendum est, quod *Franci* contribuerunt. **Vnus enim actus inducit consuetudinem.** Præterea, luce clarius videmus, prohodolo! qualem finem sortita est tyrannica Regis *Francorum* extorsio pecunialis. Terreant nos exempla præambula. Ne igitur et Rex et nos gravem Dei offensam incurramus, pro me dico voce libera, huic injuriosæ contributioni contradico. Sententiæ igitur huic consensum præbuerunt alacriter et incunctanter, *Londinensis*, *Cicestrensis*, *Wigorniensis* Episcopi, et electus *Wintoniensis*, et fere omnes alii. *Sarisburiensis* autem fluctuabat. Et addidit *Lincolniensis* Episcopus, **Supplicemus omnes Domino nostro Regi, quatenus de salute animæ suæ sollicitetur, impetum tantæ refrænanans temeritatis.**

Hæc autem omnia cum fida relatione nunciarentur Domino Regi, quasi furia infectus, nec se præ ira capiens, vocem cum clamore exaltavit, & omnes, qui in sua Camera fuerunt, velut furiosus aufugavit. Tandem suis familiaribus aulicis ipsum blandius mitigantibus, significavit Prælati, **quatenus non quasi Domino proterbienti, et de præcepto Papali exigenti, sed tanquam supplicanti, et Jesu Christo in Terra Sancta militaturo, et in ipsam pro honore universalis Ecclesiæ peregrinatur, competens auxilium pecuniare liberaliter et benigniter largirentur.** (A clear demonstration, that the Pope had then no legal Authority to impose any Disme or Tax upon the Clergy by his Bulls; for the King himself, without their common consent thereto.)

Quod cum Prælati renunciaretur, mitius se habentes, responderunt: Credimus indubitanter, quod si Dominus Papa veraciter intelligeret, quot angariis, quot exactionibus damnosis *Anglicana* gravatur et opprimitur Ecclesia, nunquam talia Dominus Rex in curia *Romana* impetrasset. Et si ipsum Dominum Papam super his plenius certificemus, haud dubito factum suum, nec est mirandum, tanquam ex suppressa veritate, et suggesta falsitate deceptus, illico revocaret. Nunc enim Dominus Rex per Forestarum suarum ampliationes, nunc per Justiciarios suos itinerantes, nunc novis placitis excogitatis, nunc modis aliis Regnum suum depauperat. Quo exinanito, necesse est consequenter Ecclesiam quoque depauperari & egere. Quid de Prælati referemus, quos idem Dominus Rex in nobilibus intrudit Ecclesiis? Quam miserabiliter extorsit bona terræ, suis *Cantuariensis* Archiepiscopus *Bonifacius*, qui se propterea debitis tot finxit obligatum, ut sine totius Ecclesiæ *Anglicana* adjutorio non poterat ullo modo respirare? Nec adhuc cessat Dominus Rex, ipsi modo fas est talia recitare. Quotidie aliis atque innumeris argumentis Regnum suum & Ecclesiam, contra sacramentum & juramentum suum primitivum, tam pecunia quam libertate privare antiqua & consueta. Et præterea iam ab omnibus creditur et dicitur, quod non ob aliud, ut videtur, se Cruce signabit, nisi ut hoc nobis modo et prætextu omnem substantiosam in *Anglia*, quæ remansit, valeat asportare; sicque redigat mellissimum, et abundantissimum *Angliæ* Regnum, in desertum: vel saltem subrogatis et introductis alienigenis, suis incolis viduet in

\*Ubi Rex auxilium pecuniare postulat, Episcopus autem *Lincolniæ* Robertus primo contradixit, postea alii animati per eum resistunt. Mar. Westm. p. 250.

Rex Angliæ iratus, à suis aulicis mitigatur.

Respondent Prælati blandè petitioni Regis

eo natis et educatis. Nonne dudum in pueritia sua, quando in Regem feliciter creabatur Crucem utique patris sui Regis *Johannis*, tunc etiam Crucesignati humero suo pro ipso assumpsit, unde timendum, ne ipsam Crucem eodem modo, & ea intentione Dominus iste Rex, qua Pater ejus eam assumpserat, patris sine assumpserit. Ut & iste Rex videlicet, quod absit, suos supprimat, & contrariat naturales & fideles subditos. Veruntamen quicquid hactenus egerit, quantumcunque Ecclesiam *Anglicanam*, & Regnum suum *Anglia* oppresserit & affixerit, quod postulat a nobis adhuc impendimus & desiderio suo pro posse obsecundabimur, si quod multoties promisit, **velit chartam toties pactam, totiesque debitam libertatum nobis juratarum inviolabiliter posthac observare.** Necnon & aliam chartam conficere, ne alia vice sub pretextu hujus gratia talia exigat, ut Ecclesia *Anglicana* tam execrabili tributo & exactioni supponatur. Ceterum requirimus, ut si concedatur pecunia, quam Dominus Rex in presentiarum nunc a nobis petit, & exigit, colligatur diligenter ac fideliter ad opus Domini Regis utiliter distribuenda, **in Terram Sanctam profecturo, prout fidelibus suis cautius solito videbitur expedire, et sic eadem pecunia Domino Regi liberetur.** Hæc autem propterea addebant, quia totum thesaurum suum quem ab *Anglia* Dominus Rex extorserat, indammum Regni & suorum fidelium periculum, in usus hostium & inimicorum suorum tam prodigialiter quam prodigialiter distribuerat; ac si arma sua quis hostibus suis in suum sponte distribuat detrimentum & exitium. Hæc salubriter inter filios pacis Prælatos tractabantur, ut hæc Regi ex parte eorum significarentur.

Rex proposito persistet.

Postquam Domino Regi talia ex parte Prælatorum nunciarentur, & plenius intermeante Episcopo *Sariseniensi* recitarentur, ita incanduit vehementiori: **cozzugansque nates, juravit horribiliter, quod nunquam dum vitales aures carperet, in talem mergeretur servitutem.** In hoc patris sequens vestigia pedetentim. Significavit autem eisdem iterato, si aliter vellent respondere, quam sic tergiversando. Sed ne frontosè viderentur, cum præcisa negatione respondisse, Domino suo Regi dixerunt, se non posse plenum aut perfectum consilium inire absque Domini *Cantuariensis* Archiepiscopi, qui totius *Britannia* primas esse dignoscitur, & Prælatorum omnium *Anglia* excellentissimus, præsentia & assensu, & Domini Archiepiscopi *Eboracensis*, qui primus, vel de primis est totius Regni, consensu & Providentia, quorum unus in partibus agebat transmarinis, alter absens in partibus remotis commorans causis ignotis impeditus. Upon which Answer the King issued the \* premised Writs to the Archbishops of *Canterbury* and *York*.

\* See here p. 767, 768.

Mat. Paris Hist. p. 823, 824. Rex digreditur ad materiam.

Rex igitur pecunie factus sititor avidissimus, ad solitas vulpinas fraudis versutias conversus, quos non potuit in consilio communi frangere congregatos, cogitavit divisos frangere sigillatim. Vocavit igitur, antequam a *London* recessissent, soluto Concilio memorato, *Elyensem* Episcopum, ut cum ipso seereticus loqueretur. Adventanti igitur Episcopo, Rex reverenter, & honorifice nimis assurgens advocavit eum, & cessit ei ut juxta ipsum eundem Episcopum familiariter collocaret. Et satis humili, & sereno vultu, ait ad eum, Domine Charissime Episcope, difficile mihi foret omnia beneficia, liberalitates, & obsequia mihi a vobis multoties impensa recitare. In Provinciam enim itinere laborioso ac periculoso, ut mihi uxorem meam adduceres, sumptibus propriis vestris animo libenti perrexisti. Mihi insuper in ultramarinas partes profecturo semel & iterum auxilium efficax infatigabiliter impendisti. Quid plura? Nunquam auxilio indigui, quin prompto favore meam præveniretis, vel saltem prosequeremini indigentiam. Nunc autem plusquam unquam vestra indigeo munificentia & solita benignitate. **Assumpsit enim, ut vestra nobis paternitas, Crucem Domini humeris meis, pro honore universalis Ecclesiæ, et Regni prosperitate in Terram Sanctam magnifice bajulandam.** Cujus peregrinationis vos meos fideles, & benefactores desidero & oro specialiter fore participes. Supplico igitur modis omnibus quibus possum, quatenus in bonum cæteris exemplum me in instanti necessitate quæ multas postulat expensas juvare non omitteretis, aliorum teporem non respicientes. Ego verò nacta temporis opportunitate, vobis in uberibus beneficiis condignam rependam vicissitudinem. Episcopus autem in hac stabilis existens temptatione, istis nugatoriis sermocinationibus, respondit dicens (subti-

cens

gens moderatè damnum sibi illatum de nundinis S. *Aetheldredi* pro nundinis S. *Edwardi*, apud *Westmonasterium* innovatis) Domine, si aliquando vobis servivi, multum mihi complacet, sed noverit serenitas vestra, quod à forma quam universitas compromisit, & in fide propositum roboravit, nullatenus volo nec valeo, quia inhonestum mihi foret, recedere vel sequestari. Si autem nos Prælati, vestro voluntario impetui succederemur, Ecclesia depauperaretur, & in læsionem fidei ac Sacramenti vestri **perpetuè servituti subiaceret ac tributo**. Ad memoriam si placet revocandum est, qualiter Sancti multi pro Sanctæ Ecclesiæ libertate feliciter exularunt & gloriosè occubuerunt interempti. Quid beatum *Thomam* commemorem Martyrem gloriosum? quid successorem suum beatum *Edmundum* nobis contemporaneum? Coruscant copia exemplorum, quæ omnia in vestrum opprobrium redundare comprobantur. Terrere vos deceret Regis *Francorum*, vobis pro speculo à Deo demonstratum, qui extortam à Regno suo pecuniam in suam hostibus distribuit redemptionem, & inde nostros inimicos, scilicet *Saracenos*, amplius saginavit. Unde qui prosequuntur nos veloces erant, & qui oderunt nos victores gloriantur. Imo armis & pecunia nostra dñati gratulantur. Et quicquid de Rege deinceps contingat memorato, opprobrium indelebile contraxit ex præteritis, scilicet, quod Christianorum Nobilissimus præda factus est *Saracenis*, propter quod nonnulli à fide recedentes (pro dolor!) apostatarunt. Et hæc omnia rapinæ impunitas prætaratæ.

Cum autem hæc audisset Rex, quasi alto vulnere saucius, nec adhuc rationi adquefiscens, exclamavit inordinatè nimis, dicens Ministris; Ejicite rusticum hunc, ejicite, & ejectum excludite ut amplius coram me non compareat; **qui et solamen mihi denegat, et jubamen**. Et sic qui ingrediens satisturialiter fuerat advocatus, probis exitu lacessitus. Simili quoque modo quorundam aliorum quos secretius ad se fecit accersiri, moliebatur constantiam enervare, quorum verba licet pondere non carentia, causa brevitate præterimus. Hac autem versutia summopere conabatur Prælatorum sibi mentes inclinare, ut sic consequenter Nobilium Corda ad consensum suum incurvaret contributionis, sed ipsorum Consilium a Prælatorum sententia dependebat.

Rex noluit rationi acquiescere.

Eodemque die venit Electus *Wint.* ad Dominum Regem fratrem suum ut valedictio licentias repatriaret. Rex autem non prout decuit ipsum facie serena appellavit, nec assurrexit sicut consuevit venienti. Cui ait Electus, Domine, mihi videtur, solvitur Concilium, patefactum est vobis prout ut mihi videtur Prælatorum incommutabile propositum. In procinctu sum, ut de vestra licentia redeam præmaturus. Non enim placida mihi est in hac urbe mora diuturnior: Domino Deo vos commendo. At Rex. **Et ego te Diabolo vivo**. Deberes mecum stare, etsi totus mundus mihi adversaretur, qui frater meus es uterinus. Et ego te malo grato Dei & ejus Sanctorum, & eorum ad quos spectat de jure electio promoveri, & ad tantam prope dignitatem, ut nulli de Clerico in divitiis secundus in *Anglia* videaris. Cui electus de illepidio verbo commotus, respondit. Domine, annis sum juvenis, placere vobis quia me creasti, ut & ego factus sim puerilis, absit ut ab universitatis quæ Dominum & vestrum honorem diligit sententia recedam. Et sic recessit ad iracundiam provocatus.

Mat. Paris Hist. p. 814. 815. Constantia Wint. Clericorum.

Rex autem eodem tempore a Civibus *Londinensibus*, qui secundum Chartarum suarum tenorem, & antiquam consuetudinem fore deberent liberrimi, viginti Marcas auri precibus extorsit imperiosis, velut a servis ultimæ conditionis; ut jamjam viderentur servilibus *Judeis* paulò minus æquiparari; besides other oppressions there at large related.

Lond. solvunt viginti Marcas Regi.

Interim igitur tam Papæ quam Regi in sua tyrannide mutua favorem et fomentum præbenti, ira suscitatur, et odium internum accumulatur, quos omnes molesti hominum vocabunt perturbatores; ut quasi completum videretur illud Apostolicum, *Nisi discessio venerit, non revelabitur filius iniquitatis*. Jam utique imminet discessio manifesta, etsi non corporum, cordium tamen (quod gravius est) exasperatio fere Generalis contra *Romanam* Ecclesiam suscitatur, et igniculus extinguitur devotionis.

Mat. Paris Hist. p. 804.

2 Thes. 2.

The



The King receiving a peremptory denial of this Triennial Disme from the Bishops, as aforesaid: Rex igitur ne viderentur quidam Magnates qui jam illuc adveniant inaniter fuisse convocati, districtè tractatum suscitavit, quid agendum de terra sua *Gasconia*, &c. Et dum super his inter omnes anceps penderet sententia, Rex in calce sermonis, auxilium pecuniare ac militare redibit spiritui instantissime flagitavit sibi peregrinato impendi, ac Christo pro salute communi militaturo. Ad quod communiter responderunt quod eorum responsio à Prælatorum responsione dependebat, nec voluerunt ab eorum assertionem discrepantes sequestrari. Et sese mutuo intuentes, secreto auribus instillarunt dicentes: Quæ spes rationabilis istum erigit Regulum, qui nunquam militari edoctus disciplina in Martio certamine, equum admisit, gladium eduxit, hastam vibravit, aut Clypeum ventilavit, ut triumphet, ubi capto *Francorum* Rege occubuit militia *Gallicana*, aut in qua confidit temeritate terras transmarinas potenter acquirere quas possessas nequivit retinere! Et sic cum magna indignatione oburgantes, et asserentes ipsum natum tantum ad pecuniam emungendam crumenis evacuatis, et debitis multiplicatis, ad propria remeant.

Mat. Paris Hist. p. 825, 826. Solvitur Concilium cum Regis indignatione. Exitus Concilii.

Solutum igitur cum Regis, Cleri, & Magnatum indignatione Concilio, Rex iram & odium præcordiale thesaurizavit; credens hæc omnia sibi facta & dicta in spiritu maligno & exoso, malignam materiam parturire. Unde incorrigibilis, adhuc quæ conceperat tempore nato oportuno, circinando proposuit consummare.

Solutum est igitur Concilium; Rex hinc inde, tam contra Magnates, quam contra Prælatos, ira succensus vehementi; cogitavitque Legatum vocare, qui Clerum compelleret ad prædictæ postulationis contributionem auctoritate Apostolica; licet grave foret tributum, et Ecclesiæ servitus nova et intolerabilis. Et sic mala malis imminabant: cumulanda. Taliter igitur *Causis* & *Judeis*, & aliis creditoribus impinguatis; Prælati cum Magnatibus elitellis evacuatis, dolentes et egentes, recesserunt.

This year the Bishop of *Lincoln* out of a pious zeal endeavouring to enforce many who had Benefices in his Diocese, to take upon them the Order of Priesthood against their wills, they thereupon collecting a great sum of money, sent it to the Court of *Rome*, and therewith procured a license to teach School for some years, without taking Orders, money being there more prevalent than piety, or the peoples souls.

Mat. Paris Hist. Angl. p. 806. Beneficiarii renuunt ad Sacerdotium promovere.

Diebus quoque sub eisdem, cum multi Beneficiarii in Diocesi *Lincolniensi*, persuadente efficaci admonitione Episcopi *Lincolniensis*, ut ad gradum Sacerdotii volentes aut nolentes promoverentur, fuerunt multi colla jugo Domini supponere super hac forma renuentes, qui contributionem communi assensu inter se colligerent, thesaurumque non minimum coadunantes, ad *Romanam Curiam* miserunt, et Papali auctoritate, effusa pecunia quæ multum in ipsa Curia potest, huic Episcopali decreto resisterunt; et licentiam impetrarunt, per aliquot annos sine Sacerdotio Scholas exercere. Et sic specie honestatis, de sub jugo Domini colla vulpinis calliditatibus excusserunt.

He likewise out of his hatred to Religious persons, (write the Monks) after long expectation obtained a Bull from this Pope, to augment the small scandalous endowments of Vicaridges in Churches, appropriated to Religious Houses throughout his Diocese, which procured their hatred against him, rather than pure real love.

Mat. Paris Hist. Angl. p. 813. Episcopus *Lincolniensis* potestatem impetrat à Papa vicarios ordinandi.

Sub ejusdem autem anni circulo, Episcopus *Lincolniensis Robertus*, ut Religiosorum proventus mutaret, & partes vicariorum adaugeret, hujusmodi mandatum à sede Apostolica ante expectatum est adeptus.

**I**NNOCENTIUS Episcopus, &c. Venerabili fratri *Lincolniensi Episcopo*, &c. Cum, sicut accepimus, in tua Civitate & Diocesi nonnulli Religiosi & alii collegiati Ecclesias Parochiales in proprios usus obtineant, in quibus nimis exiles, aut nulla taxata sunt vicaria, fraternitati tuae per Apostolica scripta mandamus, quatenus in eisdem Ecclesiis de ipsarum proventus vicarias instituas, et institutas exiles adaugreas vice nostra:

nostra: prout juxta consuetudinem patrie secundum Deum videris expedire. Non obstantibus si predicti exempti sint, aut alias muniti Apostolicis privilegiis, sive indulgentiis, per quae id impediri vel differri possit: et de quibus speciale oporteat in presentibus fieri mentionem: contradictores per censuram Ecclesiasticam, appellatione postposita, compescendo. Datum Lugduni, 7 Calend. Octobr. Pontificatus nostri anno octavo.

Episcopus igitur memoratus (plus, ut dicitur & videtur, in obitum Religiosorum, quam vicariorum dilectionem et promotionem) multis hujus auctoritate mandati Religiosis damna intulit & gravamina.

Simili quoque modo, imminet jactura magna nobili Ecclesiae Sancti Edmundi Regis & Martyris, cum ventilata fuisset causa de Manerio de *Mildenbale*. Et ut brevibus concludamus, sic jam vergit mundus ad praedas et rapinas, ut quicumque Religiosis aliquid extorqueat, non demereri, sed mereri potius videretur.

Mar. Paris Hist. Angl. p. 812. Periculum imminens Ecclesiae Sancti Edmundi.

Mar. Paris Hist. Angl. p. 834. Jactura & infamia Ecclesiae Sancti Mariae Eboraci.

Tempore quoque sub eodem, subiit Abbas & Conventus Ecclesiae Sancti Mariae Eboraci, maximam cum infamia jacturam, propter quandam Chartam quam adversarii eorundem (quorum maximus fuit *Johannes Franciscus* Clericus Regis de Scaccario) judicarunt fore reprobendam. Creditur autem indubitanter eundem *Johannem*, qui natione Borealis, redditus suos de bonis Ecclesiae memoratae in partibus illis sitienter desideravit ampliare, illud secus quam animae suae expediret procurasse, cum scribatur, *Va homini, per quem aliquod scandalum generatur*. Coacti sunt igitur, maximam pecuniae summam Regi numerare. Insuper terras & redditus opimos, perpetuo amittere, & infamia indelebili deturpari. Dispersi sunt igitur Monachi & illa nobilis Ecclesia omnimodam induens confusionem, discrimini patuit & ruinae. Simili quoque modo, Abbatiam de *Selebi*, ob causam consimilem memoratus persecutor *Johannes* (quem ultro Dominus monoculaverat propter praecedentia merita) irreparabilibus damnis laesit.

How the Popes example in conferring Ecclesiastical Benefices on *Italians* and other illiterate persons, unfit for the Ministry, and no wayes minding the cure of souls, by his *Provisors*, induced the King to do the like, this Narrative will inform us.

Rex autem solitis insistentis deliramentis, eschaetas & redditus vacantes quasi in hujusmodi contradictionis ultionem, alienigenis ignotis, illiteratis, scurrilibus, & penitus indignis non destitit distribuere, ut sic suorum naturalium corda insanabilis sauciaret. Et si de aliis sileamus, unum huic volumini duximus annotandum, Capellano siquidem fratris sui *Gulfridi de Lixinum*, quo utebantur Dominus Rex, & Dominus ejusdem Capellani *Gulfridus* memoratus, & tota eorundem Curia tanquam stulto & nebulone infatuato, ut ejus nugis veluti jocalatoris desipientis, & clavigeri omnes cachinnarent, contulit Dominus Rex bonam Ecclesiam de *Prestona*, quae fuerat *Willielmi de Haverhulle* Regii Thesaurarii nuper defuncti, cujus fructus annui ad pretium plusquam Centum Librarum ascendere dignoscuntur. Istum nempe Capellanum natione *Pictavensem*, mores ac Literas penitus ignorantem, vidimus lapidantem Dominum Regem & *Gulfridum* fratrem ejus, & alios Magnates, dum in Pomærio Sancti *Albani* spatiarentur, cespitibus, lapidibus, & pomis viridibus, & acerbis uvas in oculos eorundem exprimentem, tanquam expertem rationis. Gestu quoque, verbis & habitu, necnon corporis qualitate & quantitate despicabilis, histrio potius quam Sacerdos in dedecus ordinis Sacerdotalis poterat judicari. Ecce quibus Dominus Rex multa animarum millia committit et committi procurat custodienda, spernens tot literatorum, tot discretorum, tot idoneorum, quam *Anglia* genuit, numerositatem. Quae et linguam novit indigenarum, et ruditatem infornare. Similiter & alia Ecclesiarum beneficia, quae ejusdem *Willielmi* memorati extiterant, contulit Rex inconsulte, velut ad provocandum sponte iram et odium dignorum, indignis et ultramarinis, quorum insufficientiani et inutilitatem gestus inordinati, et verba non tantum scurrilia, sed delirica et obscœna reprobos indicabant. Hanc autem materiae digressionem, genialia suspiria elicerunt.

Mar. Paris Hist. p. 823, 824. Rex redditus vacantes distribuit indignis.

How;

How proud, insolent and refractory to our Kings, the great possessions, Liberties, Franchises granted by Kings to Prelates and Religious persons, made them, will appear by this answer of King *Henry* the 3d. to the Master of the Hospital of St. *Johns of Hierusalem*; the true cause why he began to check and controule them by *Non obstantes*, by the Popes example.

Mat. Paris Hist.  
p. 826, 827.  
Verba Magistri  
Hospitalis cum  
Rege habita.

Tempore quoque sub eodem, Magister *Hospitalis Hierosolymitani* in domo de *Clerkenwelle*, in pace expectans donec tempus quietis idonee inveniret confabulandi cum Rege, de quadam manifesta injuria ipsi illata querulus patefecit: *Chartas* quoque Regum & suam de protectione ostendit. Cui Rex voce elevata, iratus respondit, praevio magno Juramento: *Vos Praesati et Religiosi, maxime tamen Templarii et Hospitalarii, tot habetis Libertates et Chartas, quod superfluae possessiones vos faciunt superbire, et superbientes insanire. Revocanda sunt igitur prudenter quae imprudenter sunt concessa, et revocanda consulte, quae inconsulte sunt dispersa.* Et addidit; *Nonne Dominus Papa quandoque, imo multoties factum suum revocat? Nonne appposito hoc repagulo, Non obstante, Chartas cassat praecedentes? Sic et ego infringam hanc et alias Chartas, quas praedecessores mei, et ego temere concessimus.* Cui Magister *Hospitalis*, quem Priorem appellant, respondit alacriter vultu elevato: *Quid est quod dicis, Domine Rex? Absit, ut in ore tuo recitetur hoc verbum illepidum & absurdum. Quamdiu iustitiam observas, Rex esse poteris; & quam cito hanc infregeris, Rex esse desines.* Ad quod Rex nimis incircumspecte respondit; *O quid tibi vult istud, vos Anglici! vultis ne me, sicut quondam patrem meum, à Regno precipitare, atque necare precipitatum?*

The same year the Pope to promote his own designs to the prejudice of the King, in vindicating his Rights in *France*, and to empty Earl *Richards* coffers, and imploy him in his Wars, by proffering him a Crown, which he had no lawfull title to dispose of, like the Devil when he tempted our Saviour to fall down and worship him, sent his Notary into *England* to effect these designs.

Mat. Paris Hist.  
Angl. p. 829.  
Albertus Papae  
Notarius venit  
in Angliam.

Circa festum quoque Sancti *Martini*, venit Magister *Albertus* Domini Papae Notarius in *Angliam*, qui jam biennio elapso venerat, quando scilicet parabatur Rex *Francorum* transfretare, ex parte Domini Papae prohibiturus, ne Rex *Anglorum* terras Regis *Francorum* Deo militaturi quomodolibet infestaret. Causa autem adventus sui, multos latuit in principio; sed effectus per opera causam postea patefecit. Dominus autem Papa, sciens Comitem *Richardum* fratrem Domini Regis praeter omnibus optimatibus Occidentis pecunia abundare (non curans qualiter adquisita) satis astute providit, ut ipsum ad Regnum *Apuliae, Siciliae, & Calabriae* eligeret et vocaret, ut ipse Comes Papae militans, exposita sua pecunia dubilis Partis casibus, et corpore suo periculis praesentato, haec omnia adquireret ad *Romanae Curiae* emolumentum, et thesauros in sui damnum maximum accumulandos. Hujus fretus sophistica deceptione, qui dixit, *Hac omnia tibi dabo, si cadens adoraveris me.* Moverat enim Papa, quod Comes *Hydrophis* pecuniali insatiabiliter laborabat, et dignitate temporali. Tali igitur edulio hamum recurvum fecit concupiscibilem, quo credidit eum citius inescare. Et tunc mysterium manifestatum est, quare Dominus quondam apud *Lugdunum* tantum honorem fecerit Comiti *Richardo*; ut cum ipso prudenter collateraliter, & tantum applausum ei fecerit, ut omnes mirarentur; sed non credebatur aliquatenus à quampluribus, ut consentiret aliquatenus Comes Papalibus promissionibus; tum quia corpore sanus & integer nullatenus extitit, tum quia in armis strenuus nec exercitatus extitit, tum quia inhonestum videretur nepotem suum *Henricum* supplantare, tum quia certa pro incertis non est sapientis commutare. Sed haec omnia Dominus Papa tollerabilia, sed nec inconvenientia fuisse judicabit. Sciendumque, quod ea die qua Comes *Richardus* epulabatur cum Papa, captus est infelici sidere Rex *Francorum*. Hoc mihi haec scribenti, idem Comes assertive narravit. \**Matthew Westminster* addes, Sed cum Comes exigisset securitatem, videlicet quaedam castra Domini Papae & obfides ut esset in possessione, & aliqua saltem securitate de Papali promisso:

\* Anno 1252.  
p. 150, 151.



misso. Respondit *Albertus* se Papam super hæc convenire. *Albertus* interim multa sibi beneficia acquisivit, quibus acquisitis, transalpinauit: Et audita (Dominus Papa) Comitibus responsione, noluit aliquod propositum continuare de præmissis.

I find that the King upon this Popes proffer of the Kingdom of *Sicily* to Earl *Richard* his Brother, returned him special thanks: assenting that he should grant to his Brother, or his Heir, a competent Ayde from the Clergy of his Realm to gain this Kingdom, alwayes saving the Ayde formerly granted to himself for his voyage to the Holy Land, thus entred in the Clause Rolls.

**S**anctissimo in Christo Patri *Summo Pontifici, H. Rex Anglia*, salutem. Ecclesie *Romana* matri nostræ & præcipue piæ Paternitati vestræ quantas potest humana devotio referimus gratiarum actiones, de eo quod *Richardum* Comitem *Cornub.* præ cæteris mundi Magnatibus elegistis ad culmen Regni *Sicilia*, quod inter cetera Regna magnum esse cognovimus, tacentes nos in ipsius exaltatione non mediocriter honoratos. Verum cum venerabilis vir Magister *Albertus* Notarius vester nos, ex parte vestra curiosè sollicitaret, quod ipsius fratris nostri negotio, circa prædictum Regnum adquirendum consilium & auxilium impenderemus, non immemores omnium bonorum & gratiarum specialium, quæ multociens ab Ecclesia *Romana* suscepimus, ut filii grati & devoti acceptamus, quod a Cleto Regni nostri præfato Com. vel Heredi suo negotium acquisitionis ejusdem Regni prosequenti competens auxilium impertiat. Salva nobis per omnia gratia vestra concessa, et si placet concedenda ad negotium crucis, quod assumpsimus exequend. Teste Rege apud *Westm.* 23. die *Januarii*.

Clauſ. 37 H. 3. m. 18. dorſo. De Literis directis Domino Papæ.

Bishop *Groffhead* being suspended his Bishoprick this year by the Pope, for opposing his provisions, and trampling them under his feet, as you heard \* before, caused his Clerks to make a diligent inquiry to what an annual summe they amounted to, who found them to exceed about 70. thousand Marks, and treble the summs of the King ordinary revenues, wherewith he enriched his kindred and attendants three times more then any his predecessors had done.

\* Here p. 761, 762.

Ipslo quoque Anno in tantum permissa est *Romanorum* avaritia, et in tantum adeo ascendisse, quod Episcopus *Rob. Lincolnensis* super hoc stupefactus, fecit a suis Clericis diligenter computari et considerari alienorum proventus in *Anglia*, per istum Papam, scilicet *Innocentium* promotorum, et inventum est et veraciter compertum, quod nunquam aliquis prædecessorum suorum in triplo aliquos sui generis vel patriæ tot ditaverit: et quod iste Papa præsens videlicet *Innocentius* quartus, plus Ecclesiam Universalem depauperaverat quam \* omnes prædecessores a tempore Papatus primitivi (propterea manifeste patet in lugubri querimonia quam posuerunt *Franci*, contra Papam pro suis intolerabilibus oppressionibus: quæ reducta est in scriptum Epistolæ admodum prolixæ, As *Matthew Paris* addes in his *Historia minori*.) Redditusque Clericorum per ipsum in *Anglia* alienorum, quos Ecclesia *Romana* ditaverat ad plusquam 70. Millia *Barcarum* ascendit. Redditus Regis merus, non ad ejus partem tertiam computatur.

Max. Paris Hist. p. 832. Max. Westm. p. 251. Episcopus Lincolnensis facit computare redditus alienorum in Anglia.

\* Here p. 753.

\* See Sir Roger Twyſden's historical vindication p. 59. 60.

As this Pope multiplied his Provisions in *England*, more then all his predecessors, so did he likewise in *France*, as the French agent told him to his face this year, in the name of the whole Realm, who by a publick letter and remonstrance, thus protested against his intollerable innovations, oppressions, which they neither would nor could tolerate any longer.

\* Addimento- rum Max. Paris f. 135. Hist. An. 1252. p. 287. Sir Roger Twyſden his historical vindication p. 59. 60.

\* Dicturus quod inunctum est mihi, certè non multum temporis elapsum est, ex quo Dominus Papa *Alexander*, persecutionis cogente incommodo, venit in *Franciam*, confugiens ad subsidium inclytæ recordationis Regis *Ludovici* patris Regis *Philippi*, à quo benigne susceptus est, & stetit ibi diu, & fortè vivunt aliqui qui viderunt eum: ipse tamen in nullo gravabit Ecclesiam *Gallicanam*, ut nec unam solam præ-

bendam aut aliud beneficium ipse Papa dederit ibi, sed nec aliquis prædecessor suus, nec multi etiam de successoribus dederunt in sua Auctoritate beneficium aliquod, usque ad tempora Domini Innocentii 3. qui primus assumpsit sibi jus istud: in tempore suo, Rebera dedit multas præbendas, et similiter post ipsum Dominus Honorius, et Dominus Gregorius simili modo fecerunt, sed omnes prædecessores vestri, ut publice dicitur, non dederunt tot beneficia ut vos solus dedistis. &c. as well in England as in France.

Annalis Con-  
clusio.

We therefore might *Matthew Paris* thus conclude this year in relation to England. \* *Anglia* vero ab alienigenis conculcata, et multis Dominis inclinata, sui que Regis sincera dilectione viduata, extremis quoque subjacens conditionibus, inconsolabiliter contabuit desperata. Et quod gravissimum est, diatim inter Ecclesiam et populum odium venenosum suscipit incrementum.

And here before I proceed further, I shall present you with the opinion of our learned judicious Antiquary (a) *Sr. Roger Twysden* of the Originall, & progresse of Papall provisions in England; After his Relation of the deprivations of *Anselme*, and *William*, elected Archbishops of *Canterbury* and *York*, by the Pope upon appeals An. 1136. and between 1142. and 1152. (the two first Elections nulled by Papall authority in England.) he subjoynes,

a An historical  
vindication of  
the Church of  
England, c. 3.  
sect 65. 66. 67.  
68. 69. 70.

b *Joh. Hagulst*  
col. 276. 8.

c *Mat. Paris*  
An. 1107. p.  
222. 40.

d *Diceto* col.  
507 53. & 508.  
20.

e *Mat. Paris* An.  
1106. p. 214. 44

f *Bulla Gregorii*  
9. apud *Mat.*

*Paris* An. 1129  
p. 355. 46.

g *Mat. Paris*,  
p. 335. 44.

h Additamenta  
*Mat. Paris* MS.

in Bibliotheca  
Cotton. f. 133.

cui initium;  
Dicturus quod

in junctum est  
mihi.

i Here p. 777.

k *Roger Hoveden* f. 453. b.

l 454. b. 2.

Geivall. *Doro-*  
*bern.* col. 1682.

27. in *Vita*  
*Huberti.*

l See here Book  
3. ch. 2. p. 234.

to 238.

m In antiquo  
MS. *Bullarum*

*Romanorum*  
Pontificum *Ar-*

*chiepisc.* Cant.  
*Bulla* 6 Honor.

3.

(b) Here I may observe, that at first when even the Pope made void an Election, he did not take upon him to appoint another in the place vacant, but either sent to the Clergy of the same Church to chuse another, as those to whom it appertained; so did (c) *Eugenius*, to *York*, when *Henry Murdac* was chosen, *Innocentius* 3d. when *Stephen Langton*, or else the Bishoprick lay vacant, as *London* after *Anselme*, from 1139. to 1141. But Elections being with much struggling settled wholly in the Clergy, and *Innocentius* 3. having by definitive sentence excluded the English Bishops from having any part in that of the Archbishop of *Canterbury*, they becoming wholly appropriated to the Chapters, and Cathedrals, the Pope began to creep in, & ex concessa plenitudine Ecclesiasticæ potestatis, as he speaks, without any formality of choice, to conferre not only Bishopricks, but other Ecclesiastical promotions, within the precincts of Dioceses, by that meanes to fill the fat benefices of the Nation. The first Archbishop of *Canterbury* promoted by this absolute power of the Church of *Rome*, seems to have been *Richard* Anno 1229. non electo sed dato ad Archiepiscopatum.

The French *Agent* in his Remonstrance to *Innocent* 4. attributes the beginning of these Collations to *Innocent* the 3. (whose words forecited he recites at large, with those of *Matthew Paris*.) By which it appears, that great liberty the Pope took in conferring Ecclesiastical preferments within the Dioceses of others, took its rise from *Pope* *Innocent* 3. and as it seems to me, not at the beginning of his time; for Anno 1199. *Gelardus* Archbishop of *St. Davids* coming from *Rome*, quia idem *G. Mekevensis* Ecclesiæ in *Curia Romana* se dicebat electum, hoc ipsum cassavit Archiepiscopus, & alium sacrauit Canonice electum: though he afterwards bestowed on him a Church of 25. marks; and this in a case the Pope had so earnestly espoused, as he writes to the Bishops of *Durham*, *Lincoln*, and *Ely*, si Archiepiscopus sæpè dictum *Gelardum* consecrare differret, ipsi Apostolica autoritate freti, illum consecrare non differrent; which yet the Archbishop as against the English Liberty, did not doubt to oppose and disannull.

But this it continued not long, for *Honorius* the immediate successor to *Innocentius*, showing such as served the Apostolick See, and resided with it were worthy, congruis beneficiis honorari, and were therefore possessed of divers both in *England* and other parts, w<sup>th</sup>. they did administer with so great care, quod non minus beneficiantibus quam beneniciatis utiliter est provisum, unde, quia nonnunquam beneficiatis hujusmodi decedentibus beneficia quæ obtinuerunt, inconsultis hiis ad quos eorum donatio pertinebat aliis successivè collatis, perpetuo illis ad quos pertinent videbantur amitti, propter quod etiam in murmurabant plurimi, et alii se difficilliores ad conferendum talibus beneficia exhibebant: Nos volentes, super hoc

con-

congruum remedium adhibere, ne cuiquam sua liberalitas sit dampnosa, per quam potius meruit gratiam & favorem, statuimus, ut Clericis Ecclesiæ Romanæ, vel aliis *Italicis*, qui Præbendas vel Ecclesias, seu alia Ecclesiastica beneficia in *Anglia* obtinent vel obtinuerint, à modo decedentibus, Præbendæ vel Ecclesiæ, seu alia beneficia nequaquam à nobis vel alio illa vice alicui conferantur, sed ad illos liberè redeant ad quos illorum donatio dignoscitur pertinere. Datum *Laterani*, quarto Calendas 26 Febr. 1221: *Marcii*, Pontificatus nostri anno quinto.

*Yet neither this, nor the renewing of it by* Gregory the 9th. *with a special Indulgence, directed, Venerabilibus fratribus univertis Archiepiscopis & Episcopis, ac dilectis filiis Abbatibus, & aliis Ecclesiarum Prælatibus per Angliam constitutis, &c. ut si quando ad vos Literæ Apostolicæ pro beneficiandis hujusmodi de cætero emanarunt, ad provisionem ipsorum inviti non teneamur, nisi de hac indulgentia plenam fecerint mentionem.* Datum *Laterani*, 15 Calendas *Maii*, Pontificatus nostri anno quarto, &c. *could quiet the English, or keep them from that Confederation in* Matthew Paris Anno 1234. *beginning, Tali Episcopo & tali Capitulo, universitas eorum qui magis volunt mori quam à Romanis confundi, &c. Which the Popes by wisdom, and joining the Regal authority with their Spiritual, found means to bring to nought, and pursuing the Papal Interest without regarding what had past from them, gave the 9 Kingdom occasion Anno 1241. to observe, that in only three years Otho had remained Legate here, he bestowed more then 300. Spiritual promotions, ad suam vel Papæ voluntatem, the Pope having contracted (as the report went) with the Romans to conferre to none but their Children and Allies the Rich Benefices here, specially of Religious Houses, (as tho's perhaps he had most power over) and to that effect had written to the Bishops of Canterbury and Salisbury, ut trecentis Romanis in primis beneficiis vacantibus providerent. So that in the Council at Lyons An. 1242. they complained of these Exorbitances, and shew the Revenues the Italians received in England, not to be lesse then 60 or 70 thousand Marks. And in the year following An. 1246. reiterated their griefs to Innocent 4. Quod Italicus Italico succedit, which yet was with little successe, for the Popes having (as we have heard) first settled all Elections in the Ecclesiasticks, and after upon several occasions, on the submitting of the English to his desires, bestowed the Benefices in this and other Kingdoms on his Dependents, John the 22. (or as some think Clement 5. his immediate predecessor) endeavoured the breaking of Elections by Cathedrals and Convents, reserving the free Donation of all preferments to himself alone. From whence proceeded the reiterated complaints against Papal Provisions, in the Parliaments of Edward the 3. and Richard the 2. for this Kingdom never received his attempts in that kind. Of which (God willing) I shall render you a full account in due place and time, out of our Parliament Rolls and other Records.*

Upon the great complaints and opposition then made against the multitudes of Popes Provisions for foreigners both in *France*, and *England*, the Pope was enforced to grant some seeming mitigation and relaxation of them this year, thus related by *Matthew Paris*.

Tempore quoque sub eodem, concessit Dominus Papa his qui dignitatibus gaudebant, & supra modum, in partibus maximè *Transalpinis* opprimebantur, ut ritè de ipsis dignitatibus, ipsi, ad quos pertinebat electio, Deum habentes præ oculis, ordinarerent. Literæ autem super hoc in libro \* *Additamentorum* annotantur; where they are thus entred.

**I**NNOCENTIUS Episcopus servus servorum Dei, dilectis filiis Abbatibus & Conventui monasterii *Sancti Albani* ordinis sancti *Benedicti*, ad *Romanorum* Ecclesiam nullo medio pertinentis, *Lincolniensis* Diocesis, salutem & Apostolicam benedictionem. Editum a nobis de novo statutum, de verbo ad verbum præsentibus fecimus annotari. Cujus tenor talis est. *Innocentius* Episcopus servus servorum Dei, venerabilibus fratribus Archiepiscopis & Episcopis, ac dilectis filiis Abbatibus, Prioribus Præpositis, Decanis, Archidiaconis, Archiepresbyteris, aliis Ecclesiarum Prælatibus, earumque Capitulis, & Conventibus, seu Collegiis tam exemptis quam non exemptis, ac patronis, clericis, ac laicis præsentibus literas inspecturis, salutem & Apostolicam benedictionem. Postquam regimini generali Ecclesiæ, nos (licet immeritos) divina pietas voluit præsidere, cordi semper habuimus, quod honestatem & ordinem in omnibus servaremus, ac in provisionibus faciendis haberemus illius providentiæ modum, per quem Ecclesiis & monasteriis, sive aliis piis locis, honor & com-

n In eodem MS. Greg. 9. Bulla 3.

o April 17. An. 1230. p Mar. Paris, 1371. q Mar. Paris An. 1241. p. 549. 18. 22. r Idem, Anno 1240. p. 532. 43.

f Mar. Paris p. 666. t Mar. Paris, Anno 1246. p. 699. 9.

u Cardinal. Offic. Epist. 296. Dar. Rom. 1601. Decem. 22. x Rot. Parl. 3 R. 2. n. 37.

Mar. Paris Hist. Edit Londini p. 846. Literæ Papales al quantum mic. gatoræ seu relaxativæ. \* Mar. Parisensis Additamenta. P. 184. 185.



\* Pontificum  
had been truer.

modum perveniret. Quod autem quandoque contrarium accidisse dignoscitur, tum propter improbitatem nimiam \* petitorum, sæpe nobis dolorem intulit, & cordi nostro suspiria cumulavit. **Martine cum post multa dissiugia et excogitata resistentiæ studium, provisiones quasdam proptus inibi fecimus, quas potuisse vitare pro magno et solenni gaudio duceremus.** Cum itaque dudum fuerimus mente vigiles, ut super hiis adhibere remedium possemus opportunum, nos pro quiete mentis nostræ, ac pro Ecclesiarum, monasteriorum, & locorum prædictorum salute duximus statuendum, quod singuli vestrum canonicas & præbendas, ac beneficia, seu personatus, & dignitates, cum cura vel sine cura, redditus & etiam pensiones, ad collationem, aut electionem, seu præsentationem vestram spectantia, quæ obtinentur à quibuscunque oriundis extra regna, in quibus Canonicatus & præbendæ, ac alia supradicta, seu apud sedem Apostolicam manent, seu alibi commorentur; extunc personis idoneis, Deum habendo præ oculis, conferre, vel eas ad illa eligere, ac electas confirmare, præsentatas admittere, **sublato cujuscunque contradictionis et appellationis obstaculo, valeatis,** & extunc personæ ipsæ in eisdem Canonis, & Præbendis, ac beneficiis, seu dignitatibus, & personatibus, redditibus, & pensionibus, plenum jus & inconcussum obtineant. Nec tamen de iis priusquam vacent se aliquatenus intromittant, sed ipso jure quam citius vacaverint, assequantur, & ipsi intrandi ac retinendi, nullius requisito consensu, liberam habeant facultatem. **Ita tamen, quod illi qui nunc ipsa obtinent, ea quousque cessarint, vel decesserint, pleno jure pacifice habeant et quiete, ac nullum omnino super hiis prætextu statuti ejusdem, præjudicium patiantur.** Volumus tamen, quod si sub expectatione præbendarum, in Ecclesiis in quibus provisum fuerit dictis personis, prius aliqui sint recepti, vel si super provisione sua in eis literas Apostolicas impetrarunt, sicut in receptione vel impetratione, sic in Præbendarum assecutione, personis præferantur eisdem. Si vero aliqua personarum ipsarum, cui obtentu ejusdem statuti provisum fuerit, vel ei juxta modum inferius annotatum contigerit, **de vestra liberali gratia provideri, cedat interim vel decedat, licitum sit vobis, tam cito loco sui aliam idoneam subrogare ac successore hoc facere, in cujusvis earundem cessione vel obitu personarum, sub divini tamen iudicii obtestatione præcipimus, quod persone ipsæ contra possessores dictorum Canonicatum & beneficiorum, ac præbendarum, seu personatum, & dignitatum, reddituum, seu pensionum, nullas insidias, aut fraudem, vel molestias, sive quodcumque aliud inconveniens machinentur. Alios autem ipso facto cadant ab omni jure, eis super provisione hujusmodi adquisito cum dignum sit quod sicut gratia pro virtute tribuitur, ita pena pro vitio compensetur.** Pro malitiis autem cohibendis, quæ hujusmodi forsitan occasione statuti oriri possent in mentibus perverforum, volumus, quod si aliquem cui subrogatio ejusdem statuti facta fuerit (quod absit) perimi contigerit, quoquo modo, taliter subrogatus possessionem suæ provisionis non habeat, nec aliquod apprehendat, nisi prius Apostolicas vel Ordinarii & aliquorum religiosorum virorum Deum timentium, patentes litteras obtinuerit, quod de morte sic occisi suspectus nullatenus habeatur. Cæterum quia personis eisdem in grave nosset redundare tardium, quod vacationem Canonicatum, & præbendarum, ac aliorum prædictorum, per longa tempora expectarent, ad hoc nostra defudet intentio, ut de Canonicis & præbendis, ac beneficiis, seu personatibus, & dignitatibus, redditibus, & pensionibus, ad vestram collationem aut electionem vel præsentationem spectantibus, quæ præter hujusmodi provisionem vestram vacant ad præsens, seu vacare contigerit, dummodo nulli alii de jure competant, liberaliter ac sine mora provideatis eisdem, & postquam ipsarum loco alias personas idoneas quam citius subrogetis. Ad hæc statutum prædictum quamvis juri oppositum, quod pro causa legitima & salubri ad nullius requisitionem vel instantiam, proprio motu fecimus, plenam & inviolabilem firmitatem volumus obtinere. Sed tamen ad alias collationes, & electiones, seu præsentationes, quas à quocunque de cætero fieri contigerit, idem statutum nullatenus extendatur, nec sanctionibus Canonicis propter ipsum, imposterum aliquod præjudicium generetur. Præterea, nulla privilegia vel indulgentiæ, seu litteræ Apostolicæ Sedis, vel Legatorum ejus, sub quacunque forma verborum de cætero

cetero intranda, obstant prefato statuto, cum jam plenum jus per hujusmodi collationem, aut electionem, seu presentationem, adquiratur personis eisdem, & illud eis tolli non possit absque divini offensa nominis; & Sedis Apostolicæ injuria manifesta. Nos enim nihilominus si aliquid super iis contra prefatum statutum contigerit attemptari, non solum irritum ac inane decernimus, sed omnes qui contra venire præsumperint, divinæ maledictioni ac nostræ volumus subjacere: Licitumque sit vobis universis & singulis tanquam nostris in hac parte ministris; **nostras seu legatorum nostrorum lacerare literas, si quo statuto ipsi contrarie, vobis aut alicui vestrum fuerint presentate.** Canoniarum insuper & præbendarum, ac beneficiorum, & aliorum prædictorum, possessio (sicut prædictum est) nihilominus intretur, ac retineatur liberè: non obstantibus literis memoratis. Saepe dictum verò statutum, ad Pontificatus & Abbatias, ac alias regulares, extendi volumus dignitates. Vos itaque filii Abbas & Conventus, statutum ipsum prout expedire videritis, autoritate nostra diligenter & fideliter exequi studeatis. Datum *Laterani*, tertio nonarum *Novembris*, Pontificatus nostri Anno undecimo.

Thus much for the Papal provisions to robbe Patrons, I proceed to Bishops devices to deprive the King of his right of presentation to Churches in that age.

The Bishop of *Lincoln*, and Vicar-general of the Bishop of *Hereford*, by new tricks and devices endeavouring to deprive the King of his Right of presentations, and to vex his Clerks presented to them in their Courts, in derogation of his Crown and its Rights; the King thereupon issued these two Writs against them, to answer their contempts and redresse these abuses, under pain of seising their Baronies.

**R**EX Vicecomiti *Buck*, salutem. Præcipe *Roberto Lincolnensi* Episcopo, quod admittat *Artaldum* de Sancto Romano ad Ecclesiam de *Flamsted*; Et nisi fecerit, pone per Vadium & salvos Plegios prædictum Episcopum, quod sit coram nobis à die Pasche in 15. dies, ubicunque, &c. ostensurus, quare non fecerit. Teste Rege apud *Dover*, 5. die *Marcii*.

Claus. 36 H. 3.  
m. 20. dorso

**R**EX Priori *Campan*, gerenti vices *P. Hereford*, Episcopi, salutem. Frequenti quorundam relatione jam pervenit ad aures nostras, quod vos presentationem nostram factam de *Johanne Capellano* ad Ecclesiam de *Manelowe*, quadam perpetua calliditate nitimini pro vicibus vestris adnullare, denegando prefato Capellano nostro Inquisitionem, quæ nulli de populo deberet unquam in Regno nostro denegari, sicque delusorie mandata nostra, pluries vobis inde directæ parvipendendo, set potius spernendo, præfatum *Johannem* non mediocriter infecto negotio fatigatum, ad nostram præsentiam fecistis esse reversum, quod quidem molestè ferimus, & indignum, **verumtamen hoc diutius æquo animo ferre non valeamus:** Vobis mandamus firmiter injungentes, quatenus cum in vacationibus Ecclesiarum quarum ad nos pertinet presentatio, nullum tempus contra nos currat, in Inquisitione facienda, & ulterius ad institutionem ipsius *Johannis* secundum ritum Ecclesiasticum procedatis, ne super hoc oporteat nos de cetero sollicitari: Scitum pro certo, quod nisi præcedentes machinationes ad nostram exheredationem excogitatas, per subsequencia purgaveritis, dissimulare non poterimus, quin ad Baroniam ipsius Episcopi manus Regias apponamus, quia nolumus hujusmodi scilicet machinationibus exheredari. Teste Rege apud *Westm.* 20. die *Marcii*.

Claus. 36 H. 3.  
m. 21. dorso.  
Pro Johanne  
Capellano de  
Covenria.

He likewise issued this Writ to the Sheriff of *Hereford*, to remove the Queens Chaplain out of the Church and Rectory of *Flamsted*, belonging to him by his Prerogative, by reason of a Wardship, and to put his Clerk in possession thereof.

**M**andatum est Vicecomiti *Hereford*, quod sine dilatione amoveri faciat *Willelmum* de *London*, quondam Capellanum Regine, & omnes suos existentes in Ecclesia de *Flamsted*, non permittens ipsum vel suos aliquam habere administrationem de domibus vel bonis ejusdem Ecclesie, quam Rex contulit *Artaldo* de Sancto Romano, quia nullus præter ipsum *Artaldum* possessionem ejusdem Ecclesie possit incumbere, sine præjudicio iuris patronatus ad Regem *Edwardum* ratione *Modiz* terræ, & *Heredis Radulphi de Tony*. Teste Rege apud *Westm.* 15. die *Martii*.

Claus. 36 H. 3.  
m. 22. dorso.

The

The Archbishops Official holding Plea concerning the right of an Advowson and presentation, appertaining to the King by his Prerogative, by reason of a vacancy, to the prejudice of his Crown and Dignity, the King thereupon sent this memorable Prohibition to him.

Claus. 36 H. 3.  
m. 8. dorso.

**R**EX Magistro *A. de Len. Offic. Cantuar.* & Commissionar. suis, salutem. Cum tempore Progenitorum nostrorum Regum *Anglia*, et nostro hactenus sit obtentum, quod vacantibus Abbatibus, Prioratibus, et aliis quibuscunque domibus Religiosis Regni nostri et in manu nostra existentibus, conferre possimus Ecclesiastica Beneficia ad huiusmodi domos pertinentia; et nos ratione vacationis domus Sancti *Thome de Acon in London.* dilectum Clericum nostrum *Rogerm de Messenden* ad Ecclesiam de *Colchirch in London.* duxerimus presentandum; fratres ejusdem domus, et *Hugo Capellanus* eorum ab eisdem fratribus indebite presentatus ad eandem, dictum Clericum nostrum inde trahit in placitum coram vobis in Curia Christianitatis. Et quia hoc est contra Cozonam et Dignitatem nostram, et manifeste cederet in nostram et heredum nostrorum exheredationem, vobis prohibemus ne placitum illud de cetero teneatis. Teste Rege apud *Woodstock*, 18. die *Augusti*.

Though Bishops might usually grant administration of the Goods of Clerks deceased, yet the King by his Royal Prerogative issued these Writs to the Bishops of *Normich, Coventry* and *Lichfield*, not to make any disposition, or grant any Administration of the Goods of a Clerk deceased, indebted to him, till his debt was satisfied, and his further order.

Claus. 36 H. 3.  
m. 23. dorso.  
W. Norwiche.  
Episcopo pro  
Rege.

**Q**uia *Simon. de Norwic.* in pluribus debitis Regi tenebatur: Mandatum est *Norwic.* Episcopo, quod de bonis quæ fuerunt ipsius *Simonis* nullam alienationem seu etiam dilapidationem de cetero fieri sustineat, vel aliquem aliquam habere Administrationem, donec prædicta debita de bonis prædictis Regi solvantur, & aliud à Rege habuerit in mandatis. Teste Rege apud *Westm.* 23. die *Februarii*.

Eodem modo mandatum est *R. Coventr. & Lichfield.* Episcopo.

\* See here p.  
471, to 474.

The Archbishops Official proceeding in a cause of Bastardy upon an Appeal, according to the Canon Law, against the \* Law of the Land, and Statute of 20 H. 3. c. 9. against a former Certificate of the Bishop of the Diocese, the King thereupon issued this Prohibition to him.

Claus. 36 H. 3.  
m. 23. dorso.  
De Bastard.

**M**andatum est Magistro *E. de Len. Offic. Cantuar.* quod quia *R. Landavensis* Episcopus significavit Regi, quod *Mereduc* filius *Griffini* de legitimo Matrimonio cepit originem, in causa quæ vertitur coram ipso super Bastardia ipsius *Mereduc*, non procedat, quia si ulterius procederet, hoc esset contra legem terræ, et ad exheredationem ipsius *Mereduc*. Teste, &c.

And whereas the Kings Justices without his privy issued a Writ to the Bishop of *Landaffe*, to make a new Inquisition and Certificate in this case of Bastardy, the King thereupon sent this Superfedeas to the Bishop, not to proceed therein.

Claus. 36 H. 3.  
m. 32. dorso.  
Pro *Mereduc*  
filio *Griffini*.

**R**EX *W. Landavensi* Episcopo, salutem. Quod Justiciarii nostri de Banco nomine nostro Paternitati vestræ demandaverunt, Inquisitionem facere de legitimatione *Mereduc* filii *Griffini*, ex nostra conscientia non emanavit, cum aliàs nobis ad mandatum nostrum significastis, ipsum legitimum esse, et de legitimo matrimonio natum, unde non est necesse, quod super hoc iteratam facias Inquisitionem. Teste Rege apud *Evesham*, 14. die *Novembris*.

The



The Archbishop of *York* suing and vexing the Barons of *Heth* both in the Spiritual and Temporal Courts, in a case of Wreck, against their Priviledges, the King thereupon issued these Writs of Prohibition to relieve them from these unjust vexations.

**R**EX benè recolit, quod querela quæ nuper erat inter Archiepiscopum *Eboracensem*, & Barones Regis de *Heth*, de wrecco maris, posita fuit in respectum usque ad adventum ejusdem Archiepiscopi in *Angliam*. Et quia contentio illa jam resuscitatur, sicut ex querela prædictorum Baronum Rex intellexit. Et mandatum est *E. de Lenns* Offic. prædicti Archiepiscopi, ne super hoc ipsos molester, aut in aliquo vexet ante adventum præfati Archiepiscopi. Teste Rege apud *Dover*. 5. die *Marci*.

Claus. 36 H. 3.  
m. 24 dorso.  
Pro hominibus  
de Heth.

Monstraverunt etiam iidem Barones Regi, quod Ballivi Archiepiscopi in Com. *Kancia* eos injustè molestant, trahendo eos in placitum pro transgr. & aliis ad forinsecas Curias, quæ in Villa Regis de *Heth* placitari & terminari debuerunt & consueverunt. Et mandatum est prædictis Ballivis, quod ab hujusmodi vexatione & molestia penitus desistant, ne pro defectu, &c. Teste ut supra.

Et mandatum est Vic. *Kancia*, quod si prædicti Ballivi contra mandatum Regis venerint, nullatenus permittat præfatos Barones ad forinsecas Curias à Ballivis suis super præmissis trahi, aut ab eis in aliquo injustè molestari. Teste, &c.

*Per ipsum Regem.*

The Dean and Canons of *Arfarden* in *Ireland*, petitioning the King in an illegal form for a License to Elect a new Bishop, the King out of his meer grace, gave power to his chief Justice in *Ireland*, in his stead, to give them a License to elect, so as they duly presented the person elected to him for his confirmation when elected.

**L**icet Decanus & Canonici *Arfardensis*. Ecclesiæ vacantis, per cessionem *Brendani* quondam loci ejusdem Episcopi, licentiam eligendi sibi alium in patrem & pastorem per literas suas clausas, et aliter quam deceret a nobis, per simpli. citatem forte petierunt, ob quod petitioni suæ acquiescere non debuimus, volentes tamen eis in hac parte gratiam facere specialem; Mandavimus Justic. *Hibernia*, quod licentiam eligendi eis ad præsens vice nostra concedat, ut electione facta electum suum nobis per literas & personas quas decet præsentent. Teste Rege apud *Westm.* 20. die *Aprilis*.

Claus. 26. H. 3.  
m. 18. intus.

*Per Regem.*

The Bakers of *Essex*, *Hertford*, and other Counties presuming this year to make the sign or print of the Crosse, *Agnus Dei*, or the name of Jesus, upon the Bread they sold, to their great abuse and prophanation, the King thereupon by his supreme Ecclesiastical Authority, issued Writs to the Sheriffs to prohibit this prophanation for the future, by publick Proclamation.

**M**andatum est Vicomiti *Essex*, & *Hertford*, quod clamari faciat per totam ballivam suam, et firmiter ex parte Regis prohiberi, ne quis Pistor panem faciens venalem, signum Crucis, vel Agni Dei, vel etiam nomen Jesu Christi, imprimi faciat in pane suo, ne per culpam Pistoris, vel alio casu inopinato, signa prædicta, vel nomen Domini, quod abist, deturpetur. Teste meipso apud *Sanctum Edmundum* 1 die *Septembris*. Eodem modo mandatum est aliis Vic.

Claus. 36. H. 3.  
m. 26. dorso.  
De prohibitione  
facta Pistoribus.

The Church of *Henechdan* in *Ireland*, being but a Parish Church within the Archbishoprick of *Tuam*, belonging to the Archbishoprick, was made a Bishoprick by the King, by presenting two Bishops to it; whereupon the Archbishop procuring a Bull from the Pope, to reduce it to a Parish Church as before, humbly petitioned the King, for his confirmation thereof, which he did upon condition that the King should enjoy a parcell of Lands within the Town, by way of exchange for other Lands to be settled in lieu thereof, to build and fortifie a Castle, as this Writ more at large relates.

**REX**

Claus. 36 H. 3.  
m. 7. dorso.

**R**EX Justiciario *Hibernia*, salutem. Accedens nuper ad nos venerabilis Pater *Tuamensis* Archiepiscopus cum quibusdam privilegiis & scriptis continentibus, quod *Henchdan* Ecclesia ab antiquo, non Cathedralis, sed Parochialis extitit, licet duo Episcopi successive de facto ibidem sedem obtinuerunt Cathedrali, nobis devote supplicavit, ut hiis quæ Authozitate sedis Apostolicæ de reducendo eandem Ecclesiam ad statum antiquum, fuerant ordinata, regium favorem et assensum impendere dignaremur: (the Popes Bull being null without it,) Nos igitur prudentiæ vestræ committimus, ut retenta nobis & Hæredibus nostris quadam placia in Villa de *Henchdan*, idonea, ad Castrum firmandum, de ejusdem Archiepiscopi & Capituli assensu, ac exceptis quibusdam Edificiis Archiepiscopi & Clericorum Ecclesiæ circumjacentibus extendi faciat Villam, antedictam quantum valeat in terris, redditibus & omnibus aliis exitibus, ut habito valore prædicto, possimus eidem Archiepiscopo & successoribus suis providere in terra, in loco competenti sibi proficuo & nobis minus damnofo, ad valorem Villæ memoratæ, & vos prævideatis & extendatis terram dicto Archiepiscopo in excambium assignandam, nobis plenè rescribentes extantam tam Villæ prædictæ, quam terræ præfato Archiepiscopo & suis successoribus in Excambium assignandæ. Et quia sumus possessione, vel quasi juris patronatus prædictæ Ecclesiæ, ex hoc quod licentia eligendi a nobis petita fuerit, et facta Electione assensus noster requisitus, nolumus quod perdonatio jus Patronatus in manibus nostris remaneat, donec de hoc plenius fuerit discussum. Et nobis scire faciatis de cujus patronatu præfata Ecclesia fuerit antequam Episcopus ibidem præiceretur, & inquiratis diligenter in quarum terrarum possessione fuerit Ecclesia *Henchdanensis* antequam Episcopus crearetur in Ecclesia antedicta. Et salva tenura tenentium, terras illas & redditus quos percepit Episcopus *Henchdanensis* de eisdem, faciatis Archiepiscopo sæpè fato assignari, & idem Archiepiscopo contra tenentes supradictos in prosequendo jus suum Justitiam exhibeatis & favorem, eisdem in Curia nostra de mense in mensem diem assignantes. Teste Rege apud *Woodstock*, 18. die *Augusti*.

The Archbishop of *Dublin* having excommunicated *Stephen Lungespe* and his servants, against law, the King issued this *Mandamus* to him to absolve them.

Claus. 36 H. 3.  
m. 16. dorso.

**M**andatum est Archiepiscopo *Dublin*, quod sententiam excommunicationis *Stephani Lungespe* illatam penitus relaxet, quam in homines ipsius *Stephani* promulgavit. Et mandatum est Justic. *Hibernia* quod ipsum ad hoc inducat.

The King this year out of his meer grace, gave his royall assent to the Election of an Abbot, and of a Bishop of *Ireland*, approved by the Pope, which he would not have drawn into president for the future, they first swearing Fealty to him.

Claus. 36 H. 3.  
m. 15. intus,  
*Hibern.*

**R**EX Volens *Willo*. Electo in Abbatem Sancti *Thome Dublin*, gratiam facere specialem, quam trahi Rex non vult in consequentiam, mandabit *I. filio G. Justic. Hibernia*, quod confirmata Electione sua et ipsius accepta fidelitate, de omnibus terris & possessionibus ad Abbatiam suam spectantibus, plenam eidem Electo seisinam habere faciat. Teste Rege apud *Merton*, 21. die *Maii*.

Claus. 36 H. 3.  
m. 15. dorso.  
De assensu electionis *Hibern.*

**R**EX postulationi factæ de *Philippo* quondam Decano de *Waterford*, quam Dominus Papa approbavit in Episcopum *Waterford*, assensum Regium adhibuit, et favorem. Et quia idem *Philippus* fecit Regi fidelitatem quæ ad Regem pertinet. Mandatum est *I. filio Gualfridi*, Justic. *Hibernia*, quod de prædicto Episcopatu & de temporalibus ad illum spectantibus eidem *Philippo* plenam seisinam habere faciat, prout moris est. Teste Rege apud *Winch.* 25. die *Junii*.

Et Mandatum est omnibus de Episcopatu illo tenentibus, quod ei intendentes sint & respondentes.

*Per Regem.*

This

The King to ingratiate himself with the Pope, as he issued a special Writ to pay the thousand Marks Annual Tribute for England and Ireland, granted by King John to the Pope himself, and another pension to a Cardinal the year \* before, so he this year gave order for present payment of an annual pension, to the Popes Chamberlain, to facilitate his affairs at Rome. \* Here p. 736.

**R**EX Thesaurariis & Camerariis suis, salutem. Liberate de Thesauro nostro sine dilatione Bernardo Prosperi Mercatori Senen. 30. Marcas ad opus Magistri Boetii, Camerarii Domini Papæ, de termino Sancti Michaelis, Anno &c. 29. De annuo feodo suo, 30. Barcarum quas et concessimus singulis annis percipiendas ad Scaccarium nostrum. Teste Rege apud Westmonast. 19. die Martii.

Liberar. 36 H. 3. m. 12. intus. Lib pro magistro Boetio, Camerario Domini Papæ.

Per Regem.

This year the King by these Letters Patents constituted a Proctor for 3. years, to prosecute and defend his Suites and affairs in the Popes Court.

**R**EX Omnibus &c. salutem. Noverit universitas vestra quod nos dilectum Clericum nostrum Rogerum Luwell, in Curia Domini Papæ procuratorem constituimus ad impetrand. contradicend. et Iudices eligend. in cujus, &c. duraturus a Natali Domini Anno, &c. 36. usque ad finem trium annorum proxime sequentium. Teste Rege apud Glouc. 10. die Novembris.

Idem intus. m. 16. De procuratore constituto in Curia Romana.

Per ipsum Regem.

You heard \* before what tumults Archbishop Boniface had raised in his Visitation, about which he went to Rome; upon his return into England, Anno 1252. there fell out a very high contest and fray between him and the Bishop elect of Winchester, and their parties, Excommunicating, Imprisoning, and assaulting each other, to the high violation of the publicke peace, the scandal of the Church, Government, and derision of all sober persons, thus recorded to posterity.

\* Here p. 740, to 746.

Anno quoque sub eodem, infra Octavis Sancti Martini, quidam Sacerdos autoritate electi Wintoniensis, se ingessit in custodiam cujusdam Hospitalis in Sumere, quod in Episcopatu Wintonensi esse dignoscitur. Vocatur autem Prior qui custos est ipsius Xenodochii, de consuetudine cohabitantium, quod beatus Thomas Martyr fundasse perhibetur. Magister autem Eustachius de Leu Archiepiscopi Cantuariensis Officialis, videns sibi in hoc facto derogari, eo quod ratione patronatus debebat ejus assensus intervenisse, quod per contemptum omisum est, admonuit dictum cedere Sacerdotem, iterum & tertio; eo quod introitus ejus exstitit injuriosus & presumptuosus. Sacerdos autem, qui & Prior dicitur, hoc facere renuit, suæ intumens possessioni. Officialis autem ratione contumaciæ, ipsum fecit excommunicari. In qua excommunicatione, dictus Prior stetit diebus quadraginta, multiplicans minas et convitia. Officialis igitur talem non ferens superbiam, iussit ipsum tanquam contumacem capi. Quod audiens Prior, se vestimentis Sacerdotalibus intrans Ecclesiam communiavit. Ministri autem ad hoc missi ut ipsum caperent, ipsi minime pepererunt, quia claves Ecclesiæ excommunicatus contempserat. Iussit igitur Officialis ipsum duci apud Maidensstone Manerium Archiepiscopi donec deliberaretur quid super hoc faciendum, quia dicebatur, quod Archiepiscopus prope jam erat, reservaturum.

Mar. Paris Hist. p. 830, 831. Discordia inter Archiepiscopum & Winton. electum.

Hoc autem audiens electus Wintoniensis, secus quam decuit ira excaudit. Et quasi magnam cum dedecore passus injuriam, fratribus suis gravem præsentavit querimoniam. Quorum elatus auxilio et consilio, convocata manu militari armata, cum Comitatu non minime consequente, missit eos ut quærerent et caperent hujusmodi auctores violentiæ. Ipsi igitur cum magno impetu et tumultu quasi in hostili bello, venerunt apud Sumere, credentes ipsos illic invenisse. Omnia igitur perfrustrantes, cum nullum invenissent, festinanter ad Maidensstonenses, ut Priorem captum & retentum potenter liberarent, rapido cursu pervenerunt. Et obstantia violenter confringentes, & abdita rimantes,

Factum præsumptuosum electi Winton.



cum quem quærebant non invenissent, quia absconditus extitit, ignem postularunt, ut omnia redigerent in favillam. Et post multas injurias ibi perpetratas, postquam quæsierant non invenerunt, certificati per aliquem susurrionem ubi tunc extitit quæsitus Officialis, scilicet apud *Lambet*, juxta *London*. illuc glomeratim avolarunt. Ubi subvectis à vectibus ostiis vel contractis, intrantes catervatim, subito ante horam prandii, ipsum Officialem, nil tale præmeditatum, hostiliter ceperunt & indecenter. Et captum trahentes, imposuerunt cum quasi vilissimum mancipium furto deprehensum, quo volebant abducendum. Nec permissum est ad ipsum equiferum dirigendum lora retinere. **O temeraria præsumptio! O inexcusabilis irreverentia!** quæ tam autenticum virum, tam excellenter literatum, tam perspicue famosum, personamque Archiepiscopi representantem, tam ignominiose tractavit et fatigavit. Capellanum insuper qui Capellæ deserviebat, ad cornu altaris confugientem, convitiis affectum inhumanè tractaverunt: Manibus sacrilegis res Ecclesiasticas invadentes. Magister autem *Henricus de Gaunt* hunc audiens tumultum, pavore qui poterat in constantem cadere perterritus, cautè effugiens, elapsus est; ne in manus caderet animam ejus requirementum. Officialem igitur, postquam omnia quæ ira, imò furor persuaserat, perpetraverant, usque *Fernham* traxerunt per habenas; donec de restitutione capti Prioris certificarentur, violenter invitum retinentes. Tandem permissus abire, abjectè & viliter est expulsus. Qui pro tempore gaudens, quod manus aduncas & hamatas evasisset, pedes, nec ausus retrospicere ne in statuam verteretur, usque *Waleria*, domum *Cisterciensium*, licet senex, avolvit. Quem cum viderent Monachi, admirabantur, quoniam casus ipsum solum & fugitivum ad ipsos sic fugarat. Ibi igitur consolatione suscepta, respiravit.

Querimonia  
facta Archi-  
episcopo.

Passi igitur tantam injuriam Archiepiscopales, coram ipso Archiepiscopo super tanta præsumptione, de magnis majora, & de gravibus graviora derivantes, cum fletibus & suspiriis gravissimam reponunt querimoniam. Archiepiscopus igitur plusquam dici potest ira motus, ait: Hi sunt duri rumores, in primo adventu nostro. Assumptis igitur secum *Cicestrensi* & *Heresfordensi* Episcopis, *Londonium* profectus est. Et ipse et duo Episcopi memorati, Pontificalibus redimitti, eorum innumerabilibus, quos ad hoc fecerant voce præconia convocari, concessa advenientibus venia triginta dierum; apud Sanctam Mariam de Arcubus, horribiliter nimis ac solenniter omnes hujus temeritatis auctores et fautores (exceptis duntaxat Domino Rege et Regina cum liberis eorum, et Comite *Richardo* et Comitissa uxor ejus, et liberis eorundem) excommunicavit. Scripsit insuper omnibus Episcopis Suffraganeis suis, quatenus in virtute obedientiæ, qua tenerentur Ecclesiæ *Cantuariensis* obligati, similia facerent in Ecclesiis suis singulis diebus dominicis et festivis, districtè præcipiendo. Et contra electus *Wintoniensis* confestim demandavit Decano de *Saveric*, & quibusdam sibi subjectis aliis, ut ipsi Archiepiscopo contradicentes, in faciem denuntiarent palam, ipsam sententiam penitus nullam esse: Imò inane et frivolum, in peccatis esse vulpinam exculationem. Sed Archiepiscopales de hac injuria et scandalo jam inde orto, ad summum Pontificem appellarunt. Fuerunt equidem nonnulli neutri partium faventes, qui dicerent Archiepiscopum manifestè injuriatum fuisse electo. Quia ut cessarent tales controversiæ, procuratum fuerat, ut fieret compositio quædam, quod tota domus memorata non obstante titulo patronatus, dispositioni Episcopi *Wintoniensis* solvendo inde tres solidos annuos pro recognitione, subiaceret. Et ita uterque diffamatus notam incurrit injuriæ violentiæ, dum Cives memores procacitatis, quam Archiepiscopus in primo suo impetu *Londoni* fecerat, et extorsiones pecuniæ infinitas, quas idem procuraverat, necnon violentiam Regis in sui creatione, et suorum beneficiorum enormem collationem, recitarent. Et ex alia parte Regales, scilicet *Pictavenfes* notam prodicionis sibi innatæ, cum aliis convitiis, sicut moris est objurgantium, sortiuntur. Fueruntque de Civibus hæc audientibus non pauci qui optarent, ut hæc illos excerebrassent, alii reliquos ebullerantes. Et cum scribatur, *Va illi*, vel illis, per quas scandalum venit: utraq;

utraq; partes ortis opprobriis et scandalis non minimis periclitabantur. Sic igitur Regales contra Reginales, *Pisavenses* contra Provinciales, quos multæ faciunt possessiones insanire, miseris *Anglis* dormientibus debacchantur, ac si certarent qui eorum eliminatis indigentis, Regno præfere excellentius mererentur. Veruntamen famæ ventilatio *Pisavenses* plus condemnabit, quia Electus contra superiorem suum, tam superbe excedendo modum, confusus de fratre suo Rege, qui ipsum ut Deus nobis, creaverat. Et sic maxime, quia per prodicionem patris dicimur *Pisaviam* amisisse.

Archiepiscopus autem *Bonifacius* ignem iræ conceptæ sub cinere thesaurizans, & condigne insistens; prout Magister *Eustachius* qui magis lædabatur, & magis doluit, intelligit ultioni de tam enormi transgressione, versus *Oxoniam* gressus maturavit, ut ibidem convocata Scholiarum universitate, quæ de diversis mundi partibus illic studuit congregata, factum tam nefarium seriatim in publico propalaret. Ut sic non lateret per relationes eorum tanta culpa remotas etiam nationes. Qui cum illuc veniens, Civitati appropinquaret, perrexit ei obviam in equis saleratis & præelectis indumentis, innumerabilis Cleri multatudo; & ei, ut decuit, tanquam Archiepiscopo & totius *Anglia* primati, ac genere præclarissimo reverenter occurrendo, applausum fecit & honorem, & pransurum in esculentis & poculentis abundanter respexerunt. Quorum faciem, gestus maturitatem, vestium compositionem, morum severitatem cum Archiepiscopo & ejus umbratiles Clerici Provinciales considerassent, confiteri cogebantur, quod *Oxonienfis* universitas æmula *Parisiensis* censeretur.

Archiepiscopus venit ad Oxoniam.

In crastino igitur beati *Nicholai*, coram universis Clericis, quos pulsato signo communi fecerat ad hoc congregari, præsumptuosam temeritatem, ac temerariam præsumptionem electi *Wintoniensis*, sumens ex Rege confidentiæ audaciam, fratrumque suorum & complicum, in propatulo fecit recitari, & nomina transgressorum expressè publicari, & sententiam sæpeditam innovavit, quæ in Literis plenius conscribuntur, quas idem Archiepiscopus constituit Episcopis suis Suffraganeis transmitti universis. In quibus plenius nomina transgressorum exprimuntur. Quas qui intuitu desiderat, librum requirat *Additamentorum*, qui apud Sanctum *Albanum* repositus, omnem hujus negotii summam plenius declarabit. Constat autem universis & singulis, electum & fratres ejus, hujus factonis auctores extitisse.

Sententia promulgatur Oxonii.

The Archbishop's Narrative in his *Addimenta* to which he referres, followeth in these words.

Humani generis inimicus modernis non cessat temporibus subtiliter indagare modos, quibus in Dei Ecclesiam seminet zizaniam, ut ea pullulante; in ipsius densitate pacis tranquillitas & virtutum suavitas, in agro Domini suffocentur. Cujus tortuosæ calliditati est remedio celeri obviandum: ut sic principiis occurratur morbo, ne in immensum augmentato, serò medicina paretur. Ut igitur per nostram prudentiam error corrigatur, & excessus emendetur, fraternitati vestræ dolentes referimus, quæ in ignominiam *Jesu Christi*, in vituperium Ecclesiæ Dei, in scandalum Cleri, necnon & pacis Regni fracturam, temera crudelitate sunt atrocius perpetrata. Quidam filii *Belial* suæ salutis immemores, famæ prodigi, malignitatis cupidi, videlicet, *Philippus de Foresta* Senescallus domus electi *Wintoniensis*, *Guido Peverel*, *Walterus de Rale*, *Gulielmus de S. Edmund*, *Oliverus* de familia Domini *Galfridi de Lizinnus*, *Gulielmus de Sancto Leodegario*, *Robertus Agoillan* Milites. Prior de *Lizinni*, cum Monacho suo, *Martinus* balistarius, & frater ejus *Johannes Picard*, *Gulielmus Gaucer*, *Stephanus de Croinden*, præfati electi Clerici, *Gulielmus* Clericus, Ballivus ipsius electi, & alii quamplures quorum nomina ignoramus, die Dominica post Festum Omnium Sanctorum proxime præteritum, de die ante horam prandii ad Manerium nostrum de *Lambeth*, juxta *Londoniam*, cum equis & armis in furoris spiritu accesserunt, nobis agentibus in partibus transmarinis, & ostia domorum & Capellæ frangentes, ibidem in Magistrum *Eustachium de Len* Officalem nostrum, qui nostram personam repræsentat, ac in Presbyterum nostrum qui in Capella beatorum *Stephani & Thomæ* Martyrum deserviebat: Insuper in quosdam homines nostros, qui in dicti loci Ecclesia Parochiali, se receperant; Atque in res sacras & alias quæ in prædicta Ecclesia & dicti Manerii Cameris existerant, manus sacrilegas extenderunt, & dictum Officalem ceperunt, & alios qui erant in Ecclesia, à cornu Altaris ad quod confugerant,

Matthæi Paris. Addimenta, p. 187, 188.

violenter extrahentes, ipsum Officalem in Dei contumeliam, Clericalis ordinis ignominiam, & nostri ac Ecclesie nostrae, & in totius *Angliae* dedecus & contemptum, sine capa in equo demissis de collo habenis, & insidenti non permisis, Presbyterum verò peditem per lutum, & alios captos pulsando, & verberando, ad domum *Wintoniensis* electi in *Swere*, in conspectu populi turpiter abduxerunt, captos detinentes ibidem. Postmodum verò ipsum Officalem & Laicos captos in Ecclesia, die & nocte ad loca remota prope *Fernham*, ad unum miliare in districtu dicti Electi, inde viliter & violenter captivos transulere: quoad sibi placuit detinentes eosdem, & res ipsorum & nostras, apud *Lambeth* raptas, exinde asportantes. Cum igitur tot & tanta enormia, necnon & plura alia non solum contra nos, & Ecclesiam *Cantuariensem*, verumetiam contra universalem Ecclesiam, & Clerum *Cantuariensis* Provinciae, evidenter appareant perpetrata: Nos attendentes dictos malefactores, propter injectionem manuum in Clericos violentam, in Canonem latae sententiae incidisse: Et quia libertates & immunitates Ecclesiae violarunt, incurrisse Excommunicationis sententiam, in Concilio *Oxonia* contra malefactores huiusmodi promulgatam. Insuper quia sacrilegia in hiis multipliciter commiserunt, ac pacem Domini Regis ac Regni vi & armis timore Dei postposito, & abjecta principis reverentia, ausu temerario infregerunt: ipsos & omnes illos qui eis in dicto maleficio asteterunt, necnon & qui opem, auctoritatem, & consilium, & assensum praeberunt, auctoritate Dei Omnipotentis, Patris, & Filii, & Spiritus Sancti, & Beatae Dei genetricis *Mariae*, Beati *Thomae* Martyris, Sancti *Edmundi* Confessoris, & omnium Sanctorum, **Excommunicatos denunciavimus**: Vobis mandantes in virtute obedientiae qua tenemini Ecclesiae *Cantuariensi*, firmiter injungentes, quatenus praefatos malefactores in vestra Cathedrali Ecclesia solemniter ac publice Excommunicatos denunciatis, ac per vestram Diocesim Excommunicatos denunciari publice faciatis: pulsatis campanis, candelis accensis, singulis diebus Dominicis & festivis, & tanquam Excommunicatos ab omnibus arctius evitari. Ceterum, quia vicini res agitur, *paries cum proximo inflammatur*, & merito timeatur, quod si haec impune fiant in *viridi*, hiis deteriora perpetrentur in *arido*, cum impunitas delicti incentivum pariat delinquendi, fraternitatem vestram de qua plenam in Domino gerimus fiduciam, rogamus, quatenus adversus malignantes pro domo Domini, nobiscum viriliter assurgentes, nobis consulatis, & per Literas vestras certificetis, qualiter in hoc negotio ulterius fuerit procedendum. Datum apud *Croindenam* in crastino Sanctae *Catharinae*, Anno Domini 1252. **Ab hac denuntiatione tamen excipimus Dominum Regem, Dominam Reginam, et liberos eorumdem, Dominum Richardum Comitem Cornubiae, et Dominam Comitissam uxorem ejus.** Has quidem Literas missas ab Archiepiscopo, transmittit Episcopus *Elensis* suo Archidiacono.

During this contest between the Archbishop of *Canterbury* and Bishop of *Winchester*, the King fearing it might draw the Nobles into parties, and raise a War between them, for preserving the Kingdoms peace, by his supreme power issued these Writs to several Nobles to take part with neither side, and to raise no armes nor tumults by reason of this quarrel, being merely Ecclesiastical.

Claus. 37H.3.  
m. 25. dorso.  
De prohibitione  
facta pro  
Archiepiscopo  
Cantuar. &  
Winton. electo.

**R**EX Com. *Glouc.* salutem. Quia contentio inter Venerabiles Patres *B. Cantuar.* Archiepiscopum & *A. Winton.* electum nuper orta, ex causa spirituali sumpsit exordium, ad nos vel ad vos, vel ad alias personas Laicales non pertinet, alteram partem juvare, seu fovere, per quod huiusmodi contentio inter eos acrius convalescat, & Regni nostri tranquillitas perturbetur. Et ideo vobis mandamus, in fide qua nobis tenemini firmiter injungentes, quod super praemissis in nullo vos intromittatis, firmiter inhibentes omnibus vestris ex parte nostra, sub amissione terrarum & tenementorum suorum, ne propter hoc arma portent vel tumultum faciant, ad perturbationem pacis nostrae, neutri partium vel eorum fautoribus auxilium impendendo. Teste Rege apud *Brommere*, 3. die *Decembris*.

Idem mandatum est Com. *Hereford.* Com. *Marisc.* Com. *Albemar.* *Johanni de Warin.* *Edmundo de Lacy.*

\* See here p.  
679, 704, 705,  
706, &c. 737,  
740, to 744. to  
761, 762.

What high \* contests then likewise grew, between the Archbishop of *Canterbury* his suffragans, and religious houses of his Province, the Bishop of *Lincoln*, the Canon



nons, Priests, Monks, Nuns, of his Diocese and others, and what confederacies, expensive Appeals, Journies to, and bribing in the Court of *Rome*, concerning Visitations, procurtaions, purchasing moderations of, or exemptions from them, to the great disturbance of the Church and State, through their covetousness, pride, oppression, ambition, you have heard already in part, of which our Histories render us this further account. I shall begin with those relating to religious persons or orders first, in all which we find no inquisitions upon oath; being expressly prohibited by the \* Popes Decretals prescribing the manner and form of visitations.

\* See p. 744.

Diebus quoque sub eisdem, Abbas *Clunias*. venit *Angliam*, *Monachorum suorum visitator, ordinis retractor, et pecuniæ sedulus investigator*. Et dum in *Anglicanis* partibus emolumentis intentus, moraretur, quidam continēs sui in ultramarinis partibus quædam sua castra cum peruentis violenter occuparunt. Unde oportuit ipsum, festinanter remeare.

Mat. Paris Hist. F. 794  
Advenit Abbas Cluniacensis in Angliam.

Anno quoque sub eodem circa festum sancti *Michaelis* significabant literatoriē Monachis sancti *Albani*, Dominus *Theobaldus* Prior de *Hurleia*, & Dominus *Jacobus* Supprior Ecclesiæ sancti *Augustini Cantuariensis*, Domini Papæ Capellanus, quod venturi erant ad sanctum *Albanum* ad visitationem ibidem faciendam, sicut provissum fuit apud sanctum *Salvatore* *Londini*. Et postulare sunt induciæ apud *Sunerc* in Ecclesia sanctæ *Mariæ* ex parte Conventus, usque in diem Dominicam proximam ante diem omnium Sanctorum, quod concessum est ab eisdem, qui proposuerant & mandaverant, quod in die sancti *Dionysii* advenirent. Interim promisit Dominus Abbas sancti *Albani*, ut quicquid emendabile foret, laudabiliter ante adventum eorum declararetur, & ipse procul dubio processu temporis, omnia emendanda emendaret. Quod & compromissum est, ne aliquid scrupulosam querelam suscitaret tumultuosam. Cumque dicto die ambo venirent, in crastino fecit Supprior sermonem in Capitulo. Deinde fecit legi suum autenticum. Postea statuta quæ in Provinciali capitulo, celebrato *Londini*, salubria fuerant, & ordine Monastico valde necessaria, prout patet in libro \* *Addamentorum*, ubi plenè scribuntur. Et cum nullum offendiculum invenissent, licet per singulos requisitos diligens fecissent scrutinium Monachos, per moram quatuor dierum, in pace recesserunt. Aliqui autem de Monachis Ecclesiæ sancti *Albani*, ad visitationem apud sanctum *Edmundum* & alibi faciendam sunt directi. Abbas autem sancti *Albani* *Johannes* secundus, eodem modo satisfecit Conventui in omnibus quæ se promiserat ante visitationem emendaturum postea, sicut satisfecerat suus prædecessor Abbas *Willielmus*, quando fuerat ab Abbate de *Boxle* & Abbate de *Begeham* auctoritate Papali visitandus.

Mat. Paris Hist. Angl. p. 799.  
Visitatio apud sanctam Albanum facta.

\* p. 169. to 179. where you may peruse them.

Scilicet neuter bene: promisit enim Conventui inter alia, quod generale suum & pitantias, quas primus omnium ad cameram suam attraxerat, omnino remitteret, nisi in refectorio vel oriole cum sociis suis pranderet: & quod pitantias, quas *Willielmus* Abbas prædecessor suus à fratribus infirmis abstulerat, & pretium earum in vinum suum convertebat, integraliter restitueret: sed completa visitatione, cum nihil de præmissis sibi objectum fuerat, promissa sua ad effectum minime perducebat. Such was the faith, integrity, honesty, of those religious Persons promises to each other in that age.

Concerning the Archbishop of *Canterbury* and his suffragans, contests, appeals, about their visitations, the Popes moderating of them, and procurators with the bribes and proceedings therein this year, our Historians render us this account.

Tempore quoque sub eodem fuit quidam procurator Generalis Magister *I.* ex parte Episcoporum *Angliæ*, contra Archiepiscopum *Cantuariensem* exigentem totalem *Angliæ* visitationem, in gravamen Ecclesiæ *Anglicanæ* intolerabile, in curia *Romana*. Qui ut gravamini tanto resisteret, contulit Domino Papæ sex millia marcarum ( *No mean bribe in that age* ) Et sic moderata est visitatio Archiepiscopi, exigentis visitationem plenariam: ita scilicet, quod nullam Ecclesiæ visitabit parochialem, nisi vocatus per loci rectorem, sed tantummodo Ecclesias Conventuales, non exemptas: & tunc non debet recipere pro procuratore sua, nisi quatuor tantum marcas. Hujus negotii tenor propensius intelligi potest per literas Domini Papæ, quæ in libro scribuntur *Addamentorum*. Diligens autem intentionum in ipsius perscrutator bene poterit intelligere, qualiter Episcopi

Mat. Paris Hist. p. 829.  
Mat. Parker Antiq. Eccles. Brit. and Godwin in Bonifacio. Sollicitudo procuratoris Episcoporum Angliæ.

piscopi religiosos Regni, sed & maxime exemptos diligant, sed ut Deo irato generalis sit hæc pestis tam in Prælatiis quam Laicis, quod divisio desolationem generabit.

Mat. Paris Hist.  
Ibid. p. 820. 830  
Archiepiscopi  
adventus in  
Angliam.

In Octavis autem beati *Martini*, applicuit in *Anglia* Archiepiscopus *Canuariensis Bonifacius*: cujus adventus nullum penitus lætificavit, imo, quod inviti dicimus, potius perturbavit. Reducebant enim omnes et singuli ad memoriam, quam inordinate, quam crudeliter se gerebat *Londini*, cum visitationem a viris religiosiis ibidem exigisset. Imo et qualiter Regnum multipliciter depauperaret, et Ecclesiam nunc undecim millia marcarum, et nuper sex millibus marcarum, quæ occasione suæ visitationis tyrannice extorquebantur. Necnon et qualiter nobilem Ecclesiam *Canuariensem*, cui tot sancti præfuerunt, enormiter succisis sylvis, et conculcato Conventu, depauperavit. Qualiter quoque optimos redditus alienigenis penitus, in suo tempore vacantes contulerit. Unde credebatur quod super Palustre fundamentum debile surgeret ædificium. Sed hoc Altissimi dispositioni est relinquendum.

Mat. Paris Hist.  
p. 835, 836.  
Moderatio de  
visitationibus.

Diebus sub eisdem, Dominus Papa ut ambabus partibus satisfaceret, & tolerabiliter providere & decrevit, ut Archiepisc. & alii Prælati ad quod spectat visitatio, visitationem facerent debitam & consuetam. Ita tamen, ut visitati non gravarentur in procurationibus visitantium, limitando taxavit pretium cujuscunque visitationis, prout literæ *Addamentorum libri* declarent, where they are thus recorded.

*Decretalis Papæ Innocentii, de privilegio exemptionis.*

Mathæi Paris.  
Addamenta p.  
182, 183.

**V**olentes libertatem quam nonnullis Apostolica sedes privilegium exemptionis indulgit, sic integrum conservari, ut & illam alii non infringant, & ipsi ejus limites non excedant, declaratione irrefragabili diffinimus, quod quantacunque sic exempti gaudeant libertate, nihilominus tamen ratione delicti sive contractus aut rei de qua contra ipsos agitur, rite possunt eorum Ordinario conveniri: Et illi quoque ad hoc in suam ipsos \*juramentum, prout jus exigit, exercere. Nunquid ergo carent omnino in iis commodo libertatis? Non utique: quia nec coram Ordinariis ipsis, dum sit in loco exempto commissum delictum, vel contractus initus, aut res litigiosa, nec ubi domicilium habent si alibi delinquant vel contrahant, aut res ipsa consistat, conveniri possunt aliquatenus super illis domiciliis prætextu locorum Diocesanorum. Si ubi delinquerunt vel contraxerint, aut res ipsa consistit, illi conveniantur remittendi, eos illuc vel ipsis, ut illuc respondeant, injungendi aliquam habent potestatem. Salvis nihilominus casibus aliis, in quibus eos Episcoporum jurisdictioni subesse Canonica præcipiunt instituta. Et id ipsum decrevimus circa illos, quibus ut non nisi sub uno judice teneantur de se conquerentibus respondere, Apostolico privilegio est commissum in eos, quibus ne interdici, suspendi vel excommunicari, à quoquam valeant, à sede Apostolica est indultum. Sicut sunt religiosi quamplures, in quorum privilegiis continetur, ne quisquam Episcopus vel Archiepiscopus, monasteriorum suorum monachos, pro ulla causa quantum ad ista, ubicunque illi fuerint, penitus exercere non possunt; nisi forsitan ipsi monachi ad monasteriorum suorum Prioratus eisdem Ordinariis subjectos, ut vel gerant ipsorum regimen, vel in eis tanquam locorum ipsorum proprii monachi resideant, fuerint destinati. Tunc enim, etsi liberè possint ad eadem monasteria revocari, ac tam illorum quam ipsorum Prioratum monachi recipi, cum non sit inconvegens aliquem utrobique locum habere monachi, cum unum alteri subesse monasterio vel ab alio noscitur dependere. Ratione tamen eorundem Prioratum, dicti Ordinarii sui jurisdictionem in ipsis, quoad præmissa quamdiu morantur in illis, licite uti possunt.

Mathæi Paris.  
Addamenta  
p. 186.

**I**NNOCENTIUS quartus, &c. Ad memoriam & observantiam perpetuam, contra gravamina quæ in procurationibus ratione visitationis debitis inferuntur subditis a Prælatiis, providerunt salubriter canonica instituta circa electionum & personarum multitudinem, epularum immoderantiam, a-

liasque

liaſque ſuperfluitates: ſtatuendo modeſtiam debitam obſervari, ut nec in exigendo numerum excederent Prælati, nec in exhibendo ſuperflue ſubditi gravarentur. Verum quia nonnullæ adhuc de huiusmodi procurationibus querimoniz audiantur, Nos volentes Paſtorali ſollicitudine providere taliter in hac parte, quod tollatur omnis occaſio gravandi, & ceſſet prorsus materia injuriandi, Apoſtolica auctoritate ſtatuiſmus, ut Archiepiſcopis, Episcopis, Archidiaconis, aliisque Prælatis perſonater viſitantibus, ab Eccleſiis & locis viſitatis exhibeantur procurationes in victualibus, & aliis neceſſariis moderatè. Ita quod hæc ſecundum communem veſtram æſtimationem, ſingulorum locorum vel ſumptuum qui ſuper iis ſient, ſummam vel valentiam quatuor marcarum argenti, in nulla procuratione tranſcendant. Proviſo tamen, quod ſecundum maiorem vel minorem evectionem, vel perſonarum numerum pro majoritate vel minoritate Prælatorum in *Lateranenſi* Conſilio taxatorum, ſiant uſque ad ſummam ipſam, vel infra huiusmodi procurationum expenſæ. Sed in locis in quibus major fertilitas vel copia rerum haberetur, & ubi minores ſunt redditus, & Eccleſiaſticæ facultates, minus ſecundum ampliorem neceſſariorum ubertatem, & parvitatem proventuum, in ipſis procurationibus expendatur. Si autem in huiusmodi procurationibus amplius fuerit expenſum, Prælati eas recipientes reſtituere in utilitatem Eccleſiarum à quibus ipſi receperint, & illi qui eas exhibuerint, & erogare de ſuo proprio pauperibus in duplum eis quod taliter ultra expenſum extiterit compellantur. Et aliâ pœnâ nihilominus quæ pro talibus viſitationibus, ſeu exactionibus, generaliter ſtatuta eſſe noſcuntur, manentibus ſemper ſalvis. Nulli ergo omnino hominum, &c.

In purſuance of this Papal decree the Biſhop of *Normich* iſſued this inſtrument, concerning the rates of Procurations in viſitations.

**W**. Dei gratia *Normienſis* Episcopopus, dilecto filio Decano de *Hengam*, ſalutem, gratiam, & benedictionem. Mandatum venerabilium Patrum *R. Lincolniensis*, *F. Londinensis*, & *W. Wellensis* & *Bathoniensis* Episcoporum recepimus, quod vobis transmittimus inſpiciendum, & tranſcribendum. Eadem auctoritate vobis & omnibus ſubditis veſtris, in virtute obedientiz & ſub pœna Canoniz diſtrictionis mandantes & præcipientes, quod cum Archidiaconi vel alii ad quos officium viſitationis pertinere dignoſcitur, perſonaliter ad vos cauſa viſitandi acceſſerint, ipſos cum numero equitaturarum in Conſtitutione *Lateranenſi* proviſo, honeſtè recipiatis, & victualia uſque ad ſummam ſeptem ſolidorum & ſex denariorum, ſecundum communem æſtimationem, vel ipſam numeratam pecuniam, prout maluerint miniſtreis eiſdem, pro certo ſciturum, quod ſi plus in pecuniâ vel victualibus perſolveritis, ſive ipſi plus receperint, ſeu ipſis non viſitantibus quid nomine viſitationis præſtiteritis, noſtam ſolventes quàm recipientes, per nos vel ipſos Conſervatores antedictos, ſecundum formam Conſtitutionis antedictæ, puniemus. In Eccleſiis autem minoribus, ubi propter bonorum inſufficientiam, minorem quantitatem percipere conſueverunt, percipiant ut ſolebant: donec cum ipſis communiter aliter ordinaverimus. Nos autem cum in locis quæ favente Domino in poſterum viſitabimus, in victualibus uſque ad ſummam triginta & unius ſolidorum & decem denariorem, ſecundum communem æſtimationem, vel ipſa pecunia & minori ſecundum loci facultates, volumus eſſe contenti. Datum *Londonia* quarto nonarum Februarii, Pontificatus noſtri anno octavo.

Matthæi Paris. Additamenta p. 188. De procurationibus Eccleſiarum Parochialium.

The Abböt and Monks of *Canterbury* to make ſure work, not willing to fall under the Archbiſhops laſh, by great ſums of money procured ſeveral Bulls of Exemption and Priviledge from Pope *Innocent 4.* relating to Procurations, and likewise Exemptions from Popes Proviſions to their Benefices, at which the Archbiſhop grew ſo angry, that he burnt them at *St. Albans* before he had ſcarce read them over, as we are thus informed.

In reſeſſu autem à Sancto *Albano* recepit idem Archiepiſcopus Literas Papales à quodam Monacho *S. Auguſtini Cantuarienſis*. *De ſcilicet Abbatem illius domus, vel Conventum, viſitando, ſuſpendendo, excommunicando* &c. perturbaret. Quod tamen propoſuerat, & prætemptaverat. Quas Literas vix perlectas, juſſit ignibus præſentari: (ſo little did he value the Popes Letters, that he burnt them as Heretical.) Ipſas quoque poteris in libro reperire *Additamentorum*.

Mat. Paris Hiſt. Angl. p. 851. Privilegium domus Sancti Auguſtini Cantuar.

Et



Et tunc complacuit ipsi Archiepiscopo & illis qui consilium ei dederunt, quod pacifice & modeste se habuit apud Sanctum Albanum.

Two of these Bulls are registr'd in *Matthew Paris* his *Addimenta*, p. 188, 189. but all of them more largely in \* *Chronica Willielmi Thorn*, c. 23. out of whom I have transcribed them.

*Benedictio Abbatis Rogeri de Cicestria.*

**A**Nno Domini 1252. die Sancti *Laurentii* Archiepiscopi, electus est in Abbatem *Rogerus de Cicestria* Camerarius per viam compromissi, pro cuius benedictione *Innocentius* Papa 4. scripsit *Bonifacio* Archiepiscopo *Cantuariensi* inter cetera sic.

Quocirca fraternitatem tuam rogamus & monemus attentè, per Apostolica scripta tibi mandantes, quatenus eidem *Rogero* in Monasterio supradicto juxta tenorem compositionis inter Sanctam memoriam beati Edmundum Cantuariensem Archiepiscopum & Monasterium ipsum inita, ac per sedem Apostolicam, ut dicitur, confirmata, munus benedictionis impendas, recepturus ab ipso postmodum pro nobis & Romana Ecclesia fidelitatis debita iuramentum, secundum formam quam tibi sub Bulla nostra mittimus interclusam. Formam autem iuramenti quod ipse prestabit de verbo ad verbum per ejusdem Patentes Literas suo sigillo signatas per proprium nuncium nobis quantocius fudeas destinare. Alioquin liceas es quicumque malueris Ca holicum adire amissitum gratiam & communionem ejusdem sedis habentem, qui nostra fretus auctoritate sibi quod postulat impendat.

Archiepiscopo vero eidem electo in suo Monasterio sine professionis præstatione benedicere penitus recusante, die decollationis Sancti *Johannis Baptista* in Ecclesia sua ab Episcopo *Lincolniensi* benedictus, prælationis accepit dignitatem. Item, *Innocentius* 4. indulget etiam huic Ecclesie quod non tenemur ad provisiones nec provisiones admittere nisi sub certa forma. Tenor hujus talis.

**INNOCENTIUS.** Dilectorum filiorum precibus inclinati, eis per nostras Literas duximus indulgendum, ut per reservationes & inhibitiones quas sibi prætextu Literarum super quorumcumque provisionibus à sede Apostolica obtinentur per quas non sit plenum sui alteri adquisitum, seu impetrandarum, in posterum fieri contigerit, nullum possit eidem Abbati & Conventui fieri obstaculum interponi, quo minus Ecclesie & alia beneficia Ecclesiastica ad ipsorum collationem spectantia cum vacaverint conferre, ac ad Ecclesias que ad præsentationem ipsorum pertinent, personas idoneas presentare libere valeant, nisi eadem Litera impetranda plenam & expressam ac de verbo ad verbum de indulto hujusmodi & toto tenore ipsius fecerint mentionem. Hujus privilegii Abbas & Prior Sancti *Edmundi* existunt conservatores.

Idem indulget huic Monasterio autenticum privilegium, quod cum pensionarii nostri eliguntur in Episcopos, cessabit pensio eorundem, unde sic.

**INNOCENTIUS** Episcopus: & infra, Nos vestris supplicationibus annuentes, pensionem aliquam prætextu prioris concessionis cuiquam electo in Pontificem de cetero solvere minime teneamini. Item privilegium. **INNOCENTIUS** Episcopus: & infra, Hinc est quod nos vestris supplicationibus inclinati, auctoritate presentium indulgemus, ut ad receptionem vel provisionem alicujus in pensionibus seu Ecclesiasticis beneficiis cogi de cetero per nostras Literas non possint, nisi de hac indulgentia plenam fecerint mentionem. (A pretty Postern to evade this Bull.)

Item ne aliquis delegatus vel subdelegatus, executor vel conservator possit nos excommunicare. **INNOCENTIUS** Episcopus: & infra, Ut igitur ex speciali devotione quam ad nos & Romanam Ecclesiam ad quam Monasterium tuum, sicut dicitur, nullo medio pertinet, habere dignosceris, sentias tibi favorem Apostolicum acceperisse, ut nullus delegatus vel subdelegatus, executor aut etiam conservator auctoritate sedis Apostolicæ vel delegatorum ipsius, in te vel Ecclesiam tuam excommunicationis, suspensionis, cui interditi sententia valeat promulgare absque mandato sedis Apostolicæ speciali, faciente plenam de hac indulgentia mentionem, auctoritate tibi presentium indulgemus.

Item, aliud de procuracionibus non dandis de Ecclesiis quas habemus in proprios usus, illo tenore. **INNOCENTIUS.** Principalem causam: & infra, Ecclesia igitur vestra sedi Apostolicæ immediatè subiecta, à futuris gravaminibus quibus tales, impellente plerisque ad hac res invidia, interdum solent affici, providere volentes, auctoritate presentium districte inhibemus, ne quis prætextu Ecclesiarum quas sunt vobis in usus proprios per sedem Apostolicam deputata, procuraciones rantes visitationis à vobis exigere vel extorquere, seu alia vobis aut Ecclesiis ipsis imponere onera contra iustitiam quous

\* *Historia Anglicanæ Scriptores Antiqui*, col. 1899, to 1904.

quoquo modo præsumat, de quarum proventibus est congrua portio pro consuetis oneribus sustinendis earundem Ecclesiarum vicariis assignata.

Anno Domini 1253. transmissa fuerunt statuta Gregorii Papæ 9. una cum Litera Papali super hiis executoria Bonifacio Archiepiscopo Cantuariensi; qua quidem Litera mediante, cum idem Archiepiscopus Monasterium Sancti Augustini ut de dictis statutis inquireret ingredi voluisset, nec à Conventu istius loci admissus fuisset, idem Archiepiscopus quasdam sententias in istud Monasterium & in quasdam certas personas ipsius proferebat. Quas quidem sententias & jurisdictionem eidem Archiepiscopo in hac parte attributam, revocari procurarunt sub hac forma quæ inferius annogatur.

*Litera directæ Archiepiscopo super revocatione processus.*

**I**NNOCENTIUS Episcopus servus servorum Dei, venerabili fratri Bonifacio Archiepiscopo, &c. Licet Monasterium Sancti Augustini Cantuar. ordinis Sancti Benedicti eo favorabiliter prosequi debeamus quod ad Romanam Ecclesiam nullo pertinet mediante, inde tamen illud specialiori amplectamur in Domino charitate, quod inter alia ejusdem ordinis Monasteria, & regularis observantia, & hospitalitatis bonum, prout accepimus, præcipue locum obtinet in eodem. Sanè olim sub certa forma per nostras tibi Literas dedimus in præceptis, ut statuta pro reformatione dicti ordinis à felicitis recordationis Gregorio Papa prædecessore nostro edita, faceres ab universis personis ejusdem ordinis in Civitate & Diocesi exacta diligentia observari. Quorum Literarum auctoritate super hoc præceptum Apostolicum exequens, diligenter in præfato Monasterio, ut dicitur, processisti: cum igitur de ipsius Monasterii personarum religione ac vita bonam habentes opinionem fide dignorum testimoniis informatam, sententias si quas ob hoc in personas sepelidicti Monasterii promulgasti, relaxari mandamus, fraternitatem tuam rogandam duximus & orandam per Apostolica scripta mandantes, quatenus prædictarum Literarum occasione ipsius personas Monasterii ulterius non molestes, sed habas ipsas cum eodem Monasterio pro nostra & Apostolica sedis reverentia, in suis iuribus propensius commendatas, adversus aliorum molestias ejusdem, quantum in te est, favorabilem & benivolum te impendens. Sed idem Archiepiscopus mandatis Apostolicis non parens, prædictas sententias in Monasterium & diversas personas ejusdem latas non revocavit, sed easdem ratas & firmas esse promulgavit; unde Abbas Rogerus pro remedio salubriori Dominum Papam iterum consultare coactus est.

Anno igitur Domini 1253. ab Abbate de Waltham in hujusmodi negotio per Dominum Innocentium Papam 4. delegato, emanavit eidem Archiepiscopo mandatum sub hac forma. Venerabili in Christo Patri Bonifacio, &c. E. eadem gratia Abbas de Waltham, &c. Mandatum Domini Papa suscepimus in hac verba. "Innocentius Episcopus: & infra, Omne ad nostram perlato audientiam, quod Abbates, Priores, & Monachi ordinis Sancti Benedicti Cantuariensis Provinciae statuta pro reformatione ipsius ordinis à felicitis recordationis Gregorio Papa prædecessore nostro edita non servabant, venerabili fratri nostro Cantuariensi Archiepiscopo ejusque Suffraganeis per nostras sub certa forma Literas dedimus in præceptis, ut inquisita super hoc diligenter veritate, statuta ipsa facerent ab universis personis ejusdem ordinis suarum Civitatum & Diocesium, tam exemptis quam non exemptis, exacta diligentia observari. Nos igitur dilectorum filiorum Abbatis & Conventus Monasterii Sancti Augustini Cantuarie dicti ordinis precibus inclinati, præsentium vobis auctoritate mandamus, quatenus si quas excommunicationis, suspensionis vel interdicti sententias idem Archiepiscopus in eundem Abbatem vel personas alias ejusdem Monasterii, ipsumque Monasterium, Literarum auctoritate hujusmodi, per se vel per alium promulgavit, vos ipsas vice nostra sine difficultate aliqua relaxantes, non permittatis eosdem Literarum vel sententiarum ipsarum prætextu ab aliis quibus molestari, molestatores hujusmodi per censuram Ecclesiasticam appellatione postposita compescendo, Non obitante, &c. Hujus igitur auctoritatis mandati si quas suspensionis, excommunicationis, vel interdicti sententias, mandando Abbatem vel personas alias ejusdem Monasterii, ipsumque Monasterium protulisti, ipsas secundum formam præscripti mandati relaxamus, paternitatem vestram rogantes, vobisque firmiter injungentes, quatenus ipsos occasione dictarum sententiarum nullatenus molestatis, prædictam relaxationem in singulis Ecclesiis vestre Civitatis & Diocesis publicè denunciari facientes.

Tho.  
Addi  
Mart  
p. 181

Thorn.  
col. 1901.  
Addimenta  
Matthæi Paris.  
p. 188, 189.

*Privilegium dispensandi super statutis Gregorii 9.*

**A**nno supradicto idem Papa *Innocentius* quartus ob singularem affectionem quam habuit erga istud Monasterium, concessit Abbati & Priori hujus loci super statu-  
ta *Gregorii* noni gratiam dispensandi, sub isto tenore.

**INNOCENTIUS**, &c. *Ex parte tua fuit nobis humiliter supplicatum, ut cum observantia tui ordinis, ab ipsa sui institutione multum sit rigida & difficilis ad ferendum, fuerintque postmodum per felicis recordationis Gregorium Papam predecessorem nostrum superaddita gravia statuta, diversarum poenarum adiectione vallata, ne contingat sub tan-  
tis oneribus deficere oneratos, providere super hoc paternae sollicitudine curaremus. Atten-  
dens igitur quod expedit calamus quassatum non conteri, & in erasione argutis vas non  
frangi, devotionis tuae precibus inclinati, praesentium tibi auctoritate concedimus, ut super  
observatione statutorum quae de substantia regula non existant, tu & successores tui cum  
Monasterii tui Monachis praesentibus & futuris, libere dispensare possitis, hiis casibus  
duntaxat exceptis super quibus in eadem regula est dispensatio interdicta, in quibus casibus  
dispensandi super poenis adiectis & irregularitatibus quas tui subditi baetenus incurterunt  
vel incurrunt de cetero, eosque absolvendi ab excommunicationis vinculo quo ipsos ob trans-  
gressionem praedictorum statutorum involvi contigit vel contigerit, inuncta sic absolutis  
poenitentia salvari, libera sit tibi & eisdem successoribus de nostra permissione facultas.  
Priori nihilominus Monasterii tui ac ipsius successoribus, concedendi tibi tuisque successoribus  
huiusmodi dispensationis & absolutionis beneficium, si fueris opportunum, indulgentes  
auctoritate praesentium facultatem, non obstantibus aliquibus Literis venerabilis fratri no-  
stro Archiepiscopo Cantuariensi vel cuicunque alii ab Apostolica sede sub quocunque tenore  
directis, & processibus habitis per easdem, de quibus forsitan oporteat fieri mentionem, & eti-  
am obtinendis, licet contineatur in eisdem Literis Apostolicis non obstante, si aliquibus  
Abbatibus, Prioribus, aut Monachis, & eorum collegiis quod excommunicari, suspendi,  
vel interdicti non valeant à sede Apostolica sit indultum, siue quibuscunque indulgentiis,  
privilegiis, immunitatibus seu Literis Apostolicis obtentis vel etiam obtinendis, & aliis  
etiam per quae hoc impediri vel deferri valeat, & de quibus vel de quorumlibet ordinibus  
vel locis, aut eorum nominibus in nostris Literis specialem & expressam oporteat fieri men-  
tionem. Hujus privilegii sunt conservatores Abbas de *Waltham* & de *Bello*.*

Indulgit etiam huic Monasterio idem Papa, quod per Literas Apostolicas vel Lega-  
torias de Ecclesiis nostris vel pensionibus non tenemur providere. Istam sequens  
formam.

*Privilegium contra Provisores.*

**INNOCENTIUS** Episcopus, &c. *Devotionis vestrae merita: & infra. Hinc*  
est quod nos vestris supplicationibus inclinati, devotioni vestrae auctoritate praesentium  
indulgemus, ut nulli de cetero per Literas Apostolicas vel Legatorias Apostolica sedis  
impetratas, nisi jam sit earum auctoritate processum, vel etiam impetrandas, de beneficiis  
Ecclesiasticis in quibus jus patronatus habetis, aut pensionibus in Monasterio vestro vel  
Ecclesiis vestris provideri valeat, nec vos vel rectores Ecclesiarum ipsarum per huiusmodi  
Literas ad cuiuscunque provisionem in praedictis beneficiis vel pensionibus compelli possitis,  
nisi plena & expressa in eisdem Literis Apostolicis de Monasterio Sancti Augustini  
Cantuarie, & huiusmodi toto tenore indulgentia mentio habeatur, etiam si in eisdem Li-  
teris continetur expressum, quod ipsis aliqua sedis Apostolica indulgentia non obstat sub qua-  
cunque forma vel expressione verborum aliquibus concessa, per quam facta eis gratia impe-  
diri valeat vel differri, aut de qua vel de cuius tenore specialem vel expressam, seu de verbo  
ad verbum fieri oporteat in nostris Literis mentionem. Conservatores huius privilegii  
Abbas Sancti Edmundi cum suo Priore.

Idem concessit huic Monasterio suum autenticum privilegium, scilicet quod possu-  
mus semper providere de Ecclesiis vacantibus, quamvis Papa suspendit  
et reservat tibi collationem, sub isto tenore.

**INNOCENTIUS** Episcopus. *Devotionis vestrae: & infra. Vestris itaque pro-*  
cibus inclinati, auctoritate vobis praesentium indulgemus, ut ad Ecclesias vel non habentes  
curam animarum annexam, nunc vacantes vel in posterum vacaturas, in quibus jus patrona-  
tus habetis, personas idoneas praesentare Canonice valeatis, non obstantibus aliquibus suspen-  
sionibus à beneficiorum collatione, seu illarum reservationibus per Literas Apostolicas  
generales



generales vel speciales factis aut in posterum faciendis; etiam si in eisdem Literis continetur expressio, quod aliqua ipsis Apostolica sedis indulgentia non obstat, de qua oporteat etiam de verbo ad verbum fieri mentionem. Conservatores huius illi qui supra.

Idem etiam, quod nec per generales nec per speciales Literas Papa vel Legati de Ecclesiis nostris prohibere non debemus.

INNOCENTIUS, & infra, Vestris itaque precibus inclinati, auctoritate vestris presentium indulgemus, ut per Apostolica sedis vel legatorum ipsius literas generales vel etiam speciales cuiuscunque tenoris existant, nulli vobis in viciis de Ecclesiis in quibus iam patronatus habeatis valeat provideri, nec vos ad providendum de illis cogi aliquatenus valeatis, nisi eadem litera Apostolica plenam & expressam de vestro monasterio & hac indulgentia usque toto tenore fecerint mentionem, etiam citatur in illis quod eis aliqua indulgentia sedis Apostolica non obstat, de qua oporteat etiam de verbo ad verbum fieri mentionem. Defensores huius privilegii, conservatores suprascripti.

Idem etiam concessit Abbati & huius loci Monachis, & indulgit ne ultra duas dig-  
tas à nostro Monasterio super hiis quæ idem obtinet negotii trahi in causas vel ad iudicium per Apostolicas literas, nisi eadem literæ plenam & expressam fecerint de in-  
dulgencia mentionem. Conservatores huius Abbas & Prior prænominati.

Item de confirmatione libertatum huius monasterii sic.

INNOCENTIUS Episcopus: & infra. Propterea dilecti in Domino filii, ve-  
stris iustis postulacionibus grato concurrentes assensu, libertates & immunitates ac iura à  
prædecessoribus nostris Monasterio vestro concessa, necnon exemptiones secularium exaltio-  
num a regibus, principibus, & aliis Christi fidelibus rationabiliter vobis indultas, ter-  
ras quoque, possessiones & alia bona vestra, sicut ea omnia iuste ac pacifice optinatis, vo-  
bis & per vos eidem Monasterio auctoritate Apostolica confirmamus.

The procuring of these exemptions, involved the Abbot & Covent of Canterbury in  
debts amounting to above 4000 Marks, for discharge whereof they were inforced  
to mortgage six of their best manors to \* John de Galesden Knight upon very hard  
prejudicial termes, ne penitus in abyssum confusionis demergerentur.

\* Mat. Paris  
p. 879.

The Prelates and Nobles refusing to grant the King any ayde toward his voyage  
to the Holy Land, upon the forementioned Bulls to the King, he was enforced to  
summon them to a new Parliament, and there to crave an ayde of them in a legall  
Parliamentary way, which they after many debates condescended to grant, upon the  
Kings promise to ratify the Great Charter of Liberties and the Forreist, and the free-  
dom of Elections (\* foreited) which he condescended to, and therefore ratified  
them a fresh, with a solemn excommunication denounced against all infringers of  
them, thus recorded.

\* Here p. 336.  
337.

In quindena verò Paschæ mense Aprili, tota edicto Regio convocata Anglia  
Nobilitas convenit Lond. de arduis Regni negotiis simul cum Rege tractare. Exi-  
terunt igitur ibidem cum Comitibus & Baronibus quamplurimis, Archiepiscopus Can-  
tuariensis Bonif. Episcopi Anglia ferè omnes, Archiepiscopus vero Eboracensis (qui  
in quantum potest Regis consilia vitare consuevit, qui expertus ea frequenter esse  
vana) excusavit se, asserens se esse remotum & senem. Pro Cestrensi autem absen-  
te, valetudo manifesta allegavit: Episcopatus Cistrensis tunc vacavit. Et cum  
de magna Regis exigentia qui postulavit sibi peregrinaturum infinitam  
exhiberi pecuniam, diu et inaniter contraxissent, et hinc inde  
nuntios utrobique consensus haberetur, contigit ut ex parte Epis-  
coporum et omnium Prælatorum, destinarentur ad Regem Archie-  
piscopus Cantuariensis, et Carleolensis et Sarisburienfis Episcopi, et electus  
Wintoniensis, ad persuadendum et inducendum Regem ut permitte-  
ret, prout sæpius solenniter jurando promissit, sanctam Ecclesiam su-  
is gaudere libertatibus, maxime de electionibus, in quibus præci-  
pue Ecclesiastica consistit libertas. Nulli enim jam in Ecclesiis  
Cathedralibus vel Conventualibus potest aliquis promoveri, nisi per  
Regem interitus. Unde Prælati et subditi ruunt in perditionem, et  
Ecclesiæ enormiter damificantur. Quod si hunc et alios errores,  
secundum Magnæ Chartæ de libertatibus concessæ tenorem, emenda-  
ret, ipsi usque ad gravamen magnum petitionibus suis inclinarent:  
Quibus Rex: Verum est, inde doleo, & penitet me graviter hoc fecisse; Instanter

Mat. Paris Hist.  
p. 838. 839.  
Magnum Parli-  
amentum in  
quindena Pas-  
chæ habitum.

igitur procurandum ut & talia peracta corrigantur, & amplius similia non perpetrentur. Et vos in hoc mihi sitis coadjutores, ne sic promoti cum subditis condemnentur. Recolitis enim memoriter, quod hunc Archiepiscopum *Cantuariensem Bonifacium*, ad tantam dignitatem promoverim, & te *Willielmum Sarisburiensem*, ex imo exaltaverim, qui meorum brevium scriptor extitisti, & multis judiciis periculosis tanquam Justitarius & conducticius interfuisti. Et te *Silvester Karleolensis*, qui diu lampens cancellariam, clericorum meorum clericulus extitisti, qualiter postpositis multis Theologis & personis reverendis, te in Episcopatum sublimavi. De te similiter frater *Æthelmare* liquet, qualiter, invitis Monachis, vel prece, vel timore corruptis, te ad nobilem *Wintoniensem* Ecclesiam apicem evexi, ætate & scientia & pædagogico adhuc indigentem. **Expedit primo et principaliter mihi et vobis, ut vos quæ injuste adepti estis, poenitentia deducati resignetis, ne æternaliter condemnemini.** Ego vero tali exemplo justificatus et castigatus, de cætero nullum nisi dignum curabo promovere. **Ipsi vero satis civiliter et cypnice reprehensi, responderunt:** Domine Rex, non facimus de præteritis mentionem, sed sermonem extendimus ad futura. Omissis igitur talibus frivolis, quæ jurgia poterant suscitare, se ad ardua serio contulerunt. Tandem protracto tempore diuturno & multis revolutis discepcionibus, post quindecim & amplius dierum continuationem, in hoc refedit omnium unanimis consensus, ut voluntas Regis peregrinaturi, & ideo pia, non penitus suo desiderio fraudaretur, nec Ecclesiarum vel Regni status enorme pateretur detrimentum. **Concessa est igitur Regi decima pars proventus ab Ecclesia recipienda, cum iter Hierosol per visum Magnatum arrip erat, in viaticum distribuenda, per triennium, in succursum Terra sancta contra Dei inimicos: et a militibus scutagium illo anno, scilicet ad scutum tres marcæ: et Rex bona fide et sine aliqua cavillatione, promissit se \* Chartam magnam et omnes ejus articulos fideliter observaturum.** Quam tamen a multis retroactis annis, pater ejus Rex *Johannes* tenere juravit, et similiter qui præsens est in successionem coronæ, et postea multoties, unde infinitam emunxit pecuniam. Fuerunt autem tunc ibidem præsentibus Prælati, Archiepiscopus *Cantuariensis B. Londinensis, Roffensis, Lincolnensis, Wygorniensis, Norwycensis, Herefordensis, Sarisburiensis, Bathoniensis, Exoniensis, Carleolensis, Dunelmensis, Menevensis*, electus *Wintoniensis, Ciceslriensis* nuper obierat. *Cestrensem* verò excusavit valetudo, *Ebra-censem* verò senium & remotio. Tertio igitur die Maii, in majori aula Regia *W. R. monasterii*, sub præsentia & assensu Domini *Hemici* Dei gratia Regis *Angliæ* illustri, & dominorum *Richardi* Comitis *Cornubiæ* fratris sui, & *R. Comitis Northfolkiæ & Suffolkiæ* Marescalli *Angliæ*, *H. Comitis Herefordiæ*, *H. Comitis Oxoniæ*, *J. Comitis Warewickiæ*, & aliorum optimatum Regni *Angliæ*, nos *B.* divina miseratione *Cant.* Archiepiscopus, totius *Angliæ* primas, *F. Londinensis, H. Eliensis, R. Lincolnensis, W. Wygorniensis, W. Norwycensis, P. Herefordensis, W. Sarisburiensis, W. Dunelmensis, R. Exoniensis, S. Carleolensis, W. Bathoniensis, L. Roffensis, T. Menevensis* Episcopi, Pontificalibus induti, candelis accensis, in transgressores libertatum & Ecclesiasticorum & libertatum, seu liberarum consuetudinum Regni *Angliæ*, & præcipue earum quæ continentur in Charta libertatum Regni *Angliæ*, & Charta de foresta, **excommunicationis sententiam solenniter tulimus sub hac forma.** *Auctoritate Dei omnipotentis, & filii, & spiritus sancti, & gloriosæ Dei genetricis semperque Virginis Mariæ, & beatorum Apostolorum Petri & Pauli, omniumque Apostolorum, & beati Thomæ Archiepiscopi & Martyris, omniumque Martyrum, B. Edwardi Regis Angliæ, omniumque Confessorum atque Virginum, omniumque Sanctorum Dei, excommunicamus, anathematizamus, & à limine sanctæ matris Ecclesiæ sequestramus, omnes illos qui modo scienter & malitiose Ecclesiæ privaverint vel spoliaverint suo jure. Item, omnes illos qui Ecclesiasticas libertates & libera consuetudines probatas, & præcipue libertates & libera consuetudines, quæ in chartis communium libertatum Angliæ, & de foresta continentur, concessis a Domino Rege Angliæ, Archiepiscopis, Episcopis, & cæteris Angliæ Prælatibus, Comitibus, Baronibus, Militibus, & libere tenentibus, qualicunque arte vel ingenio temere violaverint, diminuerint, seu immi-*

\* And King  
Johns Charter  
concerning E-  
lections there  
recited, foreci-  
ted here p. 358.  
359.

mutaverint clam vel palam, facto, verbo, vel consilio, contra illas vel earum aliquam, in quocunque articulo temere veniendo. Item, in illos qui contra illas vel earum statuta, aliqua ediderint vel edicta servaverint, consuetudines introduxerint, vel servaverint introductas, scriptores statutorum, necnon consiliarios & executores, & qui secundum ea præsumpserint judicare. Qui omnes & singuli superius memorati, hanc sententiam incursuros se noverint ipso facto, qui sciens aliquid commiserint de prædictis, qui vero ignoranter, nisi commotis, infra quindenam a tempore commotionis se correxerint, ex tunc sint hac sententia involuti. Eadem etiam sententia innodamus omnes illos, qui pacem Regis & Regni præsumpserint perturbare. In cuius memoriam sempiternam nos sigilla nostra presentibus duximus apponenda. Pro-  
taque fuit in medium Charta patris sui I. in qua iterum concessit idem Rex I. mera voluntate, & recitari fecit libertates supradictas. Dum autem Rex memoratam sententiam audisset, tenuit manum suam ad pectus suum sereno vultu, voluntario, & alacri. Et cum in fine projecissent candelas extinctas & fumigantes, & diceretur, & forteant hujus sententiae incursores in inferno, & campanæ pulsarentur, dixit ipse Rex: Sic me Deus adiuvet, hæc omnia illibata servabo fideliter, sicut sum homo, sicut sum Christianus, sicut sum miles, & sicut sum Rex coronatus, & inunctus. Et scendum quod in principio sententiae ferendæ, cum traderentur omnibus candelæ accensæ, tradita fuit Regi una, & cum accepisset eam, noluit eam tenere, sed tradidit cuidam Prælatorum, dicens: Non decet me candelam talem tenere, non enim sum Sacerdos; Cor autem majus perhibet testimonium. Et ex tunc tenuit manum expansam ad pectus, donec tota sententia finiretur. Episcopus autem *Lincolniensis Robertus* præconizans in corde suo, & timens ne Rex à pactis resili-  
ret, fecit illico cum rediret in Episcopatum suum excommunicari solenniter, in qualibet Ecclesia Parochiali per Diocesim suam, quæ præ numerositate sua vix possunt æstimari, & præcipue Sacerdotes omnes supradictarum Chartarum infractores, quæ sententia potuit aures audientium tinnire, & corda non mediocriter formidare. Yet none violated these Charters more then the Pope and his instruments; and the King by the Popes own instigations.

The King having imployed the Bishop of *Chichester*, as his prime agent to preach up and collect the monies granted him by the Prelates and Popes Croysado towards the relief of the Holy Land, sent this Letter to the Pope in his favour, to bestow Provisions of Beneficies and livings on some of his Chaplains, for their encouragement and recompence of this service, within the Diocese of *Canterbury* not *Chichester*.

**R**EX Domino Papæ salutem. Sanctæ Paternitati vestræ tantò confidentius pro nobis & devotis nostris preces nostras frequenter porrigimus, quanto nos inter alios vobis & Ecclesiæ Romanæ devotis promptiores ad debitam devotionis obsequia & honoris constantius per Dei gratiam reperire poteritis, semper paratos, ad ea quæ ad honorem Dei & exaltationem Ecclesiæ, & ad defensionem fidei Christianæ poterunt pertinere. Hinc est, quod pro venerabili patre Episcopo *Cyestr.* qui ad mandatum vestrum & instantiam nostram præ aliis terræ nostræ Prælati quibus idem mandastis officium prædicationis Crucis Christi, devotius assumpsit & laboriosè exequitur diligentius, Sanctitati vestræ cum ea qua possumus affectione supplicamus, quatinus devotionem ipsius, tenuitatem ac raritatem beneficiorum, Episcopatus sui, onus quod gratis subit & exequitur, in negotio Crucis attendentes, ac eidem precum nostrarum interventu compatiens, per literas vestras sibi concedere dignemini, ut ad exonerationem suæ Ecclesiæ sibi committæ *Theodos. de Lavan.* Capellano vestro in provincia *Canuar.* secundum directarum ad ipsum prius super ejusdem Capellani provisione, in Civitate vel Diocesi *Cicest.* continentiam literarum, auctoritate vestra valeat providere. Concedentes insuper si placet eidem Episcopo, ut duobus Clericis sibi in negotio Crucis per nos ei familiariter assistentibus, valeat in Regno *Anglia* in competentibus Ecclesiasticis beneficiis providere. Taliter si placet preces nostras exaudientes quod tam nos quam ipsum Episcopum vobis proinde reddatis obnoxios ad gratias speciales, & ad peragenda libentius vestræ sanctitatis beneplacita. Teste Rege apud *Westm.* 11. die *Martii*.

Claus. 37 H.3.  
m. 16.  
Deliteris dilectis Domino Papæ.

Per I. Mansell.

The



The King likewise sent this Letter to the Pope to excite all other Christian Kings and Princes to joyn with him in assisting the Holy Land, being too great an undertaking for him and his subjects alone.

Claus. 37 H. 3.  
m. 19. dorso.  
De literis dire-  
ctis Domino  
Papæ.

**I.** Dei gratia summo Pontifici, *H.* Dei gratia Rex *Anglie*; &c. salutem. Non ignorat sanctitas vestra quod cum Dominus *I.* Rex pater noster vitam excessit, præsentem nobis adhuc infra adultam ætatem existentibus, sub alis sedis Apostolicæ defensi fuimus contra multorum inimicorum incursum, & tunc caractere Crucis insigniti, quem postea consilio quorundam ab humeris nostris deponentes, meruimus à vobis Crucis ad tempus absolvi. Sed jam non immemores horum quæ tunc nobis acciderunt, Crucem de novo saluberrimo voto, sicut sanctitati vestræ non est incognitum, humeris nostris assumpsimus. Verum cum non sit tantum unitus Principis opus negotium Crucis ut tanta res exposulat adimplere, sanctitatem vestram cum mentis affectu devouissimè rogamus, quatinus generaliter per cetera Regna Christianorum, Crucis negotium solempniter prædicari simul, & passagium nostrum quod statutum est à festo Nativitatis sancti *Johannis Baptista* proximo futuro in tres annos, per prædicatores publicari fac. Principes etiam & alios Christianos Crucesignatos modis quibus expedire videritis moveri jubeatis & induci, quod ad terminum prædictum secundum votorum suorum exigentiam, proficiantur ad impendendum una nobiscum negotio Crucis subsidium desideratum. Nos etiam per Crucifixi misericordiam totis viribus mentis & Corporis, cæterisque adminiculis secularibus iter nostrum præparabimus exequendum, prædictum negotium Crucis ad excellentiam honoris ipsius, cujus amore Crucem bajulamus. Cæterum cum soli non valeamus sine cæterorum fidelium auxilio, votum Crucis ut deceret expedire, perquam durum nobis esset quod gens nostra propria crucesignata se diverteret alias quam nobiscum in *Terram sanctam*, cum præcipue de gente propria majorem geramus fiduciam quam aliena; super prædictis igitur tam *sancta Terra* quam nobis solita clementiæ vestræ providentia salubriter prospicere non omittat. Teste Rege apud *Westm.* 28. die *Januarii*.

The King to ingratiate himself with the Clergy of *Ireland*, the better to promote the levying of his disme there towards his voyage to the Holy Land, commanded his Justice in *Ireland* to provide cups for the Eucharist for all Cathedrals there, and to bestow almes on the Freres Minorites and Preachers, who were principally employed to preach up that Croyssado.

Claus. 37 H. 3.  
m. 4. intus.

**M**andatum est Justic *Hibernia* quod in singulis Ecclesiis Cathedralibus *Hibernia* inveniat unam cuppam ad Eucharistiam, in ea reponendam, videlicet in Ecclesiis ubi sedes est Archiepiscopus, Cuppas precii quatuor *Marc.* & in cæteris Ecclesiis Cathedralibus Cuppas precii trium *Marc.* distribui etiam faciat, charitative usque ad summam Centum *Marcarum* Hosp. Sancti *Johannis Dublin.* & fratribus prædicatoribus & Minoribus, & alibi in terra nostra *Hibernia* ubi viderint expedire. Teste Rege apud *Portesm.* primo die *Augusti*.

What occurrences and bribes to the Pope hapned this year concerning visitations and exemptions from them, is thus related.

Mat. Paris Hist.  
840.

Tunc quoque temporis, Papa argumentose nimis intendens, injunxit Episcopis, ut quilibet Abbates et Conventus in sua Diocesi constitutos visitaret. Injungens eisdem, ut cogerent eos sub pena excommunicationis observare quoddam articulos regulæ sancti *Benedicti* impertinentes, nec sunt de regulæ substantia, quos iidem Monachi nunquam tenere consueverunt, nec voverunt. *Francia* vero Monachi *Nigri ordinis*, videntes se Regali munimine penitus destitutos, ne arbitrio Episcoporum, quibus exoti sunt maxime privilegii, exponerentur, cogitaverunt sibi pacem redimere. Datæ igitur quatuor millibus librarum *Turonensium* Papæ, sic hujusmodi tyrannidis impetum compescuerunt. Cujus rei series & articuli, in libro *Adalamentorum* plenius describuntur. (where you may peruse them at your leisure, p. 173. to 179.) Abbas autem & Conventus sancti *Albani*, appellaverunt ad præsentiam Domini Papæ, ne ab Episcopo *Lincolnensi*

*mensi* visitarentur, quia sic eorum privilegia cassarentur. The form of their procuration you may find in his *Addamenta*, p. 184.

Per idem tempus, Archiepiscopus *B.* facta visitatione apud *Feverham & Rossam*, visitavit Canonicos sancti *Pauli* & alios in urbe. Et propter moderationem admissus est benigne. Et hæc caute fecit, ut scilicet sic visitandi haberet ingressum et possessionem.

You heard before, \* how much *Groshead* Bishop of *Lincolne* opposed the Popes Provisions, directed to him, for which the Pope suspended him from his Bishoprick; whereupon he Writ, and sent this notable Epistle to Pope *Innocent*, rendering him the reasons why he was bound in conscience to disobey his unjust Letters and provisions, as most contrary to the Doctrin and practise of Christ and his Apostles; and most great and heinous offences, tending to the destruction of peoples souls; and that no Bishop or other person, was bound to obey any of the Popes Mandates as Apostolical, but what were warranted by the Doctrin and Practise of Christ and his Apostles, thus recorded by *Matthæw Paris*.

*Diebus sub eisdem, cum Dominus Papa Innocentius 4. significasset per Apostolicam scriptam, precipiendo Episc. Lincoln. R. quatenus quiddam faceret, quod ei videbatur injustum et rationi dissonum, prout frequenter fecerat illi et aliis Anglia Prelatis, rescripsit ei in hæc verba, Salutem. Noverit discretio vestra, quod Mandatis Apostolicis affectione filiali devotè & reverenter obedio. His quoque quæ Mandatis Apostolicis adversantur paternum zelans honorem, adversor & obsto. Ad utrumque enim teneor ex divino Mandato. Apostolica enim Mandata, non sunt, nec esse possunt alia, quam Apostolorum doctrinæ; et ipsius Domini nostri *Jesu Christi* Apost. magistri et Domini, cujus typum et personam maxime gerit in Hierarchia Ecclesiæ Dominus Papa consona et conforini.*

*Ait enim Dominus ipse noster *Jesus Christus* Qui non est mecum, contra me est.* Contra ipsum autem nec est, nec esse potest Apostolicæ sedis sanctitas divinissima. Non est igitur prædictæ literæ tenor, Apostolicæ sanctitati consonus, sed absonus plurimum & discors. Primo quia de illius literæ & ei consimilium longè lateque dispersarum superaccumulato \* *Non obstant* te, nec ex legis naturalis observanda necessitate inducto, scatet cataclysmus inconstantiæ, audaciæ, et procacitatis, inberecundiæ, mentiendi, fallendi, dissidenter alicui credendi, vel fidem adhibendi: et ex his consequentium vitiozum, quorum non est numerus, Christianæ religionis puritatem, et socialis conversationis hominum tranquillitatem commovens et perturbans. Præterea, post peccatum *Luciferi*, quod idem erit in fine temporum ipsius filii perditionis *Antichristi*, quem interficiet Dominus spiritu oris sui, non est, nec esse potest alterum genus peccati, tam adversum et contrarium Apostolorum doctrinæ et Evangelicæ, et ipsi Domino *Jesu Christo* tam odibile, detestabile, et tam adominabile, quam animas curæ Pastoralis officii et Ministerii defraudatione mortificare et perdere. Quod peccatum evidentiissimis scripturæ sacræ testimoniis committere dignoscuntur, qui in potestate curæ pastoralis constituti, de lace et lana ovium *Christi* bibificandarum et salvandarum pastoralis officii et Ministerii salarium comparant, debita non administrant. Ipsa enim ministeriorum pastoralium non administratio, est scripturæ testimonio, ovium occisio & perditio. Quod autem hæc duo genera peccatorum, licet dispariter sint pessima, & omne alterum genus peccati inæstimabiliter superexcedentia, manifestum ex hoc, quod ipsa sunt duobus existentibus & dictis, licet dispariter & dissimiliter, optimis directè contraria: *pessimum enim est, quod optimo contrarium.* Quantum autem est indictis peccantibus, unum peccaminum est ipsius Deitatis supersentialiter & supernaturaliter optima. Alterum verò deformitatis & deificationis, ex divini radii gratifica participatione essentialiter & naturaliter optimæ interemptio; & quia sicut in bonis, causa boni melior est suo causato, sic & in malis, causa mali pejor est suo causato. Manifestum, quoniam talium pessimorum interemptorum deformitatis & deificationis in ovibus

Mat. Paris Hist. p. 841. Archiepiscopus Cantuariensis visitationem facit. \* Here p. 761. 762.

Mat. Paris Hist. p. 843. Epistola missa Papæ ab Episcopo Lincol.

Mat. 12. 30.

\* Non obstant.

2 Thess. 2.

2 Cor. 10. 8.

ovibus *Christi* in Ecclesia Dei introductiones, ipsius pessimis interemptoribus sunt peiores, *Lucifero* et *Antichristo* proximiores, et in hac pejoritate gradatim, quanto magis superexcellentes, quia ex majore et divinis potestate sibi divinitus in ædificationem, non in destructionem, tradita, magis tenerentur ab Ecclesia Dei tales interemptores pessimos excludere et extirpare. Non potest igitur sanctissima sedes Apostolica, cui à sancto sanctorum Domino *Jesu Christo* tradita est potestas omnimoda, testante Apostolo in ædificationem, non in destructionem, aliquid urgens in hujusmodi peccatum, Domino *Jesu Christo* tam odibile, detestabile, & abominabile, & humano generi summè perniciosum, vel mandare, vel præcipere, vel quoque modo ad aliquid tale conari. Hoc enim esset suæ potestatis evidenter sanctissimæ et plenissimæ, vel defectio, vel corruptio, vel abusus, vel a throno gloriæ Domini nostri *Jesu Christi* omnimodo elongatio, et in Cathedra pestilentis, poenarum gehennarum duobus prædictis tenebrarum principibus proximo coaccessio. Nec potest quis immaculata et sincera obedientia eidem sedi subditus et fidelis, et a corpore *Christi*, et eadem sancta sedi per schisma non abscissus, mandatis vel præceptis, vel quibuscunque conaminibus, undecunque emanantibus, et si a supremo Angelorum ordine, obtemperare, sed necesse habet totis viribus contradicere et rebellare. Propter hoc, reverendi Domini, ego ex debito obedientiæ & fidelitatis qua teneor verique parenti Apostolicæ sedi sanctissimæ, & ex amore unionis in corpore *Christi* cum ea, his quæ in prædicta litera continentur, & maximè, quia, ut prædictum, ad peccatum Domino *Jesu Christo* abominabilissimum, et humano generi perniciosissimum evidenter vergunt, et Apostolicæ sedis sanctitati omnino adverfantur, et contrariantur Catholicæ fidei, unice, filialiter, et obedienter non obedio, contradico et rebello. Nec ob hoc potest inde vestra discretio quicquam durum contra me statuere, quia omnis mea in hac parte & contradictio & actio, nec contradictio est nec rebellio, sed filialis divino mandato debita patri & vestri honoratio. Breviter autem recolligens dico, Apostolicæ sedis sanctitas non potest nisi quæ in ædificationem sunt, et non destructionem: hæc enim est potestatis plenitudo, omnia posse in ædificationem. Hæc autem quas vocant provisiones, non sunt in ædificationem, sed in manifestissimam destructionem. Non igitur eas potest beata sedes Apostolica acceptare, quia caro et sanguis, quæ Regnum Dei non possidebunt, eas revelabit, et non Pater Domini nostri *Jesu Christi*, qui est in cælis.

Mat. 16. 17.

How strangely passionate Pope *Innocent* grew upon the reading of these Letters, what Oathes, yea most proud insolent speeches, he used both of the King of England, styling him not only his *vassal*, but *slave*, and of this Learned conscientious Bishop for reprehending, disobeying his impious, unapostolical mandates; and how unlike he was to our Saviour Jesus Christ, or St. *Peter*, whose Vicar and Successor he pretended himself, this ensuing narrative will discover.

Mat. Paris Hist.  
Angl. p. 344.  
Papa indignatur valde lectis  
Literis Episcopi  
Lincoln.

Hæc cum ad Domini Papæ audientiam pervenissent, non se capiens præ ita et indignatione, torbo aspectu et superbo animo ait: Quis est iste senex delirus, surdus & absurdus, qui facta audax, imò temerarius, judicat? Per *Petrum* et *Paulum*, nisi moveret nos innata ingenuitas, ipsum in tantam confusionem præcipitarem, ut toti mundo fabula foret, stupor, exemplum, et prodigium. Nonne Rex Anglorum noster est *Assallus*, et ut plus dicam, mancipium, qui potest eum nutu nostro incarcerare, et ignominie mancipare? Et cum hæc inter fratres Cardinales recitarentur, vix compescentes impetum Papæ, dixerunt ei, Non expediret, Domine, ut aliquid durum contra ipsum Episcopum statueremus, ut enim vera fateamur, vera sunt quæ dicit. Non possumus eum condemnare. Catholicus est, imò et sanctissimus, nobis religiosior, nobis et sanctior, excellentior, et excel-



cellentioris vite, ita ut non credatur inter omnes Prælatos majorem, imo nec parem habere. Novit hoc Gallicana & Anglicana Cleri universitas, nostra non prævaleret-contradictio. Hujusmodi Epistolæ veritas, quæ jam fortè multis innotuit, multos contra nos poterit commovere. Magnus enim habetur Philosophus, Latinis & Græcis Literis ad plenum eruditus, zelator justitiæ, lector in Theologiæ Scholis, prædicator in populo, castitatis amator, persecutor simoniacum. Hæc dixerunt Dominus *Egidius Hispanus* Cardinalis, & alii, quos propria tangebant conscientia. Consilium dederunt Domino Papæ, ut omnia hæc conniventibus oculis sub dissimulatione transire permitteret, ne super hoc tumultus excitaretur. **Maxime propter hoc, quia scitur, quod quandoque discessio est ventura.**

Diebus sub eisdem, cum dies caniculares suam exercuissent malitiam, Episcopus *Lincolniensis Robertus* apud *Bukelonam* Manerium suum, decubuit graviter infirmatus. Vocavit igitur ad se quendam fratrem de ordine *Prædicatorum*, Magistrum *Johannem de Sancto Egidio*, in arte peritum Medicinali, & in Theologia lectorem, eleganter eruditum & erudientem, ut ab eo corporis & animæ reciperet consolationem. Novit enim in spiritu, tribulationem in proximo Ecclesiæ ingruere, quam non providimus. Unde præcepit Sacerdotibus per suam Diocesim constitutis, ut solenniter in omnes Chartarum Magnarum de Regni libertatibus violatores, ubicunque cognoscerent homines conventuros, sententiam Excommunicationis indefessè innovarent. Cui præcepto quidam aulici tam Clerici quam Laici, procaciter resistentes, Presbyteris contumelias inferebant. Unde ex ipso facto, ipsos novimus vinculo anathematis irretitos. Et cum una dierum confabularetur Episcopus cum memorato fratre *Johanne* physico, recitando facta Papæ, redarguit graviter confratres suos *Prædicatores*, & alios, similiter *Minoribus* non pepercit, eo quod ordo eorum idcirco in paupertate voluntaria, quæ est paupertas spiritus, salubriter constituitur, ut liberius vitia potentum non palpent, sed censoria austeritate acriter reprehendant. Quia

Mat. Paris Hist.  
p. 846, 847.  
Mat. Westm.  
Anno 1253. p.  
256, 257, &c.  
260, 261.  
Episcopus Lincolniensis infirmatur ad mortem.

*Cantabit vacuus coram latrone viator.*

In hoc autem, quod tu frater *Johannes*, & alii *Prædicatores* peccata magnatum audacter non redarguis, & facinora non detunicatis, hæreticos censo manifestos. Et addidit Episcopus, *Quid est hæresis? Da definitionem.* Et cum hæsitasset frater, non recolens authenticam ipsius rei rationem ac definitionem, subjunxit Episcopus fidei interpretatione *Græci* idiomatis in *Latinum*: *Hæresis est sententia humano sensu electa, scriptura sacra contraria, palam edocta, pertinaciter defensa.* *Hæresis Græcè, electio Latine.* Et consequenter subjunxit, **reprehendens Prælatos maxime Romanos; qui consanguineis suis indignis, ætate et scientia insufficientibus, curam committunt animarum.** Dare curam animarum parvulo, sententia est alicujus Prælati, humano sensu electa propter carnem vel terrenitatem. Et est contraria scripturæ sanctæ, quæ prohibet fieri Pastores, qui non sunt idonei ad arcendum lupos: & est palam edocta, quia manifeste portatur *Charta sigillata vel Bullata*, et est pertinaciter defensa, quia si quis voluerit contradicere, suspenditur, excommunicatur, et super eum præsum sanctificatur. Cui tota definitio hæretici convenit, hæreticus est. Sed quisquæ fidelis tenetur opponere se hæretico quantum potest, qui ergo potest contradicere, & non contradicit, peccat, & videtur fautor esse, secundum illud *Gregorii*: Non caret scrupulo societatis occultæ, qui manifesto facinori desinit obviare. Sed fratres tam *Minores* quam *Prædicatoris* maxime obligantur ad oppositionem contra talem, cum utrique habeant ex officio gratiam prædicandi, sunt ad illud officium per paupertatem liberiores: non solum peccant, si ei non contradicunt, imo fautores ipsius existunt, sicut & Apostolus ad *Romanos*, id est, non solum qui talia agunt, sed qui consentiunt, digni sunt morte. Potest ergo concludi, quod tantum Papa, nisi ab hoc vitio cesset, quam dicat fratres, nisi curiosos se exhibeant ad arcendum talem, digni sunt morte, scilicet perpetua. Item dicit *Decretalis*, quod super tali vitio, videlicet hæresi, potest et debet Papa accusari.

Et quia noctes tunc temporis in longum protrahebantur, erat autem tertia nox ante festum Sancti Dionysii, Episcopus lethali tædio & infirmitate prægravatus, accersiri præcepit aliquos de Clericis suis, ut saltem mutuis colloquutionibus recrearentur, quibus Episcopus dolens de iactura animarum per Papalis Curie avaritiam, suspirans ait, *Christus venit in mundum ut animas lucraretur: Ergo si quis animas perdere non formidet, nonne Antichristus merito est detestendus? Dominus sex diebus mundum condidit universum, sedus hominem reparare plus quam triginta annis laboravit; nonne ergo animarum destrudor inimicus Dei et Antichristus censetur? Privilegia Sanctorum Pontificum Romanorum prædecessorum suorum, Papa impudenter annullare per hoc repagulum, Non obstante, non erubescit, quod non sit sine eorum præiudicio et injuria manifesta: sic enim reprobat et diruit, quod tanti et tot Sancti edificarunt; ecce Sanctorum contemptus! Merito igitur contemptor contemnetur, secundum illud *Isaia, Va qui spernis, nonne contemneris? Quis ejus privilegia conservabit?* Errorem suum ad hoc respondens Papa sic tuetur, *Par in parem non habes imperium: Ergo Papa me Papam minime prævalet obligare.* Ad hoc respondeo, ait Episcopus, *Mibi videtur, non sunt pariter navigans in mundi periculo, & gratulans in portus securitate. Da, ut aliquis Papa salvetur.* Absit dicere contrarium; dicit Salvator, *Qui minor est in Regno celorum, major est* Johanne Baptista, *quo major inter natos mulierum nemo surrexit.* Nonne major est ergo aliquis Papa dator privilegiorum vel confirmator, isto vivente? Profecto, major mihi videtur, ergo in minorem habet imperium, non igitur debet præteritorum. Nonne dicit Papa de suis plerisque prædecessoribus, *ille vel ille pia recordationis prædecessor noster, &c. & sæpè, auctoritate Sancti prædecessoris nostri vestigiis, &c.* Quare ergo quæ jecerunt, diruunt fundamenta quæ sequuntur? Plures Apostolici viri unum aliquod privilegium prius pie concessum confirmarunt. Nonne plures divina gratia salvati, majores sunt uno solo adhuc periclitante? Item, antiqui Patres nostri viri Apostolici tempore sunt priores; et quos antiqui temporis attollit reverentia, venerabiles habere tenemur. Hoc bene attendebat Sanctus virtute venerabilis *Benedictus*, omnium spiritu sanctorum repletus in regula sua; qui prius venientes qualescunque authenticis viris tardius ad ordinem accedentibus præponit, & esse præcipit venerabiles & priores. Unde ergo hæc injuriosa temeritas, privilegia antiquorum sanctorum multorum in irritum revocare?*

Mat. Paris Hist.  
p. 847, 848.  
Lugubris querimonia de oppressionibus Ecclesiarum.

Præterea, etsi multi alii viri Apostolici Ecclesiam affligerint, ille gravius aliis coegit ancillari, et inconvenientia multiplicavit. *Causæ enim manifestæ usurariis, quos Sancti Patres & Doctores nostris, quos vidimus & audimus, videlicet Magister eximius in Francia Prædicator, Abbas quoque de Flay Cisterciensis ordinis, Magister Jacobus de Viteri, Cantuariensis Archiepiscopus Stephanus exulans, Magister Robertus de Curcum, prædicando à partibus Francia ejecerunt, quia antea hæc pesse Anglia non laborabat, iste Papa suscitavit et protegit suscitatos; et si quis obloquatur, damnis et laboribus, teste Episcopo Londinensi Rogero, fatigatur. Novit mundus, quod usura detestabilis habetur in utroque Testamento et a Deo prohibetur, nunc Domini Papæ Mercatores vel Scambiatores, obmurmurantibus Judæis, palam Londini scenantur, viris Ecclesiasticis et maxime religiosis diversa machinantur grabamina, cogentes quos gravat egestas mentiri, et signa sua scriptis mendacibus appendere: quod est idololatrare; et veritati, quæ Deus est abrenunciare.* Verbi gratia, mutuo accipio marcas per annum pro centum libris: cogor conficere scriptum & signare, in quo confiteor me centum libras mutuo in fine anni solvendas recepisse. Et si fortè sortem pecuniæ tibi infra mensem vel dies pauciores adquisi tam usurario Papali solvere volueris, non recipiet, nisi integraliter centum libras: Quæ conditio gravior est quam *Judæorum*, quia quandocunque sortem *Judæo* attuleris, recipiet benigrè, cum tanto lucro quod tempore tanto se commensurat. Præterea, novimus Papam fratribus *Prædicatorum & Minoribus* præcepisse, ut morituris assistentes, quos inquirant diligenter, persuadeant urgens, ut condant testamenta sua ad commodum & subsidium *Terræ Sanctæ*, & crucem assumant,

assumant, ut cum convaluerint substantiolas eorum emungant, vel si moriantur ab executoribus tantum recipiantur vel extorqueatur. Cruce quoque signatos personis Laicis, sicut quondam in templo oves et boves venditari consueverunt, vendit apponendo. Inspeimusque Literam Papalem, in qua insertum reperimus, quod testamenta condentes, vel crucem suscipientes, et subsidium *Terræ Sanctæ* impendentes, tantundem recipient indulgentiæ, quantum pecuniæ largientur. Præcepit insuper Papa multis suis scriptis, Prælati, ut tali vel tali alieno et absenti et penitus indigno, qui nec Literas vel linguam nobis indigenarum, ut prædicare posset vel confessiones recipere, vel saltem propter pauperes reficiendos et transeuntes suscipiendos, residentiarii facere, providere in Ecclesiastico beneficio, quantum vel quale duceret acceptandum. Item scimus Dominum Papam scripsisse Abbati de *Santo Albano*, ut provideret cuidam *Johanni de Camezani*, quem nunquam viderat, in beneficio competenti: et infra hęc tempus provisum est ei in Ecclesia, quæ annuatim 40. marcas et amplius valebat: sed ipse eam non contentus, conquestus est Papæ. Scripsit igitur Papa Abbati memorato, ut dicto Clerico uberius provideretur: nihilominus tamen reservata eidem Domino Papæ prioris Ecclesiæ donatione. Et non post hæc dies multos venerunt ad prædicti Abbatis coenobium, duæ satis despicabiles personæ Literas Papales deferentes; in quarum tenore insertum fuit, ut illico ipsis viris nobilibus ad sua negotia expedienda sine difficultate ad manum decem marcas Abbas conferret, quibus ampullosa et minantia verba proferentibus, Abbas finem fecit. De viris quoque sanctis et literatis, qui sæculum ordine irreversibili pro Deo imitando reliquerunt, suos facit Papæ telonarios, ad pecuniam argumentose extorquendam. Quod & ipsi onus inviti suscipiunt, ne inobedientes esse videantur. Et sic de secularibus sunt seculariores, & mentitur in eis tragulorum vilitas, dum sub habitu paupertatis spiritus habitat elationis; et quia non debet mitti in *Angliam* Legatus, nisi a Rege postulatus, mittit Papa Legatos sophisticos et transformatos, sed non rubellis vestibus redimitos, magnis armatos potestatibus, nec est difficile exemplum invenire. Tot enim frequenter adveniunt hujusmodi, ut eorum nomina audientibus tædium generaret. Cæterum, quod videre non consuevi, concedit Papa ob favorem secularem, ut aliquis Episcopatum obtineat, nec tamen Episcopus existat; sed electus sempiternus: quod tantundem significat, ut lac et lanam habeat ovium, lupos tamen non abigendo, pristinos etiam redditus retinendo. Et cum hæc et alia enormia, videlicet omne genus avaritiæ, usuram, symoniam et rapinam, omne genus luxuriæ, libidinem, gulam, et ornatum, quæ in Curia illa regnant, detestaretur, ut vere de ipsa judicatur,

Ejus avaritiæ totus non sufficit orbis,  
Ejus luxuriæ meretricis non sufficit omnis.

Restebatur prosequi, quomodo consilia Curia illa, ut *Jordani* inquit in os ejus, patulo hiatu aspirabat, ut etiam bona intestatorum et distinate legatorum sibi usurparent; et ut licentius hoc facerent, Regem in rapinis suis consortem facerent et participem. Nec liberabitur Ecclesia ab *Egyptiæ* servitute, nisi in ore gladii cruciendâ. Sed hæc profecto levia, sed in brevi, scilicet hoc triennio, ventura sunt graviora. In calce vero hujusmodi prophetiæ locutionis, quem præsumptibus singulis,



lachrymis, & suspiriis vix pronunciaſſet, abbreviata eſt lingua ejus, & deficiente habitu, organum vocis ſiluit mutilatum.

Mat. Paris Hiſt.  
p. 848, 849.  
Mort. Episcopii  
Lincolniensis  
Roberti.

Migravit igitur ab hujusmodi mundi, quem nunquam dilexit, exilio, Sanctus *Lincolniensis* Episcopus *Robertus* secundus, apud *Bugdenam* Manerium suum in nocte Sancti *Dionysii*. Domini Papæ et Regis redargutor, manifestus, *Pælatorum* corrector, *Monachorum* corrector, *Presbyterorum* director, *Clericorum* instructor, *Scholarium* sustentator, *Populi* prædicator, *Incontinentium* persecutor, *Scripturarum* sedulus perscrutator, *liber* verſarum, *Romanorum* malleus et contemptor. In mensa refectionis corporalis, dapilis, copiosus, & civilis, hilaris & affabilis. In mensa vero spiritali devotus, lachrymosus, & contritus. In officio Pontificali sedulus, venerabilis, & infatigabilis.

What melody was heard in the ayre near *Bugden*, ravishing the ears and hearts of the hearers, what ringing of Bells to the astonishment of the Auditors, that night this Bishop dyed and passed from Earth to Heaven, what miracles upon miracles were wrought at his Tomb after his decease, you may read at large in *Matthew Paris*, he being generally reputed a Saint worthy Canonization; therefore his declamations against the Pope and his premised exorbitances, whiles ready to give up the ghost, must needs be real, weighty, and worthy consideration.

Mat. Paris Hiſt.  
p. 852.  
Annalis con-  
clusio.

These his oppositions and declamations against the Pope, induced *Mat. Paris* to give this character of the year 1253. (wherein he dyed) at the close whereof, \* *Transit igitur annus ille Papæ et Papalibus, arcus et auguralis*. The Pope being extremely angry with *Groſthead*, writ a Letter to the King of *England*; to digg up his bones and cast them out of the Church, as if he were a Heathen; whereupon this Bishops ghost appeared to him that night, expostulated with him, pricked him in the side, and haunted him till his death, thus related by *Matthew Paris* and others.

Mat. Paris Hiſt.  
p. 855, 856,  
868, 875, 877.  
Dirum somni-  
um Innocentii  
quarti Papæ.

Hoc etiam anno, Dominus Papa dum una dierum iratus supra modum, vellet cum mala gratia omnium fratrum Cardinalium ossa Episcopi *Lincolniensis* corporis extra Ecclesiam projicere, et ipsum in tantam infamiam præcipitare, ut Ethnicus, rebellis, et inobediens per totum mundum acclamaretur: jussit talem Literam scribi Domino Regi *Anglia* transmittendam, sciens quod ipse Rex libenter deserviret in ipsum, & in Ecclesiam deprædandam. Sed nocte sequenti apparuit ei idem Episcopus *Lincolniensis* Pontificalibus redimitus, vultuque severo, intuituque austero, ac voce terribili, ipsum Papam in lecto sine quiete quiescentem aggreditur & assatur, pungens ipsum in latere ictu impetuoso suo cuspidis baculi, quem bajulabat, pastorali. Et dixit ei: Senebalde Papa miserrime, proposuisse ossa mea in mei & Ecclesie *Lincolniensis* opprobrium extra Ecclesiam projicere? unde hac tibi temeritas? Dignum foret, ut tu, a Deo sublimatus & honoratus, Dezelatores, licet defunctos, coleres. Nullam potestatem in me habere, si Dominus amodo patietur. Scripsi tibi in spiritu humilitatis & dilectionis, ut errores tuos crebros corrigeres. Sed tu monita salubria superbo oculo, & fascinati corde contempsisti. Va qui spernis, nonne & tu contemneris? Et sic recedens Pontifex *Robertum*, ipsum Papam, qui quando, ut dictum est, pungebatur, ab alto ingemuit, quasi lancea transverberatus, dereliquit seminecem, & voce flebili cum suspiriis ingemiscentem. Unde Camerarii ejus hæc audientes, attoniti interrogaverunt, quidnam hoc sibi vellet? Papa verò cum gemitibus & suspiriis respondit, dicens: *Terroris nocturni conturbaverunt me vehementer. Nec mihi penitus ut prius restitutor resistens, ben, ben, quantum latus dolor, sum lancea gens lanceatum. Nec comedit nec bibit illa die, fingens se anhelis febribus inflammatum. Nec adhuc quievit Domini super eum ultio, cum indignatione.*

Papalis exerci-  
tus victus.

Nec multo post, Papa non sentiens divinas per servum suum admonitiones, sed bellicis nimis & secularibus negotiis intendens, minus in eis prosperatur, licet curam, laborem, & sumptus non paucos expendendo. Sed Marte ei, imò Domina exercituum adversante, exercitus ejus, quem contra *Apulos* maximis sumptibus discesserat, sub ducatu consanguinei nepotis sui *Willielmi*, dissipatus, victus & confusus, cum ejus Duce lethaliter vulnerato occubuit. Referuntur ibidem interfecti Christiani milites & servientes prævalidi stipendiarii Papæ militantes, ad quatuor mille viro- rum. Et luxit tantum sanguinem Christianum effusum tota patria *Romanorum*. Direxerat autem

autem Papa iter illis diebus versus *Neapolim*: licet in latere quasi pleuresi infirmatus, vel lancea fauciat. Nec potuit ei Cardinalis *Albi* physica suffragari. Non enim peperit *Robertus Lincolnensis Senethaldo Jannensi*. Et qui vivum noluerat audire corripientem, fenserat mortuum impingentem. Nec unquam postea, ipse Papa unum bonum diem vel prosperum continuavit usque ad noctem, vel noctem usque ad diem, sed insomnem & molestatam.

This History is thus related by <sup>a</sup>*Ranulphus Cestrensis*, and <sup>b</sup>*Henry de Knighton*. Hoc anno obiit sanctus *Robertus* dictus *Grofteste* Episcopus *Lincolniensis* 7. Idus *Octobris*, qui in cunctis liberalibus artibus excellenter eruditus, præcipue in Logica, & Astrologia plurima commentatus est, ad *Innocentium* Papam misit Epistolam satis rotundam, quæ sic incipit. Dominus noster *Iesus Christus* pro eo quod Ecclesias Anglicanas indebitis, & insolitis exactionibus gravare videretur, & quia nepotulo suo Pueri Papa contulisset Canonatum cum proxima præbenda vocatura in Ecclesia *Lincolniensi*, quem tamen *Robertus* admittere noluit, rescribens Papæ, nec velle debere tales ad curas animarum admittere; qui se nescirent nec possent regere, Qua de causa ad Curiam vocatus et excommunicatus, appellabit a Curia *Innocentii*, ad tribunal *Christi*, unde conigit ut post biennium mortis *Roberti*, apparuit Papæ de Nocte quiescenti quidam Episcopus Pontificaliibus indutus sic inquit, Surge miser veni ad iudicium. Et statim cum baculo pastorali pupugit Papam in latere sinistro usque ad cor, unde & lectisternium Papæ inventum est mane sanguinolentum, & ipse defunctus hac de causa, quamvis *Robertus* perspicuis effulgeret miraculis, non est permixtus a Curia Canonizari.

What passages fell out between the King, Archbishop and Canons of *Lincoln* about electing a new Bishop and Archdeacon after *Grofteste's* death, I find thus related.

In crastino verò beati *Thome* Martyris, Canonici *Lincolnienses* elegerunt sibi in Episcopum Magistrum *Henricum de Lexingtona*, ejusdem Ecclesiæ Decanum, & transfretavit electus ut Regem videret, & ut à Rege videretur & acceptaretur, tam electo quam electione approbata vel reprobata. Formidabat autem apparere coram Rege, qui secundum consuetudinem suam, ipsum Decanum, et totum presbiteribus sollicitaverat urgentissimis Capitulum, ut Episcopum *Herefordensem* (qui manifestè reprobatus fuerat, tum quia alienigena *Anglium* idioma ignoravit, tum quod fama, vel potius infamia ejus extitit, quod Regno fuerat inimicissimus & infidelissimus) eligerent in Episcopum & suarum pastorem animarum; Cui licet Regiæ petitioni instantissimæ, nullatenus voluerunt Canonici electores favorem exhibere. Ipse enim per manum secularem, in ipsum Episcopatum violenter intrusus *Herefordensem*, tam religiosos quam seculares in partibus ultramarinis (utinam honeste commozans) gregem sibi commissum, lacte, lana, et aruina saginatus, lupinis dentibus dereliquit. Veruntamen Rex non inveniens in dicto electo, causam reprobationis, ipsum, licet non sereno corde, admisit: being consecrated soon after by Archbishop *Boniface* beyond the Seas.

Ipsisque diebus, revertente Archiepiscopo *Canuariensi Bonifacio*, à sepultura Episcopi *Lincolniensis Roberti*, orta est discordia inter ipsum & Capitulum *Lincolniensem*. Vendicabat enim sibi Archiepiscopus de jure communi, potestatem conferendi præbendas & redditus in Episcopatu *Lincolniensi*, pastore suo viduato. Decanus verò & Capitulum speciali beneficio innitentes, & consuetudini approbatæ & antiquæ, e contra dicebant. Quibus testimonium perhibebat Magister *Walterus de Billesdon*, vir Jurisperitus & fidedignus, qui enumeravit tres Ecclesias à Decano sede vacante collatas. Et multi alii, qui hoc noverant, & viderant. Archiepiscopus de multiplici consilio potestate, contradiutores omnes excommunicabit. Solus autem *Lincolniensis* Archidiaconus, Magister videlicet *Willielmus Lupus*, vir quidem Jurisperitus, eleganter literatus, & magnæ auctoritatis, contradicens Archiepiscopo in faciem, pro jure et libertate Ecclesiæ constanter appellabit ad Summi Pontificis præsentiam. Unde quoniam solus se mutum opposuit pro suæ possessione & libertate Ecclesiæ, usque ad mortem miserabilis, sicut sequens sermo declarabit, tribulationes toleravit. Canonici verò ex antiquis causis

<sup>a</sup> Polychron. l. 7. c. 36.  
<sup>b</sup> De Eventibus Angliæ, l. 2. c. 16. col. 2436.  
See Godwin in his Life; Balzani in Innocentio 4.

Mat. Paris Hist. p. 853, 859.  
See Godwin in his Life.  
H. de Lexingtona eligitur Episcopus.

Mat. Paris Hist. p. 850, 877.  
Discordia inter Archiepiscopum Bonifacium & Capitulum *Lincolniensem*.

causis inutiliter ventilatis fatigati, nec valentes nec volentes contra tantum aduersarium dubia causarum fata contendentes expectari, succubuerunt, et succumbentes, absolutionis beneficium promeruerunt. Archidiaconus vero consistens stabilis in proposito, quasi interim disverticula. Tandem tutum credens habere refugium apud Sanctum *Edmundum*, quia illic & in terra Sancti *Albani* consueverant esse afflictorum refugia & protectiones, postquam steterat quadraginta diebus in sententia iuste vel iniuste, se ad protectionem dicti Sancti *Edmundi* contulit & Civitatem. Ubi persequente Archiepiscopo, cum ibi non asylum refugii, sed carceris invenisset duritiam: nec cum poterat Abbas Sancti *Edmundi* protegere vel receptare: Archidiaconus pauper, profugus, et exul, *Romam* adit, a Domino Papa aliquam saltem consolationem adepturus. Papa autem misertus ac miseratus, cognita veritate, pusillanimitatem Canonorum, & Archipræsulis redarguens austeritatem, & Archidiaconi constantiam commendans, paternum sibi providit remedium. Archidiaconus vero nactus spe meliori, cum rediens à Curia in partes cisalpinas pervenisset, post tot labores & dolores, quos pro suæ libertate Ecclesiæ sustinisset, viam universæ carnis est ingressus, merito beato *Thoma* Martyri, qui ob similem causam occubuit, associandus. Sed ante mortem, fere triennem suffinuit in hac causa tribulationem. Such was the Archbishop's Tyranny.

The King (in imitation of the Pope) issued these Letters Patents in nature of Provisions, to provide Benefices for 12. Clerks, amounting to several Annual values, out of Livings belonging to his Donation, directed to *Richard* Earl of *Cornwall*, Guardian of the Realm in his absence, dated at *Portsmouth*, being there taking Ship for *Gascon*.

Pat. 37 H. 3.  
m. 8. dorso.  
De provisionibus faciendis.

**R**EX R. Comiti *Cornubia*, & Magistro *Willielmo de Kilkenni* Archidiacon. *Coventr.* salutem. Sciatis, quod concessimus dilecto nobis *Thoma de Rusillum* Clerico, quod in Beneficio Ecclesiastico, quod ad nostram Donationem pertineat, de 30. vel 40. Marcarum eidem provideatur: Et ideo vobis mandamus, quod in huiusmodi Beneficio eidem *Thoma* provideatis vice nostra. In cujus, &c. Teste Rege apud *Portesm.* 7. die *Julii*.

Eodem modo mandatum est eidem pro *Simone de Vertiers* Clerico, de provisione ei facienda in 50. Marc. redditus. Teste ut supra.

Eodem modo mandatum est eidem pro *Hugone de Salinis*, de provisione ei facienda in 40. vel 50. Marc. redditus. Teste ut supra.

Eodem modo mandatum est eidem pro *Radulpho de Dungen.* de provisione ei facienda in Beneficio Ecclesiastico competenti.

*Petrus Chaceport* habet consimiles Literas eidem de provisione ei facienda in 200. Libr. redditus, in Ecclesiastico Beneficio immediatè post provisionem *Henrici de Wyngbam*.

Consimiles Literas habet *Radulphus de Montibus* eidem de provisione ei facienda in Beneficio Ecclesiastico 60. Marc.

Consimiles Literas habet Magister *Nicholaus de Plumpton* de provisione ei facienda in Beneficio Ecclesiastico 24. Marc.

Consimiles Literas habet Magister *Johannes de Lith*, Clericus *A. Winton.* elect. de provisione ei facienda in Beneficio Ecclesiastico 60. Marc.

Consimiles Literas habet *Robertus de Shottindon*, de provisione ei facienda in Beneficio Ecclesiastico sibi convenienti.

Et *Willus de Rupella* in Beneficio Ecclesiastico 40. Marc.

Et *Roberto de Cantuar.* in Beneficio Ecclesiastico 50. Marc.

Et *Brie.* filio *Willielmi Bransiz* Clerico, in Beneficio Ecclesiastico 15. vel 20. Marc.

The same year the King issued this Writ to the Bishop of *Chichester*, to publish throughout his Diocese the Priviledges he had granted to all such who should crosse themselves for the Holy Land, being the same in \* terms with those the year before, sent to the Archbishop of *York* to publish, the Writs running in the same form.

\* Here p. 769.

R E X



**R**EX R. Ciceſtria Epifcopo, & Magiſtro Hugoni de Sancto Edmundo, ſalutem. Volentes Crucesignatis gratias facere ſpeciales, &c. as in the foreſaid Writ.  
 In the margin there is this Annotation. Poſtea ſubſtituti fuerant de novo Epifcopo Norwic. & Ciceſtr. & Abbas Wiſtm. & innovatæ fuerunt Literæ ſingulis illorum directæ in feſto Aſcenſionis Domini. Anno, &c. 38.  
 Et ſimiliter Literæ interius notatæ de negotio Crucis.

Pat. 37 H. 3.  
 m. 23. incus.  
 De crucesigna-  
 tis.

The King to promote the levying of the Diſmes granted him for his voyage towards the relief of the Holy Land, wherein the Biſhop of Chicheſter was principally imployed, ſent this Patent to the Archbiſhops and Biſhops to deſire and require their favorable aſſiſtance of him and his Agents in this affair.

**R**EX Archiepiſcopis, &c. ſalutem. Cum venerabilis Pater Epifcopus Ciceſtrienſis ad instantiam noſtram, & de Conſilio noſtro, autoritate Apoſtolica benignè propter Deum, ſalutem animarum, Terra Sancta ſubſidium, & honorem noſtrum aſſumpſerit onus & officium prædicationis Crucis Chriſti exequendum, collectionem Decimarum beneficiorum Eccleſiaſticorum in ſubſidium prædictæ Terra Sanctæ, autoritate præmiſſa nobis conceſſæ & alia faciend. quæ pertinent ad dictum negotium per Regnum noſtrum, per ſe & per alios idoneos, quibus vices ſuas ſuper hoc duxerit committendas, vobis ſupplicamus attentius, rogantes & exorantes in Domino in fide qua Deo & nobis tenemini mandantes, quatenus ob amorem Crucifixi, cujus negotium geritur in hac parte, & ob reverentiam noſtram, tibi & aliis quos pro prædicto negotio per Literas ſuas ad vos contigerit deſtinari, favorabiliter aſſiſtentes in omnibus hiis quæ contingunt officium ſupradictum ad promotionem dicti negotii conſilium, auxilium, & favorem benevolum præbere ſtudeatis. Tantum facientes ut præter merita quæ vobis inde accreſcend. à Domino vobis univerſis & ſingulis teneri debeamus, in veſtris negotiis penes nos expediendis grata viciffitudine, ad gratias ſpeciales. In cujus, &c. Teſte ut ſupra.

Pat. 37 H. 3.  
 m. 22. incus.  
 De negotio  
 Crucis.

Per Regem.

The Biſhops of the Province of Canterbury being to meet in a Convocation at London, the King left they ſhould attempt any thing therein againſt the Rights of his Crown, or Liberty of his people, appointed two Proctors by this Patent to ſit and act therein in his behalf.

**R**EX univerſis, &c. ſalutem. Quia intelleximus quod Venerabiles Patres Epifcopi Provinciæ Cantuar. London. convenerunt, ad tractandum ſuper aliquibus articulis qui ſtatum noſtrum et Regni noſtri contingere poſſint, ne jus noſtrum et ſubditoꝝ negligere videamur, Magiſtrum Nicholaum de Plimpton Clericum, et Rogerum de Lockinton noſtros conſtituimus procuratores, ad proponendum de jure noſtro quæ ipſis videbitur expedire: Et ad alia faciend. nomine noſtro quæ hujusmodi negotium requireret; Et ad appellandum ſi opus fuerit prout ordo juris dictabit. In cujus, &c. Teſte Rege apud Windleſ. 12. die Januarii.

Pat. 37 H. 3.  
 m. 19. vel 20.  
 De procuratori-  
 bus conſtitutis.

Per Regem.

The King having contracted with thoſe of Marſelles for Ships to transport him, his forces and Subjects to the Holy Land, iſſued this Writ to all perſons of all ranks who had taken the Croſſe upon them in Ireland, to certiſie him what number they amounted to, that ſo he might provide Ships accordingly.

**R**EX Archiepiſcopis, Epifcopis, Comitibus, Baronibus, Militibus, & omnibus aliis Crucesignatis Hibernia, ſalutem. Sciatis, quod juravimus & ſtatuimus paſſagium noſtrum in Terram Sanctam à feſto Sancti Johannis Baptiſta Anno Domini 1253, in tres annos, quod etiam Dominus Papa confirmavit, ac apud Marſill. mare ingredi proponentes, tractatum nuper habuimus ob noſtrum & veſtrum commodum ſuper paſſagio cum probis hominibus Marſill. quos ad nos in Angliam venire propter hoc fecimus: Et ideo vobis mandamus rogantes, quod ad certum diem & locum conveniatis

Pat. 37 H. 3.  
 m. 11. incus.  
 De paſſagio  
 Regis.

conveniat ad sciendum quot, & qui vestrum nobiscum in *Terram Sanctam* personalliter proficiscantur, & de numero omnium illorum nos sine dilatione distinctè & aperte certificetis, ut de securis naves contra prædictum passagium ad opus vestrum & nostrum provideri faciamus. In cujus, &c. Teste Rege apud *Westm.* 9. die *Maii*.

Idem mandatum Archiepiscopis, Episcopis, &c. *Scot.* In cujus, &c. Teste ut supra.

The Archbishop of *Ardmach* in *Ireland* having occasion to repair to *Rome* concerning the affaires of his Church, durst not do it without the Kings license, which he upon his Petition obtained, together with a suspension of Suits against him during his absence, as this Patent manifests.

Pat. 37 H. 3.  
m. 9. intus,  
Pro Archiepiscopo  
Ardmach.

**R**EX omnibus, &c. salutem. Cum Venerabilis Pater *R.* Archiepiscopus *Arma-*  
*chan.* professus sit de licentia nostra ad *Curiam Romanam* pro ne-  
gotiis *Ecclesiæ suæ*: Volumus, quod quietus sit de omnibus placitis & querelis  
usque ad festum Sancti *Martini* proximum futurum. Et ideo vobis mandamus, quod  
de omnibus placitis & querelis ipsum Archiepiscopum, usque ad eundem Terminum  
quietum esse faciatis. In cujus, &c. Teste Rege apud *Windesf.* 11. die *Junii*.

The King by this Patent constituted two Proctors to promote the business of the  
Crosse in the Court of *Rome*, promising to ratify what they should do therein.

Pat. 37 H. 3.  
m. 9. dorso.  
De procurato-  
ribus constitutis  
in Curia Ro-  
mana.

**R**EX *I.* Summo Pontifici, salutem. Noverat vestra Sancta Paternitas, quod  
nos constituimus & ordinavimus dilectos nobis in Christo *Johannem de Ambion*,  
Decanum *Monis Sancti Andree* in *Sabaudia* Capellanum vestrum, & Magistrum *Ni-*  
*cholaum de Plimpton* procuratores nostros ad impetrandum & contradicendum in Cu-  
ria vestra, ad petendum etiam gratias & indulgentias pro subsidio *Terra Sancta* &  
alias, prout eis injunximus viva voce. Rarum habituri & firmum quicquid per ipsos  
in Curia vestra super præmissis factum fuerit & procuratum. In cujus, &c. Teste  
Rege apud *Windesf.* 12. die *Junii*.

The King this year passing over into *Gascoigne*, and committing the custody of  
the Realm to the Queen and Earl *Richard*, when he was taking Ship at *Portsmouth*  
sent this Mandate to the Queen, (a badge of his Ecclesiastical power in divine Offi-  
ces and Masses to be said for him) thus entred in the Clause Rolls.

Claus. 37 H. 3.  
m. 8. dorso.  
De missa beati  
Edwardi cele-  
branda.

**M**andatum est Reginæ *Angliæ*, quod in Capella Regis apud *Westmonaster.* singulis  
diebus celebrari faciat Missam beati *Edwardi*, quamdiu Rex fuerit in partibus  
prædictis. Teste Rege apud *Portesm.* 5. die *Julii*.

*Richard* Earl of *Cornwall* (as you heard before) having refused the Popes proffer  
of the Kingdom of *Sicily* to him, only to pick his purse, and engage him in his quar-  
rel against *Conrade* the rightfull King, he thereupon tendred it to our K. *Henry* for  
the self-same ends, being lesse circumspect, and easier to be circumvented then his  
Brother, thus related.

Mat. Paris Hist.  
p. 864, 865.  
Papa obculit  
Regnum Sici-  
liæ Regi An-  
glorum.

Diebus sub eisdem, cum Magister *Albertus* ad *Curiam Romanam* perveniens, nun-  
ciasset Papæ, quod nullo modo poterat Comitem *Richardum* flectere ad consensum,  
ut Regnum *Siciliæ* & *Apulia* sibi oblatum vellet recipere, & seipsum & omnia sua  
ambiguis casibus exponere, nisi primò Papa sibi de suo genere optimos præstaret obfides  
de securitate fidelitatis. Et præterea, juvaret eum de aliqua quantitate pecunie, in  
negotio *Mario* illo exponenda. Et insuper traderet ei quadam *Castra*, qua Papa in con-  
finiis habebat, ut secunda sibi inveniret receptacula. Papa autem hoc videns sibi esse difficile,  
respondit: Nolumus tot subiacere conditionibus. Cui Magister *Albertus*: Comes mihi  
dixit, si sic non feceris, ut prælibatum est, idem est, ac si quis diceret, Vendo vel do tibi  
*Lunam*, ascende, & apprehende eam. At Papa considerans suam in dicto Comite admoni-  
tionem non valere, subiunxit: Non curamus cum ipso confederari, vel aliquid com-  
mune habere. Cum igitur certificaretur Papa, quod frustra jecisset res ante oculos  
pennatorum, missis secretis punitis ad Dominum Regem *Angliæ*, ut simplicitatem ejus  
circumveniret (quoniam sciebat semper ad damna propria prout & credulum)  
obtulit et concessit ei Regnum *Siciliæ* & *Apuliæ*: & ad hoc acquirendum,  
juvamen

juvamen præstaret tale, quale poterat sine aliquo gravamine. Retorqueret enim omnes Crucesignatos à principali eorum proposito, videlicet ne transirent in *Terram Sanctam*, sed omnes communiter Regem *Angliæ* sequerentur, & juvarent *Sicilianæ* & *Apulianæ* ad præturum. Unde hoc audientes *Templarii* & *Hospitalarii*, patriarcha *Hierosolymitanus*, & omnes *Sanctæ Terræ* Prælati & incolæ, qui hostibus Christo opponuntur, & jam pejora formidabant, usque ad mortem doluerunt, **Romanas fallacias detestantes.** Rex autem de promisso Papali umbratili adeo exultatus est, & adeo dilatarum est cor suum inani gaudio, quod voce, gestu, & r. su exultationem protestans, filium suum *Edmundum* Regem *Siciliæ* palam vocaret, credens pro facto se jam de ipso Regno subarratum. Nuntius vero Papalis infillavit auribus ejus, ne hoc arcenum divulgaret, ne videlicet ad notitiam amicorum suorum, qui pedicæ **Romanas** cognoverant, perveniret, et sic præmuniretur. Rex igitur quicquid de thesauro suo, quicquid de scaccario, quicquid mutuo potuit à fratre suo Comite *Richardo* recipere, quicquid poterat à *Judeis* abradere, quicquid de rapinis *Jusitaniarum* itinerantium valuit extorquere, misit Papæ, ut *Conradum* impugnaret, et omnes suos *Siculos* et *Apulos* expugnaret. *Conradus* autem voluit, quod Rex *Angliæ* in retiacula *Romane Curie* cecidisset: & grates retulit Comiti *Richardo*, quod se non permitteret irretiri. Significans ei, quod sapienter fecisset, quod non confusus in verbis Papalibus, et pecuniæ thesauris se à temeraria præsumptione retraxisset prudenter, quia ubi Comes habuit unum argenteum, Rex *Conradus* unum aureum poterat invenire exponendum. Papa autem pecuniarum multitudine saginatus, erectus est in confidentiam. Et infinitum, quem congregavit exercitum de conductis stipendiariis, ducatu & regimini *Othaviani* Cardinalis commisit, & copiose sterlingos distribuit, & cum detecissent, significavit Regi, quod defuit illi pecunia. Rex autem, instindu Diaboli et avaritiæ referens Papæ, mittebat ei literas patentes obligatorias, Regio sigillo consignatas, ut sufficienter, imo abundanter, mutuo caperet a mercatoribus *Italicis.* Nec timeret thesauri quantitatem, vel usurarum multitudinem, ipse enim omnia plene adquietarat, et se ad hoc obligavit sub pœna excommunicationis. Papa autem his omnibus consentiens, hoc mandatum acceptabit: si bene fecerit, judicet *Judex omnium judiciorum Dominus*, cui cura est de omnibus; non autem meum est facta Papalia judicare. Fecit igitur quasi edicto Imperiali vel Regali publice accipiam, ut omnes qui desiderabant optima stipendia recipere, venirent ad Papalem exercitum. Habebat enim jam quoniam mutuo recuperat ab usuariis *Italicis* thesaurum inestimabilem. Confluebat igitur ad stipendia Papalia, *Italicorum* ignobilium multitudo copiosa. Qui desides & imbelles, nec non & infideles, nulli Domini Regis *Angliæ*, vel etiam Papali commodo, sed tantum denariis deglutendis intendebant, prout rei exitus comprobavit.

Rex igitur *Conradus*, potenter se opponens, exhortatus est suos naturales commilitones & indigenas regionum illarum, ut stent viriliter & pugnent pro patria sua, nec colla subdant Dominis alienis: & exercitum Papalem diutius diminuit & enervavit. Sed amor denariorum *Anglicorum* hostium multitudinem gravavit. Papa enim bursa Regis minime pepercit, et infinitam pecuniam consumpsit, cupiens Regem *Seculorum* expugnare, et Regem *Angliæ* in prædictum Dominium subrogare. Omnes tamen voluit à Corona commovere, & solum *Edmundum* Creare, ut de ipso & his quæ ipsius forent, tanquam de creatura sua, secundum sui arbitrii fateretur voluntatem. Interim Papa, (quicquid contrarium to *St. Peters* Doctrinæ, 2 *Pet.* 2. 10. to 20. and *St. Pauls* too, *Ti.* 3. 1, 2, 3. whose successor he pretended himself) non mediocriter diffamavit Regem *Conradum*, imponens ei enormia crimina, scilicet eadem fratris sui *Henrici*, ut sic provocaret Regem *Anglorum* & omnes *Anglos* contra eum, & quod contemptor extitit clavium Ecclesiæ, & multa alia, quæ non oportet recitare, scripta autem sunt in libro *Addamentorum*, & in hoc præacta. Rex igitur *Conradus*, irruptiones hostiles, comminationem, opprobria Papæ sustinens, & diffamationes, coepit supra modum contristari, et gravi dolore contage-

Mat. Paris Hist.  
p. 865.  
Mar. West:  
An. 1254. p.  
254. 255.  
Conradus Rex  
facile moritur;



hescere. Et, ut dicitur, veneno propinato impellente, gravi dolore caput contabescere, & lethali leſſo decumbere, dicebatque, *Va mihi misero, va va mihi misero! ut quid me fudit Mater mea à gremio? ut quid Pater meus me genuit, tot ærumnis exponendum?* Ecclesia, quæ Pater Patri meo et mihi esse debuit, potius novercatur. Imperium, quod ante Christi nativitatem, usque nunc floruit, modo marcescit, et datur lethææ oblivioni. Maledicens ergo diei nativitatis suæ, miseram & afflictam animam exhalavit.

Exultat Papa de morte Conrad Regis.

Quod audito, Papa de morte ejus certificatus, cum magno cordis jubilo, oris risu, & vocis exultatione, ait: *Gaudeo plane, & gaudeamus Universi Ecclesia Romanæ alumni, quia jam sublatis sunt de medio duo maximi inimici nostri, nunc Ecclesiæ æmuli, alter secularis: Episcopum Lincolnienſis Robertus. & Rex Sicularum Conradus.* Obiit autem memoratus Rex Conradus mense Junii. Et illico Papa ad ultteriores partes *Apulia* se transferens, totum ferè Regnum illud sibi subdidit in brevi, & usurpavit. Quod videntes optimates illius Regionis, quæ quondam Ducatus extitit, indignati sunt vehementer. Et suscitantes quendam filium *Frederici* naturalem, nomine *Manfredum*, adhæserunt ei, facientes ei homagium tanquam Domino & ligantiam. Et factus est error novissimus pejor priore. Et insurrexerunt Papæ hostes redibit.

The calumnies raised against *Conrad* by this implacable malicious Pope *Innocent*, were thus publicly answered and refuted by him before his death, wherein the Popes unchristian slanders, impiety, tyranny, injustice, and *Conrad's* innocency will most evidently appear.

Matthæi Paris. Additamenta p. 192, 193, 194.

**S**IC Respondit procurator Domini *Conradi*, in præsentia Domini Papæ & fratrum suorum, Senatoris & Concilii, ad Articulos datos contra ipsum, cum esset ad hoc specialiter vocatus. Hæc omnia proponunt citra formam judicii, cum nunquam fuerit Dominus Rex citatus: sed tanquam zelator famæ suæ, ad solum rumorem miserit pro sua innocentia ostendenda.

\* The Pope's Will must be preferred before God's public worship.

Primum. Quod Regno \**Sicilie* interdicto supposito, & Rege, Anathematis vinculo innodato, facit sibi celebrari divina, & Regni ipsius Clericos ad celebrandum coerces, claves Ecclesiæ contemnendo. Quod cum non careat scrupulo hæreticæ pravitatis, de hæresi & hæresis suspitione, intendit inquirere contra ipsum.

Responsio ad hoc, quod Dominus Rex in contemptu clavium, nunquam sibi vel aliis celebrari divina mandavit, vel immiscuit se divinis: sed cum ipsum in nullo conscientia remorderet nec remordeat, quod contra Sanctam Catholicam & Apostolicam *Romanam* Ecclesiam Matrem suam, cogitasset aliquid vel egisset: posito quod aliquando divinis interfuit (quod non fatetur in contemptu clavium suæ fidei ut falso sibi impingitur, sed ob fervorem amoris fidei Christianæ) omni devotione, reverentia, & honore, ut verus *Christianus* & princeps Catholicus poterat interesse. Pro cujus fidei orthodoxæ irrefragabili veritate & charitate, cum necesse fuerit, paratus est exponere se & sua. Addit etiam, quod eo in *Germania* existente, & postquam venit in regnum, per Nuncios aut per litteras de excommunicatione quæ lata proponitur contra eum, monitio, denuntiatio, aut citatio non pervenit ad eum. Nec obstat ei, quod dicitur fuisse Anathematis vinculo innodatus, cum ante excommunicationem aliquam (si qua contra processit, quam ignorat) idem Dominus Rex Dei timore accensus, dubitans ne ad instantiam & falsam suggestionem proditorum & æmulorum suorum, & etiam patris sui, qui ad summum Pontificem se contulerat post detectam prodicionem & conjurationem, quam in necem contrectaverant patris sui, & falsa contra ipsum Dominum Regem quotidie confingere, non cessabant, coram suis proceribus tam in *Germania* quam in regno, à quocunque gravamine legitime appellaverit, & appellatione ipsa per suos solemnes nuncios fecit solemniter publicari: sicut opportuno tempore probare poterit per legitima documenta. Unde post appellationem suam legitimam si processum fuit, processum fuit indebitè contra ipsum: nec credit se in aliquo ligari.

Ad id autem quod sibi impingitur, videlicet, quod Regno interdicto (quod Dominus non fatetur) compulerit Clericos celebrare divina, taliter respondetur, quod eo veniente in Regnum invenit Clericos celebrantes, & prout ipsos invenit, sic eos cele-

celebrare permittit: nullam alicui, propter hoc, correptionem vel violentiam inferendo. Posito tamen, quod super hoc aliqua literarum contrariarum apparerent, dicit eas de sua conscientia minimè emanasse: sicut apparet evidenter per literas missas Justiciariis & Officialibus Regni omnibus quam cito id ex fabuloso colloquio ad ejus pervenit notitiam. Quod idem probare vult tam per ipsas literas, quam per legitima documenta: ut nullus eorum aliquem Clericum compelleret celebrare divina, contra voluntatem suam.

Ad aliud Capitulum quod opponitur subsequenter, quod in terris *Lombardia* ad hærentibus & faventibus sibi, publicè hæresis prædicatur: Respondetur sic, Quod semper persecutus est Dominus Rex hæreticos quarumlibet Sectarum in *Alemannia*, quamdiu moratus est ibi, & postquam venit in regnum: & paratus eos persequi tam in *Lombardia* quam alibi, tanquam princeps Catholicus & *Christianissimus*: Dolens quamplurimum, quod non potest eos persequi cum effectu in partibus *Lombardia*: sed ut constat publicè toti mundo, *Mediolani*, *Brissa* & *Mantua*, prædicatur publicè hæresis, quia salva reverentia Præsentis, dicuntur Ecclesiæ filii speciales.

Ad aliud capitulum, quod dicunt quia favet *Est.* de *Roman.* quem Dominus Papa pro hæretico reputat sicut ponit, Respondetur sic, Quod semper Dominus hæreticos odit, nec unquam novit eum hæreticum esse, nec fuit, nec favet ei tanquam hæreticus.

Ad aliud vero, quod nequissimè & falsissimè ponitur, quod sanguinis fœdere violato toxicari fecit *Fredericum* nepotem suum, licet non videretur necessarium respondere ad tam manifestissimam & apertissimam falsitatem: tamen ne simplices & vulgus, quod de facili credere consuevit, aliud crederet quam deberet: Dicit Dominus Rex, quicquid super hoc per quemcunque sibi opponitur, penitus esse falsum, ritè probabit.

Ad aliud Capitulum consimilis falsitatis, quod contra naturale amoris vinculum *Henricum* fratrem suum detinet captivatum, Dominus Rex respondet: quod nunquam dictum fratrem suum tenuit captivatum, imò tractavit eum honorificè, & dilexit ut fratrem, & si hodiè viveret, faceret illud idem. Sed Dominus, in cujus manu sunt omnium potestates & omnium corda regum, prout sibi placuit, de hujus mundi ergastulo ipsum ad æternam patriam revocavit. In cujus obitu, partem sui corporis reputat diminutam.

Super eo vero, quod in ipsorum capitulorum serie subsequenter adjungitur, quod bona Ecclesiarum vacantium & non vacantium, ac domus *Templi*, *Hospitalis*, & aliorum religiosorum in regno occupavit, & detinet occupata: Prælatos & rectores in Ecclesiis canonicè institutos non permittens in ipsis Ecclesiis residere, alios præficiens in eisdem: Respondetur, Quod bona Ecclesiarum Cathedralium vacantium & non vacantium, in regno suo nec occupavit, nec detinet occupata, sed in Ecclesiis ipsis vacantibus ipsius Regni, ratione antiquæ dignitatis competentis sibi & prædecessoribus suis tantum utitur jure suo, faciens bona eadem per procuratores suos idoneos commodè procurari. Quod si videtur absonum Apostolicæ Sedi, contentus est Dominus Rex illo jure in prædictis Ecclesiis vacantibus, quo ntitur Rex *Francia* & *Anglia* in Ecclesiis vacantibus regni sui.

Ad hoc autem quod dicitur, quod de bonis *Hospitalis* & *Templi* facit dissipationes taliter respondetur, videlicet, quod bona prædictarum domuum nec occupavit nec detinet occupata: sed si aliquis de dictis domibus velit conqueri de Domino Rege, paratus est ei facere omne justitiæ complementum. Idem respondet; de bonis aliorum Religiosorum locorum.

Ad id verò quod subdit, quod Prælatos & rectores institutos Canonicè, in Ecclesiis Regni non permittit residere in Ecclesiis ipsis, sed alios præficit in eisdem, taliter respondetur, quod nullum in Ecclesiis ipsis institutum Canonicè abiecit, non prohibuit in ipsis Ecclesiis residere: Dicit quod in Ecclesiis ipsis nullum præfecit; sed in Ecclesiis vacantibus (sicut dictum est) bona ipsarum facit per procuratores idoneos commodè procurari, prout competit ex antiqua consuetudine dignitatis, quam habet in Ecclesiis vacantibus Regni sui.

Ad aliud autem quod dicit, quod cum Regnum ipsum sit Sedes Apostolicæ, Dominus Rex plura gravia præsumpsit contra *Romanam* Ecclesiam, & præsumit, duras & abominabiles exercens ibi sævities, & alia pessima & enormia: propter quæ (si

\* This only of the Pope not him.

\* Therefore the Popes grant to the King of England was merely void.

\* Was not this Pope the grand delinquent, guilty of this charge?

etiam dictum Regnum pertineret ad eum ) deberet inde illo privari. Respondet Dominus Rex, Quod in Regno *Sicilie* tanquam hæreditario Regno suo, quod a prædecessoribus suis a tempore quo non extat memoria, ad eum \* legitima successione pervenit, nulla gravia præsumit, nec sævitias aliquas exercuit vel exercet, sed cum Regnum ipsum in bono et pacifico statu gubernans, omnibus indifferenter monstrat justitiæ complementum.

Ad hoc autem quod dicit, \* quod attemptat multa contra *Romani* Imperii dignitatem, Respondet Dominus Rex, quod contra *Romani* Imperii dignitatem non attemptavit aliquid nec attemptat, sed cum sit in *Romani* Regem electus legitime (prout plenè constat per legitima documenta) in eodem Imperio utitur jure suo.

Ad aliud quod vult & petit Dominus Papa, ut omnibus volentibus ire ad depouendum contra Dominum Regem, inquisitionem quam intendit facere contra ipsum super capitulis supradictis, Dominus Rex respondet. Quod cum nullo modo Inquisitio super præmissis debeat de jure procedere contra ipsum, eo quod causa propter quam in talibus Inquisitio debeat fieri, non præcessit, videlicet fama publica quæ à bonis & gravibus ortum habuerit, & non semel, sed sæpius, nec ab æmulis & inimicis, (prout jura Canonica & Civillia insinuant manifestè) non tenetur Dominus Rex securitatem præstare petitam, quia sic videretur annuere, & consentire inquisitioni, quæ de jure non debet fieri contra ipsum. Subest etiam alia causa, quæ juxta movet et movere debet Dominum Regem, quod petitam securitatem præstare non debeat: quod cum *Angeli tenebrarum* sæpe in *Angelos* se transformant, et sub prætextu liciti, illicita committere non verentur, occasione hujusmodi possent alia tractare latenter, quæ Domino Regi essent onerosa plurimum et damnosa.

The death of this most nocent, malicious, King-traducing, King-deposing, turbulent Pope, and his condition after it, is thus related.

Mat. Paris Hist. p. 868. 869. Innocentius quartus moritur.

Tempore quoque sub eodem, in crastino videlicet beati *Nicolai*, obiit Papa *Innocentius* quartus, apud *Neapolim*, duplici incommodo sauciatus. Postquam enim *Escopus Lincolnienfis Robertus* in visione nocturna cuspide baculi sui pastoralis ipsum in latere iratus pupugit, & impetuosè, ut prædictum est, impexit, pleuresi laboraverat irremediabiliter. Et postquam exercitus suus à *Conrado* adversario suo victus est & dissipatus, nunquam postea mente vel corpore prosperè egit, sed ad mortem sensim declinavit. Ille semivivus, jam moriturus, cum videret consanguineos suos circumstantes lugere, plangere, & ut moris est ibi, ululare, & vestes & capillos decerpere: ille sublevans oculos in morte natantes, ait, *Quid plangitis miseri? Nonne vos omnes divites relinquo? Quid amplius exigitis?* Et hæc dicens districtum Dei judicium subituram animam exhalavit.

Visio terribilis de eodem Papa.

Cecidit autem eadem septimana, qua Papa *Innocentius* quartus migravit ab hoc sæculo, visio quædam nocturna mirabilis cuidam Cardinali, cujus nomen suppressitur ad cautelam. Videbatur enim sibi, quod fuerat in cælo coram majestate Domini sedentis pro tribunali, à cujus dextris stabat beata Virgo Mater ejus, à sinistris verò quædam Matrona nobilissima corpore, & habitu venerabilis. Quæ extenso brachio supra manum sinistram deferebat quasi Templum, & scribebatur in fronte Templi illius literis aureis, *Ecclesia*. Coram verò Majestate divina, incurvatus *Innocentius* 4. junctis manibus & erectis, flexisque genibus petens veniam, & non judicium; Nobilissima autem mulier ait ex adverso: *Iuste Judex, rectè redde judicium, Accuso enim eum super tribus.* Primò, cum in terris Ecclesiam fundasses, libertatibus eam donasti, quæ à teipso processerunt: *hic vero eam reddidit ancillam vilissimam.* Secundo, fundata est Ecclesia salus peccatorum, ut scilicet lucrifaceret \* animos miserorum: *hic vero fecit eam mentam nummulariorum.* Tertiò, fundata est Ecclesia in fidei firmitate, justitia, & veritate: *hic vero fidem et mores fecit vacillare, justitiam sustulit, veritatem obumbravit: justum ergo judicium redde mihi.* Ait autem Dominus: *Uade et pro meritis tuis mercedem apprehende. Et sic ablatus est.* Cum vero ex terrore sententiæ evigilasset Cardinalis, clamans, effectus est quasi extra se, ut

\* animas.



ut omnes sui dicerent, ipsum furere. Tandem mitigato dolore, visionem suam plenius cepit enarrare, & publica facta est in partibus illis. Ista visio (nescitur si fantastica) multos perterritur, & unam cum effectu, castigans emendavit.

Sublato igitur de medio Innocentio 4. Papa, subrogatus est alius vir, ut aiunt, satis benignus, & bene religiosus, assiduus in orationibus, in abstinentia strenuus: sed sibilis adulantium seducibilis, & pravis avarorum suggestionibus inclinativus. Episcopus videlicet Ostiensis, nepos Gregorii Papæ pridem defuncti, qui ipsum in Episcopatum promoverat: & vocatus est Alexander, videlicet quartus. Scripsit autem in principio creationis suæ, cunctis Ecclesiarum Prælati; postulans humiliter, ut orarent pro ipso, ut Dominus daret ei potestatem, gratiam, & voluntatem, Ecclesiam Dei congruè gubernaret: & vicarius Dei, & Petri successor competenter appellari. In quo facto novo (alii enim ejus successores nil tale fecerunt) multorum corda in spem erexit meliorem. Veruntamen à collateralibus fratribus suis, decipit se permisit ejus simplicitas. Et de bulla sua, quæ est pignus fidei Papalis, & testimonium, facta est, ut dicitur, fraus inopinata, non tamen in his ipsum excusato. Papa enim talis esse debet, ut non decipiat, vel decipiatur: utrumque enim in tanto viro reprehensibile est. Consilio nempe aliquorum, in quos confisa anima ejus requievit confiderent, & persuasum prædecessoris sui Papæ Innocentii 4. qui fratres Cardinales ad hoc moriturus animaverat, bellum inchoatum contra Fredericales, & præcipuè Manfredum, filium Frederici naturalem, sed legitimatum, potenter continuare præsumpsit. Quibus cum videretur Domino Papæ durum in primitiis suis contradicere, ratum & gratum habuit, quod viri secularibus pompis dediti consuluerunt: maxime cum dixissent, quod absurdum esset, et manifeste Ecclesiasticæ Religionis contrarium, unam Civitatem Saracenis inhabitatam et refertam, quam revera Fredericum fundaverat, in finibus Christianorum tolerare. Quo colore inductus Papa, simul cum quodam alio, videlicet quod inhumanum esset Dominum Regem Angliæ de sua spe fraudari concepta, ex promissione Ecclesiæ, de Regno Sicilia obtinendo, propter quod jam thesaurum exposuit infinitum, The Pope having given this Realm to King Henry, and he to his Son;

Post festum vero S. Luca, edicto Regio convocata convenit Magnatum numerosa multitudo. Venerat autem illuc ad Regem Episcopus Romania, ex parte Papæ: qui apportans secum annulum, vice ejusdem Papæ, contulit ipsum annulum Edmundo filio Regis, investiens eum se solenniter de Regno Sicilia & Apulia. U. de elevatum est cor Regis in sublime, & exultavit, tanquam jam recepis Siciliam & Apulorum omnium homagus, civitatibus, & castris, in Regem coronaretur. Et in propatulo Rex pater vocavit filium suum Edmundum Regem Sicilia. Nesciebatur autem, ut creditur, memoratus Episcopus quod contrita fuit Papalis expeditio, & effusus totaliter thesaurus Regis Anglorum, insuper alieno ære terribiliter obligabatur: & si forte sciret, scire hoc cautè dissimulavit, ne munera perderet sibi præparata. Hoc autem nimis profectò Regem lauit, & Magnates, Episcopus autem antequam rei veritas in Angliam sciretur, pretiosis ornatus muneribus, illico repartiavit. Rex autem nimis propere coram optimatibus, ad altare prostratus, confusus nimis de Papali adjutorio, juravit transitum in Apuliam per S. Edwardum, de uno tantum habens sollicitudinem, scilicet, qualiter transiret in pace cum exercitu suo & thesauro Regnum Francorum. Unde statim cogitavit, quem ad hoc impetrandum ad Regem Francorum destinaret. Cogitavit insuper consequenter jura sua ultramarina imperiosè reposcere ab eodem, & potenter readquirere. Quia inter Apuliam & Angliam, foret quasi inter duas molas Francia conterenda. Misitque illuc Dominum Johannem Mansell.

What power the King then exercised over the elections and vacations of Bishops, is thus related.

Tempore quoque sub eodem, Rex in quantum potuit, electionem Eboracensis Archiepiscopi fecit differri & impediri, ut diutius & liberius bona diriperet Archiepiscopus. Ait enim: Nunquam illum Archiepiscopatum antea in manu tenui; ideo cavendum est, ne nimis cito elabatur. Elegerunt autem tandem, live postularunt Canonici unanimiter, magistrum Sivalum ejusdem Ecclesiæ Decanum, virum modestum, sanctum, & in jure & aliis scientiis eleganter eruditum. Et misso magistro Rogero de Holderness, viro perito & gratiofo, res sollicitè perducitur ad effectum, prout dicitur in sequentibus, he being consecrated not long after.

Creatus Alexander quartus Papa. Mat. West. p. 268. See Platina, Onuphrius, Sella, Balanus, and others in Alexandro 4.

Mat. Paris Hist. p. 883. Edmundus filius Regis Angliæ investitur Regno Sicilia.

Mat. Paris Hist. p. 883, 900. Rex impedit electionem Archiepiscopi Eboracensis. See Godwin in his life.

The

The Archbishops and Bishops having agreed to grant the King a Disme towards the relief of the Holy Land, by advice of the Kings Council in Parliament, appointed it to be collected by the Bishops of *Norwich*, *Chichester*, and Abbot of *Westminster*, in manner following, for which they assigned them an annual stipend, thus entred in the Patent Rolls.

Pat. 38 H. 3.  
m. 5.  
De quibusdam  
assignatis ad  
negotium Cru-  
cis exequendū.

**M**emorandum, quod in Parlamento à die Paschæ in tres Septiman. Anno Regni Regis *Henrici*, &c. 38. *London*. celebrato, presentibus Domina Regina, R. Com. *Cornub.* & aliis Domini Regis fidelibus, *W. & J. Norwic. & Cicestr.* Episcopis, ac Abbas *Westmonasterii*, quibus negotium Crucis in *Anglia*, una cum collectione Decimarum Beneficiorum Ecclesiasticorum Domino Regi in subsidium *Terra Sancta*, à sede Apostolica deputatz, est ejusdem sedis autoritate commissum *Cantuar. & Ebor.* Provincias, inter se taliter deviserunt; videlicet, quod Episcopus *Normicensis* Vice sua & Collegarum suarum per Dioeceses infra scriptas expediet negotia Crucis, tam in dictæ Decimarum collectione quàm in omnibus aliis Crucis negotium contingentibus, scilicet, per Dioc. *London.* excepto Archidiaconatu *Midd. & per Eliensem, Norwicensem, Lincolnensem, Eoventr. & Litchfield.* Civitates & Dioc. Item, per totam Provinciam *Ebor.* in *Anglia*, Episcopus vero *Cicestr.* per *Cantuar. Rossen, Cicestr. & Winton.* Civitates & Dioeceses; Abbas autem *Westm.* per *Sarr. Bathon. & Wellens. Wygorn. Exon. Hereford. Menevens. Landavens. Bangor. & Sancti Asaph* Civitates & Dioeceses; & per Archidiaconatum *Midd.* Dicti liquidem Regina & Com. & alii de Consilio Domini Regis tunc in Parlamento presentes, prædictis Episcopis & Abbati pro se & Ministris suis in negotio Crucis laborantibus expensas assignaverunt in hac forma; videlicet, Episcopo *Normicen.* D. Marc. Episcopo *Cicestr.* CC. Marc. & Abbati *Westm.* CCC. Marc. de pecunia Crucis per ipsos colligenda, annuatim percipiend. per illud triennium, quo fiet collecta dicto Domino Regi concessa de Decima proventuum Ecclesiasticorum Regni *Anglie*, & aliarum terrarum suarum. In cujus, &c. Teste ut supra apud *Windef.* 17 die *Maii*.

Per Reginam & Com. *Rich. rd.* & de consensu Episcoporum & Abbatum *Westm.* ad negotium Crucis assignatorum.

They likewise issued this Patent to the Freers Minorites and Predicants to assist them therein.

Pat. 38 H. 3.  
m. 3. dorso.  
De negotio  
Crucis.

**R**EX dilectis sibi in Christo Ministris & Fratribus Minoribus universis per *Angliam* constitutis, salutem. Cum prædicatio Crucis Christi & cætera negotium Crucis contingentia, Venerabilibus in Christo Patribus *W. & J. Norwicen. & Cicestr.* Episcopis, & Abbati *Westm.* ad instantiam nostram, autoritate sedis Apostolicæ sint commissa, vos affectuose rogamus, quatenus cum ab ipsis vel eorum aliquo fueritis requisiti, consilii & auxilii beneficium super hiis quæ prædictum negotium contingunt, & præcipue super prædicatione verbi Jesu Christi eis, vel al is quibus vices suas commiserint in hac parte favorabiliter impendatis, ita quod apud homines vos accrescat dignæ laudis præconium, et apud Deum cujus negotium agitur (as was pretended) cumulus præconiorum. Teste A. Regina & R. Comite *Cornub.* apud *Wintoniam*, 23. die *Maii*.

Eodem modo (scribitur) Priori *Provinciali* & Fratribus *Prædicatoribus* universis per *Angliam* constitutis. Teste ut supra, & Priori *Provinciali* Fratrum *Prædicatorum* in *Anglia*, & Ministro Fratrum *Minorum* in *Anglia*.

How and by what proceſſe they were to proceed herein, is thus recorded.

Claus. 38 H. 3.  
m. 8. dorso.  
De Decimis  
Ecclesiasticorum ad  
negotium Cru-  
cis.

**R**EX Venerabilibus Patribus *W. & J. Norwicen. & Cicestr.* Episcopis, & dilecto sibi in Christo R. Abbati *Westm.* salutem. Cum nuper consilio nostro commoranti in *Anglia* per Literas significaveritis, quod in ponenda Decima proventuum Beneficiorum Ecclesiasticorum Regni nostri nobis à sede Apostolica in subsidium *Terra Sancta* concessa, formam subscriptam provideritis, per quam creditis & firmiter tenetis vos posse procedere, videlicet, per sententiam Excommunicationis pro.

promulgandæ in omnes personas Ecclesiasticas, qui iustam proventuum suorum taxationem, expensis tantum necessariis deductis, fraudulentè occultabant, & si aliquos suspectos meritò habueritis, quod sua beneficia minus plenè æstimaverint, **per Sacramentum ipsorum vel vicinorum suorum rei veritatem plenius eruendo**: Vobis significandum duximus, quod ex quo vobis videtur, quod forma illa est idonea, eam approbamus, consulentes, quod collectis fructibus primum terminum ad pecuniam solvendam circa festum Sancti Michaelis proximo futur. præfigatis, & si ad unum terminum haberi non poterit, præfigatis alios terminos solutionis ejusdem pecuniæ prout nobis magis videritis expedire. Præterea placet consilio nostro, quod aliquem Clericum de quo confideritis, & qui melius noverit Clericos *Hibernia* quam nos noverimus, mittatis in *Hiberniam* ad dictam Decimam, una cum Venerabili Patri *L. Dublinensi* Archiepiscopo, & Magistro *Johanne de Frissinon* qui prius de negotio illo se intromiserunt colligendam, & ad negotium crucis cum ipsis exequendum. Constituentes ei quem ad hoc ad partes illas mittendum duxeritis necessarias expensas de Decima prædicta. Mittimus etiam vobis Literas nostras idem negotium contingentes de quibus præfato consilio nostro significastis. Vosque attentè rogamus quatenus in dicto negotio procedatis, prout commodo nostro magis videritis expedire. Teste *A. Regina nostra*, & *R. Com. Cornub.* fratre nostro apud *Winton.* 28. die *Maii*, Anno Regni nostri 38.

In *August* following the King issued these Patents to the Archbishops, Bishops, Abbots, Priors, Archdeacons, Officials, Deans, and other Prelates in *Ireland*, specially to promote this Croysado and Disme in *Ireland*, and to assist those sent thither to collect it, whereof one was the Popes Subdeacon, ( who shared with the King in this booty. )

**R**EX Archiepiscopis, Episcopis, & dilectis sibi in Christo Abbatibus, Prioribus, Archidiaconis, Officialibus, Decanis, & omnibus aliis Ecclesiarum Prælati in *Hibernia* constitutis, salutem. Cum venerabilem in Christo *R. Dublin.* Archiepiscopum, & dilectos Clericos nostros Magistrum *Laurentium de Summercote* Domini Papæ Subdiaconum, & Canonicum *Cicestr.* & Magistrum *Johannem de Frisin*, assignaverimus ad negotium Crucis in *Hibernia* exequendum, & ad decimam proventuum beneficiorum Ecclesiasticorum ejusdem Terræ nobis in subsidium *Terra Sancta* à sede Apostolica concessam colligendam, universitatem vestram affectuosè requirimus, quatenus eisdem Archiepiscopo *Laurentio* & *Johanni* & hiis quos ipsi ad vos ex parte sua destinaverint ad prædicta negotia feliciter expedienda, consilium vestrum & auxilium efficaciter impendatis: Ita vos in hac parte habentes, quod diligentiam vestram ad hoc appositam meritò debeamus Literæ commendatam. In cujus, &c. Teste *R. Com. Cornub.* apud *Westm.* 4. die *Augusti*.

Pat. 38 H. 3. m. 2. intus. De quodam admittendo in *Hibernia* ad Decimas Ecclesiarum colligendas.

The Bishops of *Normich*, *Chichester*, and Abbot of *Westminster* being appointed chief Collectors of this Disme, sent this Commission to the Archbishop of *Dublin* and others to collect and lay up this Disme in *Ireland*, thus recorded,

**O**mnibus Christi fidelibus præsentis Literas inspecturis vel audituris, *W. & J. Normicen.* & *Cicestr.* Episcopi, & *R. Abbas Westminsterii*, salutem. Cum nobis specialiter per Summum Pontificem sit injunctum, quod per nos & alios quos ad hoc idoneos viderimus, negotium Crucis & collectionem Decimarum proventuum Ecclesiasticorum per Regnum *Anglia* & alias terras Regi *Anglia* subjectas exequamur, prout in Literis Domini Papæ nobis super hoc directis plenius continetur: Nos *L. Archiepiscopo Dublin.* Magistro *Laurentio de Summercote*, & *Johanni de Frissinon* in executione dicti negotii Crucis, cruce signatorum tuitione, Justitiæ exhibitione, & collectione Decimarum proventuum Ecclesiasticorum tam minorum quam majorum, & omnibus articulis dicta negotia contingentibus, & sine quibus expediri non possunt, per totum Regnum *Hibernia* committimus vices nostras, ut ipsi tam per se quam per alios quos ad hoc idoneos elegerunt, quibus omnibus & singulis vices nostras committimus, omnia & singula dicta negotia contingentia exequantur. Sententias verò quas tulerint in rebelles ratas habebimus, & eas faciemus Deo auctore inviolabiliter observari. Volumus autem, quod pecuniam quam receperint in locis tutis deponant, quousque à Domino Rege vel à nobis aliud receperint in mandatis;

Claus. 38 H. 3. m. 5. De quodam misso in *Hibernia* ad Decimas Ecclesiarum colligendas.



mandatis. Quod si non omnes hiis exequendis potuerint interesse, duo vel unus ea nihilominus exequantur, provisione quod in receptione pecuniarum & ipsius depositionis absque presentia dicti Magistri *Laurentii*, vel alterius ab eo specialiter deputati, quem de consilio Domini Regis hiis negotiis præficimus, nihil penitus attemptetur. Si autem circa dictorum negotiorum executionem dubitatio oriatur, damus specialem potestatem dicto Magistro eam interpretandi nomine nostro, qui in hiis omnibus nostras voluntates novit plenius & processus: Transcripta vero Literarum Papalium eidem Magistro tradidimus, quorum quædam sigillo Domini Regis & nostris, quædam nostris tantum, quædam *Cicestrensis* Episcopi solummodo fecimus sigillari. In cujus, &c. presentibus sigillum Domini Regis una cum nostris apponi procuravimus. Dat. &c.

These Commissioners granted this Annual Salary by another Writ, by advice of the Kings Counsil, to *Laurence Sumercote*, sent into Ireland to collect this Dine.

Claus. 38 H. 3.  
m. 9. dorf.

**O**Mnibus, &c. ut supra, salutem. Noveritis nos Anno Domini 1254. in festo Sanctæ *Maria Magdalene* convenisse cum Magistro *Laurentio de Sumercote* quem in *Hiberniam* mittimus pro negotio Crucis, & Decima Ecclesiasticorum proventuum ibidem colligenda de Consilio R. Com. *Cornubia*, & aliorum Consiliariorum Domini Regis, quod idem Magister recipiet annuatim anno & termino prædicto currere incipiente, Centum Libras sterlingorum pro expensis suis & Clericorum suorum, ac familiæ universæ de pecunia Crucis in *Hibernia* per manus Collegarum suorum, quibus eadem negotia sunt commissa. Et si humanitus contingeret de altero Collegarum, alter qui superstes fuerit eidem Magistro eandem pecuniam numerabit. Hanc vero pecuniam recipiet idem Magister quamdiu se de prædictis negotiis intromitteret, vel donec commissionem eidem factam duxerimus revocandam. Si autem medio tempore humanitus contigerit de eodem Magistro, tunc pro rata temporis solvetur eidem vel Executor, suis portio pecuniarum prædictarum. Prædictus vero Magister Jramento corporaliter præstito nobis promisit, quod fideliter & diligenter in præmissis laborabit, & de Administratione sua reddet nobis fideliter rationem. In cujus, &c. ut supra.

These Patents and Grants of theirs were backed with this other in the Kings name, signed by the Earl of *Cornwall*, then keeper of the Realm in the Kings absence.

Claus. 38 H. 3.  
m. 3. incus,  
Hibern.

**R**EX *L. Dublin*. Archiepiscopo, & Magistro *Johanni de Frissinon*, salutem. Sciatis quod associavimus vobis Magistrum *Laurentium de Sumercote*, Domini Papæ Subdiaconum, & Canonicum *Cicestrensem*, ad negotium Crucis exequendum in *Hibernia*, & ad Decimam proventuum beneficiorum Ecclesiasticorum ejusdem terræ nobis concessam unâ vobiscum colligendam. Ipsumque ad vos ad hoc mittimus, mandantes, quatenus ipsum Magistrum *Laurentium* commendatum habentes, ipsum ad prædicta negotia vobiscum expedienda admittatis, & eidem de pecunia Crucis singulis annis habere faciatis Centum Libras sterlingorum pro expensis suis & Clericorum suorum, & familiæ suæ quamdiu de prædictis negotiis se intromiserit, & donec *W. & J. Norwic.* & *Cicestr.* Episcopi, & Abbas *Westm.* commissionem eidem Magistro factam duxerint revocandam, prout in Literis Patentibus eorundem Episcoporum & Abbatis vobis inde directis, quibus sigillum nostrum est appensum, continetur, quia de eadem pecunia nihil recepit in *Anglia*. Teste R. Com. *Cornub.* apud *Westm.* 5. die *Augusti*.

The Archbishop of *Ardmach* in Ireland consecrating one *Geaffry de Cusok* Bishop of *Meden* in Ireland, elected without the Kings commandment, license, or subsequent confirmation, who thereupon took upon him to conferre Benefices belonging to the Bishoprick; the King upon complaint of another elected and confirmed Bishop thereof by the Kings consent, though not consecrated, issued this memorable Writ to the chief Justice of Ireland, to preserve the Rights of his Crown against these conspirators, to make void and null all presentations of the intruder, and to punish all resistors in such manner as the Writ prescribes.

R E X

**R**EX Justic. *Hibernia*, salutem. Monstravit *H. Medensis* Episcopus, quod postquam recuperaverat spiritualia Episcopatus sui ab illis ad quos confirmatio sua pertinebat, & à nobis Temporalia, frater *Galsfr. de Cusac*, gerens se pro Episcopo *Medensi*, qui consecratus fuerat per Archiepiscopum *Armacanum*, in Regia dignitatis præjudicium, cum id a nobis nullum habuisset assensum, nec ante confirmationem suam petivisset, contulit quasdam Ecclesias in præjudicium nostri, necnon et ipsius *H.* quarum unam recepit *R. de Norwic*. Cancellar. noster *Hibern.* Et ideo vobis mandamus, quod eidem *Radulpho* ex parte nostra firmiter injungatis, quod Ecclesiam illam in præjudicium nostri non præsumat retinere, et de cætero similia facere non præsumat; excommunicatos etiam ab eodem *H.* vel Officialibus suis cum vobis fuerint denunciati, secundum consuetudinem *Hibernia* capi faciatis, ac resistentiam Laicalem quam in Ecclesiis contra ipsum vel suos inveneritis amoveri faciatis. Et si aliqui sibi vel suis de rebus vel corporibus suis fuerint minati, ab ipsis bonam securitatem per sufficientes plegios cap. quod nihil mali eidem electo vel suis per ipsos eveniet. Et præmissa eo diligentius exequamini, quod prædicti Archiepiscopus et frater *G.* nituntur excludere nos et hæredes nostros, ne licentia a nobis requiratur eligendi Episcopum in Ecclesia *Medensi*, quod in gravem læsionem juris nostri redundaret. Teste *A. Reginam*, & *R. Comitem*, apud *Westm.* 8. die *Maii*.

Claus. 38 H. 3.  
m. 10. durfo.  
Hibern.

Per Reginam.

After which the intruded Bishop procuring a Letter from the Pope to some Bishops and other persons in *Ireland*, to examine this difference between the Bishop elected, approved by the Kings license, and this intruder, (by the Popes authority) in prejudice of the Kings ancient Right and Regal authority, the King thereupon issued this memorable Writ and Prohibition to them, not to do any thing therein to his or the Bishop elects prejudice, under pain of seising their Temporalities, declaring his own and his Progenitors right, that no Bishops ought to be elected in *Ireland*, but by his precedent license, and subsequent ratification of them.

**R**EX *Laon*, Episcopo, Archid. *Waterford*; & Ministro ordinis fratrum Minorum in *Hibernia*, salutem. Cum temporibus Progenitorum nostrorum & nostra consuetudo hactenus sit obsecuta, Quod vacantibus Archiepiscopatibus, Episcopatibus terræ nostræ *Hibernia*, a nobis petita fuerit licentia eligendi, et factis electionibus noster assensus requiri consueverit: Et etiam in ultima vacatione Episcopatus *Medensi*, videlicet antequam *Richardus* quondam *Medensis* Episcopus, in ejusdem loci Episcopum eligeretur, a nobis fuerit licentia eligendi petita, et electione de ipso facta, noster super hoc requisitus fuerit assensus; miramur quamplurimum, quod *B. Armachanus* Archiepiscopus, et *Fr. Galsfr. de Cusac*, juri et possessioni nostræ in hac parte se opponunt. Et ideo vobis mandamus, in fide qua nobis tenemini firmiter injungentes, quatenus in cognitione causæ quæ vertitur coram vobis auctoritate Literarum Domini Papæ, inter *Hugonem Medensem* electum ex una parte, & prædictos Archiepiscopum & fratrem *G.* ex altera, super prædicta licentia eligendi taliter vos geratis, quod dignitas Regia nullam in hac parte injuriam suorum, vel possessionis suæ sustineat læsionem. Scituri, quod si secus egeritis, dissimulare non poterimus quin contra vos, et prædictos Archiepiscopum et fratrem *Galsfr.* manum prout expedire viderimus extendamus. Teste *A. Regina* nostra, & *R. Comite Cornubie* fratre nostro, apud *Windef.* 16 die *Februarii*.

Claus. 38 H. 3.  
m. 13.

Per Consilium.

This right of the Kings in *Ireland*, is thus ratified by the Kings own license granted to the Dean and Chapter of *Waterford*, whiles in *Gascoigne*.

5 M

REX

Rot. Vascon.  
38 H. 3. m. 3.  
intrus.  
Pro Decano &  
Capitulo Wa-  
terford.

**R**EX concessa Decano & Capitulo *Waterford*. Ecclesie licentia eligendi, volens eorum parcere laboribus & expensis mandat *J. filio Galfr. Justic. suo Hybern.* *nia*, quod cum eorum electus vel postulatus ei fuerit presentatus, Regium ei assensum adhibeat et favorem, dum tamen nulla sit Regi ratione suspectus: et cum assensum suum loco Regis obtinuerit, et postea beneficium confirmationis obtinuerit, & hoc eidem Justic. constiterit de predicto Episcopatu & omnibus ad eundem Episcopatum pertinentibus quæ fuerunt in manu Regis, eidem electo vel postulato plenam seisinam habere fac. accepto prius, ab eodem electo vel postulato fidelitate Regi debita et consueta. Et quod provideat, quod ab eodem Decano & Capitulo Literas habeat Patentes & continent, quod istam gratiam *R. temporibus futuris non trahat in consequentiam*. In cujus, &c. Dat. per manum nostram apud *Millan*. 28 die *Marci*, Anno Regni nostri 38.

The King being in *Gascoigne* and wanting ayd, sent this Writ to the Chief Justice of *Ireland*, to come thither in person with a good Traine of men to ayd him, if there were no danger of an insurrection from the *Irish*, else to send *Maurice filz Gerald* to him with a competent Train, and to borrow money from the Popes Collector in *Ireland* with his consent for that affair, to be repayed him at a certain day.

Claus. 38 H. 3.  
m. 9. dorso.  
Hybern.

**R**EX *J. filio Galfridi Justic. suo Hybern.* salutem. Quia audivimus, quod *Hybernenses* nimis superbiunt propter adventum vestrum, & dilecti & fidelis nostri *Mauritii filii Ger.* & aliorum Magnatum nostrorum *Hybern.* ad nos in *Wacon.* comminantes paci & tranquillitati Terræ nostræ *Hybern.* : Vobis mandamus, quod si salvo statu predictæ Terræ, & sine periculo ejusdem ad nos venire possitis in *Waconiam*, ad nos illuc cum honesta Comitiva armatorum, tam ad denarios nostros si opus fuerit, quam aliunde, cum omni festinatione veniatis; dimissis in præfata terra *Hybern.*, ad defensionem ejusdem Terræ præfato *Mauritio*, & aliis probis hominibus predictæ Terræ, quos ad defensionem ejusdem Terræ sufficientes & idoneos reputatis. Ita quod securi sitis, quod propter recessum vestrum nullum nobis aut dilecto filio nostro *Edwardo* immineat periculum in hac parte. Et si forte tantus sit timor, vel tantum periculum Terræ *Hybern.* memoratæ, quod vos personaliter ad nos venire non possitis, tunc cum omni celeritate mittatis ad nos in *Wacon.* honorabilem Comitivam Militum & servientum quantum poteritis cum dicto *Mauritio*, vel aliquo alio probio Capiteano quem ad hoc eligatis, salva securitate predictæ Terræ. Et si a Magistro *Johanne de Frissinon*, de pecunia quam Dominus Papa habet in *Hybern.*, mutuum ad opus nostrum habere possitis, mutuum illud per bonam voluntatem ejusdem *Johannis* contrahatis certis die et loco reddendam, deferentes vobiscum vel mittentes pecuniam quam ab eo mutuo receperitis, & de Thesauo nostro *Hybern.* quantum fieri poterit tam de Terminis Pasch. proximo præterito quam aliunde. In cujus, &c.

*Per Reginam & Com.*

The King issued this Prohibition to stay a Suit concerning Common of Pasture in the Spiritual Court, belonging to the Temporalities of the Bishoprick of *Lincoln*, then in his hands.

Claus. 38 H. 3.  
m. 11. dorso  
De non tenen-  
do placitum in  
Curia Christi-  
anitat.

**M**andatum est Magistro *Willielmo de Haya*, ne teneat placitum in Curia Christianitatis de Communa Pasturæ in *Newenton*, pertinente ad Episcopatum *Lincoln.* qui vacans est & in manu Regis. Unde *Galfr. de Parco* queritur quod *Robertus* Vicarius de *Newton* trahit, &c. quia Rex vult & tenetur servare Temporalia predicti Episcopatus in eodem statu in quo ea recepit, & hujusmodi placita spectant, &c. Teste, &c. apud *Merleberg*. 28 die *Marci*.

*Per H. de Bath.*

The 12. day of *October* 38 H. 3. the King issued this Writ under the *Teste* of the Earl of *Cornwall*, declaring the Archbishops right of Patronage to the Temporalities of



of the Bishoprick of *Recheſter*, and to have the ayd due from him to make the Kings son a Knight.

**C**UM Archiepiſcopus *Cantuar.* totius *Anglia* Primas patronatum habeat omnium Temporalium Episcopatus *Roſſenſis*, per *Chartam Domini 7. Regis*, quam Regi ostendit, & Episcopos *Roſſenſis* ſervitia inde Regi debita facere debeat tanquam Domino & Patrono: Mandatum est Barónibus de Scaccario, quod auxilium quod ſervatur in feodis Episcopatus *Roſſenſis*, ad primogenitum filium Regis Militem faciendum, à dicto Episcopo *Roſſenſis* habere faciant Archiepiſcopo prædicto, non obſtante ſi aliquis Episcoporum *Roſſenſium*, illud aliquando ſolverit ad Scaccarium Regis, *Cantuarienſi* Archiepiſcopo ignorante. Teſte *R. Comite Cornubie* apud *Westmonaſterium*, 12 die *Octobris*.

Claus. 38 H. 3.  
m. 2. incus.  
Pro Archiepiſ.  
copo *Cantuar.*  
\* Hæc p. 333.

Cum Archiepiſcopus *Cantuar.* returnum brevium Regis habeat in feodis *Cantuar.* Eccleſiæ, & patronatum omnium Temporalium Episcopatus *Roſſenſis*, ſicut de feodis *Cantuar.* Eccleſiæ, per *Chartam 7. Regis*, quam idem Archiepiſcopus Regi ostendit: Mandatum est *Vic. Norff.* quod returnum brevium Regis in feodis prædicti Episcopatus *Roſſenſis* in Balliva ſua ſicut in cæteris feodis *Cantuar.* Eccleſiæ, eidem Archiepiſcopo habere faciat. Teſte ut ſuprà.

But upon better advice *October 30.* there iſſued this memorable Prohibition to the Archbishop of *Canterbury*, not to demand any Eſcuage from the Biſhop of *Recheſter*, and to him not to pay it, without conſideration of his Counſil, and judgement firſt had to which of them it belonged.

**R**EX Archiepiſcopo *Cantuarienſi*, ſalutem. Datum eſt intelligi Conſilio noſtro in *Anglia* comimoranti, quod vos exiguis à *L. Roſſenſi* Episcopo ſcutag. de feodis Militum quæ tenet, unde nos ſumus infeſſina. Et cum nobis agentibus extra Regnum deputati ſitis unus ejuſdem gubernator, tolerare non debetis nos privari poſſeſſione noſtra in hac parte. Quapropter paternitatem veſtram rogamus attentè, quatenus à prædicta exactione deſiſtere velitis, donec diſcutiatur ad quem noſtrum pertineant prædictorum feodorum ſervitia. Teſte *A. Regina*, & *R. Com. Cornub.* fratre, apud *Westm.* 30 die *Octobris*.

Claus. 38 H. 3.  
m. 15. incus.  
De prohibitione facta Archiepiſcopo *Cant.* pro Regè.

Per *R. Com. Cornub. & Conſilium*.

Et mandatum eſt *Roſſenſi* Episcopo, ne de hiis de quibus Rex poſſeſſionem habet; eidem Archiepiſcopo vel alii aliquid faciat ſine conſideratione Curie Regis. Teſte ut ſuprà.

The Archbiſhops Official having given ſentence in a caſe of Matrimony for *Henry de Sobbur*, that *Hawis* was his lawfull wiſe, the King iſſued this Writ to the Sheriff of *Glouceſter* to put him in full poſſeſſion of her lands and goods.

**Q**uia *B. Cantuar.* Archiepiſcopus Regi per Literas ſuas Patentes ſignificavit, quod *Hawis de Longo Campo* adjudicata eſt *Henr. de Sobbur* in uxorem legitimam, per ſententiam diffinitivam latam in cauſa Matrimoniali quæ vertebatur coram Magiſtro *Eufſtach. de Lenn* Offic. ipſius Archiepiſcopi, inter ipſum *Henricum* ex una parte, & dictam *Hawis* ex altera: Mandatum eſt *Vic. Glouc.* quod eidem *Henr.* de terris, poſſeſſionibus & catallis ipſius *Hawis* plenam ſeiſinam ſine dilatione habere fac. Teſte *R. Com. Cornub.* apud *Westm.* 12 die *Octobris*.

Claus. 38 H. 3.  
m. 2. incus.  
Pro *Henrico de Sobbur*.

He likewiſe by his Eccleſiaſtical Prerogative, iſſued this Writ to the Sheriff of *Lincoln*, to deliver ſome perſons taken upon a Writ of *Excommunicato capiendus*, to the Archbiſhops Official, during the vacancy of the Biſhoprick of *Lincoln*.

**M**andatum eſt *Vic. Linc.* quod *Willielmum de Trikingham*, & *Robertum de Howton* quos ob contumaciam Excommunicatos ad ſuggeſtionem *R. Linc.* Episcopi nuper defuncti Rex capi & in priſona detruſi præcepit, liberet Magiſtro *Eufſtachio de Lenn*, Offic. *B. Cantuar.* Archiepiſcopi, qui Jurisdictionem Episcopalem obtinet in præſenti. Teſte *A. Regina*, & *R. Com. Cornub.* apud *Westm.* 27 die *Novembrii*.

Claus. 38 H. 3.  
m. 14.  
De quibusdam liberandis Offic. *Cantuarienſis* Archiepiſcopi.

Per mandatum Archiepiſc. *Cantuar. & Conſil.*

5 M 2

The

The King having seized into his hands the Lands and Tenements of the Dean and Chapter of *Tork*, upon a complaint for encroaching upon the Rights of his Crown, and Citizens Liberties, in their Ecclesiastical Court, commanded the Sheriff to restore them, provided that they should answer their offence in the Kings Court, whenever they should be summoned.

Claus. 38 H. 3.  
m. 8. inent.  
Pro Capitulo  
S. Petri Ebor.

**M**andatum est Vic. Eborum, quod terras & tenementa Decani & Canonicorum Ecclesie Sancti Petri Eborum, quæ in manum Regis occasione contentionum inter ipsos & Cives Regis Eborum ortarum capi præcepit, eisdem Decano & Canonicis per plevinam rehabere faciat. Ita quod in Curia Regis coram Rege vel consilio suo respondeant præfatis Civibus de his quæ erga eos proponere voluerint, cum iidem Decanus & Canonici ad hoc summoniti vel attachiati fuerint. Teste A. Regina, & R. Com. Cornub. primo die Maii.

Per Com. Richard.

The complaints follow in Claus. 39 H. 3. of which in due place.

The King from beyond Seas issued this precept to the Barons of the Exchequer to issue monies for the repair of the Church of *Westminster*, which he intended to have consecrated before his voyage to the Holy Land.

Rot. Vascon.  
38 H. 3. m. 4.  
intus.  
De dedicatio-  
ne Ecclesie  
Westm.

**Q**uia Rex proponit per auxilium divinum, quod Ecclesia *Westm.* dedicetur, antequam iter arripiat in *Terram Sanctam*, videlicet à die Sancti Edwardi, Anno Regni, &c. Tricesimo octavo, in unum annum, quo die per Dei gratiam Regia Corona decorabitur. Mandatum est Phil. Luvel Thesaurario, & omnibus Baronibus suis de Scaccario, quod tria millia Marc. per annum assignari fac. ad opus Ecclesie prædictæ promovendum & expediendum. In cujus, &c. Et mandatum est Regine & Com. quod hoc fieri fac. Dar. per manum nostram apud *Milan*. 20 die *Marci*, Anno Regni nostri 38.

The King by vertue of his Prerogative Royal, issued Writs to enquire of the real values of the Mannors, Lands, Rents, and Revenues of Religious persons, (in nature of *Doomsday Book*) that he might the better improve them when they fell into his hands by vacancies, or deaths of Abbots and Priors, towards the debts he contracted by his foreign Wars, which the Monkish Historians thus relate.

Mat. Paris Hist.  
Angl. p. 866.  
Inaudicum  
mandatum Re-  
gis Angliz.

Circa idem tempus, scilicet in festo Sancti Edwardi, egressum est breve inaudicum à Cancellaria Domini Regis, in quo nil boni poterat sperari vel autumari. Henricus Deigratia, &c. Inquiratur in Maneriis Religiosorum, quot sint caruce propria ad colendum Dominicum, & quot sint consuetudinaria, & utrum illa ex sui diminutione possint constitutere unam carucam per annum, vel majus vel minus? Similiter inquiratur de carucis precariis. Iterum inquiratur cuius estimationis sit, quilibet per se communibus annis singillatim, deductis expensis necessariis impensis. Item inquiratur cuius estimationis sint opera & servitia rusticorum per annum qua præstantur Dominis pro terris suis. Item, qui, & quanti & quales sint redditus eorum in singulis Maneriis per annum. Ista inquisitio fiat per quatuor viros fideles & prepositos loci ex singulis Maneriis Religiosorum.

Mat. Paris Hist.  
Angl. p. 867.  
Rex ex bonis  
Abbatum va-  
cantium solvit  
suis debitoribus

Rex interea moram in *Gasconia* protrahens infructuosam, Thesauri sui non tantum habiti, sed habendi inestimabilem summam consumpsit. Et se suumque Regnum & Ecclesiam Anglicanam gravibus debitis irretivit: & si esset venalis *Gasconia*, non tanti esset, ut arbitramur. Et cum de morte Abbatum memoratorum certificaretur, & quorundam aliorum Prælatorum defunctorum, utpote Episcopi *Eliensis*, & Abbatis *Seleby*, & multorum aliorum, quorum memores non sumus in præsentiarum, bona Ecclesiarum eorum iussit in fiscum redigi, et usurariis, quibus tenebatur debitis obligatus, non veritus horribilem sententiam *Londini* latam, persolvere. Nec tamen aliquatenus Chartas pactas observavit.

What new unheard of forgeries, and unjust devices were set on foot by the Pope and his Agents to oppress the Clergy of *England*, and involve them in bonds and debts to the Pope and King, (who served each others turns) and that by the treachery of the Bishop of *Hereford* and other Prelates, to ingratiate themselves with both, these passages fully relate,

Diebus

Diebus autem sub eisdem, Episcopus *Herefordensis Petrus de Eborac* (cujus memoria sulphureum fastorem exhalat ac deterruit) ad Regem venit, quem novit totis visibus thesauros desiderare, & eis indigere: illiusque auribus instillavit hoc virosum consilium, dicens: *Consenti Domine mi propositum meo, & inopiam tuam non tamquam relevabo, sed te faciam usque ad summam abundantiam thesauris abundare. Si enim quasi ad aliquod leve negotium mihi feceris tria vel quatuor sigilla de aliquibus authenticis Angliæ Prælatibus habere: ego nova interpretatione inducam Dominum Papam (ut firmiter spero) ad hoc, ut obligent se singuli Angliæ Prælati, quasi coacti nolentes, ad maximam pecunie solutionem, ut indigentia tua at plenum satisfiat. Et cum inclinasset cor Regis ad consensum, gavisus fuit quamplurimum. Et confestim transalpini videlicet *Walerano*, ut efficacius Dominum Papam fascinaret. Et cum *Romanam* pervenisset, invenit Papam moestum & confusum, pro adversis quæ Ecclesiæ nuper contigerunt. Erat insuper tot debitis innodatus, quod audientium mentibus merito stuporem poterant generare. Quæ omnia, Rex Angliæ sub poena exheredationis solvere tenebatur. Instabant insuper Mercatores transalpini usurarii, exigentes urgentissime & assidue, ut persolverantur eis debita sua: quæ quotidie sic angeretur Papa, respondit Episcopus: *Sancte Pater, ne sollicitatur paternitas tua de quantitate & numero debitorum, licet inestimabili: quia ante recessum nostrum ab Anglia, Dominus Rex, ego & hic miles perisissimus, providimus tuam viam & certam formam, qualiter omnia sine difficultate solvantur; dummodo de favore & licentia tua, liceat mihi, quæ cor meum parturiunt, prosequi cum effectu. Dominus enim Rex tibi & Ecclesiæ Romanæ devotissimus, adeo Ecclesiæ & viris Ecclesiasticis pronus est & munificus, tot exhibeat officia, tot conferens beneficia, in holocaustis, adificiis, cereis, donativis, pretiosis & variis, quod Deus & omnium hominum sibi gratiam comparavit. Similiter & Nobilibus suis tot confert munera, interris, gardis, & redditibus, ut meritis debeat charissimus omnibus reputari. Nuper per Franciam transiens, tot Ecclesiis cyphos argenteos, pallas, monilia, & Magnatibus Francorum & Prælatibus tot contulit donativa in vasis, annulis, zonis, & firmaculis, tam opere quam materia pretiosis: ut Francis suscitaret laudem & admirationem, per quod nomen Anglorum famosum sydera penetravit. Hinc est quod desiderant Angli sitienter, & multum complaceret eis, ex præcepto tuo seipso exinanire & gravare, & al hoc obligare, ut cogerentur pia voluntate ipsum jam dilectum Regem a debitis omnibus liberare. Et ostendens Literas, quas vulpina calliditate de quibusdam Prælatibus extorserat, & sigillis eorum consignaverat, se reddidit de prædictis commentis credibilem, & Papam fallacis proniorem. Cui Papa: *Frater & amice charissime, fac super hoc quod industria vestra quamplurimum commendamus, viderit exp. dire.***

Episcopus igitur *Herefordensis* adjunctis sibi quibusdam Cardinalibus, quorum arbitrio bulla exponebatur, quorumque consilio Papa prædecessoris sui præsumptuosum factum exequabatur, Prælatos Angliæ hujus fraudis penitus ignaros ad libitum obligavit, ita graviter, ut si omnia retroacta gravamina recenserentur, hujus exactionis respectu levia posset reputari, annexens in Literis quædam mendacia manifesta. Quod scilicet tenebantur Prælati singuli, ad solvendum tali & tali Mercatori *Senensi*, aut *Florentino*, tantam pecuniam; quam mutuo, ad expedienda quædam utiliter negotia Ecclesiarum suarum, receperunt; cum tamen nullum eorum unquam vidisset, vel cognovisset, vel de aliqua pecunia facta fuisset. Sin autem infra brevissimum terminum injuncta non persolverent, plenam habebant potestatem ipsi usurarii, (quos *Franci Bugei* vulgarij appellent) infantes Dei famulos, Ecclesiæ Prælatos, omnimodis punire sententiis, jacturis gravibus condemnare, & angariis fatigare, sicut sequens sermo loco suo & tempore declarabit. To promote these Papal frauds and other Exactions,

Circa dies eosdem, Dominus Papa *Alexander* destinavit ad partes *Anglicanas*, Magistrum *Rustandum* Legistam, natione *Gasconensem*, Subdiaconum suum, dans Domino Archiepiscopo *Canuariensi*, & Episcopo *Herefordensi*, & eidem *Rustando* potestatem colligendi decimam de *Anglia*, de *Scotia*, & de *Hibernia*, ad opus Domini Papæ vel Regis indifferenter, non obstantibus aliquibus Literis indulgentiis prius directis, sub quacunque forma verborum, vel etiam causa, pro qua concessa sunt; vel omni quod intelligi possit

Mac. Paris Hist. p. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Mac. Paris Hist. p. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Proditio inaudita.

Mac. Paris Hist. p. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

fit



\* Notwithstanding all his former Writs, Oathes, Engagements, Declarations to foreign Princes, to perform this voyage.

Mat. Paris Hist. p. 884, 885.  
Mat. Westm. Anno 1254. p. 261.  
Parliamentum celebratum, propter commissionem M. Rustandis

fit obstaculo. Dedit etiam eisdem Dominus Papa potestatem absolventi Dominum Regem cruce signatum a voto suo, \* ne iret in terram Hierosolymitanam, ita tamen ut iret in Apuliam hostiliter, ad debellandum Manfredum filium Frederici quondam Imperatoris validum Ecclesie Romanae inimicum. Accepto à Domino Rege Sacramento per Episcopum Bononiensem, specialiter ad hoc à Domino Papa destinatum, & ad invetiendum Edmundum de Regno Sicilia, ut prædictum est.

The Pope having conferred Sicily and Apulia upon the King, to engage him against Conrade and Manfred, writ Letters to Richard Earl of Cornwall to lend him monies and promote an ayd to carry on that War, which the Earl, Nobles and Prelates assembled in Parliament utterly refused to lend or grant upon the Popes account.

Anno verò sub eodem, ad festum Sancti Edwardi, fuerunt apud Westmonasterium omnes ferè Anglia Magnates. Inter quos prius Rex alloquebatur fratrem suum Comitem Cornubie Richardum, petens ab eo instantissime auxilium pecuniare. Cui Comiti Dominus Papa similiter Literas deprecatorias direxerat, supplicans in quadraginta millibus, salvo fratri suo, mutuo subveniret, ut quasi dans ea eidem, pium daret aliis exemplum subveniendi. Comes autem nec preces Regis, nec Papæ voluit exaudire, & eo maxime, quod negotium eundi in Apuliam assumpsit sine consilio suo & assensu Baronagii sui, sibilis Transalpinantium fastidatus. Ab aliis autem interpellatum fuit, de subventionem faciendam. Et responsum fuit, quod omnes tunc temporis non fuerunt iuxta tenorem Magnæ Chartæ sua vocati, & ideo sine paribus suis tunc absentibus, nullum voluerunt tunc responsum dare, vel auxilium concedere, vel præstare. Rex itaque ad consuetas conversus cavillationes, ut Magnates flecteret ad consensum, per multos dies negotium Parliamenti distulit inchoati, ita ut usque in mensem, fictis occasionibus negotium protelarret. Et tunc ad alium locum conciliaturos, evacuatis in Civitate Londinensi crumenis, potius provocavit, quam convocavit. Comes verò Richardus, vir cautus & circum spectus, Episcopum Herefordensem, & Robertum Walcrannum socium suum, acriter & merito redarguit, eo quod tam enormiter in Regni subversionem, Regem infatuarent. Et sic infecto negotio singuli provocati, ad propria remearunt. Sciendumque quod quando Dominus Rex rediit de Gasconia, tenebatur debito trecentarum millium Marcarum & quinquaginta. Nec tamen idcirco defuit inconsultè, tam prodigialiter, quam prodigialiter quotidie Thesaurum suum habitum & habendum alienigenis distribuere, quem Angliam, quam puteum reputavit inexhaustum, fuerat ejectura. Electo etenim Tholotano, redditum & Thesaurum contulit non modicum. Similiter & Episcopo Bononiensi, Rustando quoque cum donativis charissimis, contulit unam opimam Præbendam in Ecclesia Eboracensi.

How much the Bishop of Hereford, and Rustand the Popes Legate, abused, oppressed the Religious persons and Clergy of England this year, and what complaints they made against them, these passages discover.

Mat. Paris Hist. p. 885, 886.  
Literæ Papales impetratæ per Episcopum Herefordensem.

Episcopus Herefordensis cum suo Rustando in Prælatos Angliæ, maxime Religiosos, autoritate Apostolica roboratus, deservire cœpit his Literis. ALEXANDER Episcopus servus servorum Dei, Episcopo Herefordensi, &c. Cum te sciamus pro utilitatibus & Conventui Sancti — ac Monasterii Sancti — pro quibus ad sedem Apostolicam accessisti, magna oportere subire gravamina expensarum, ne pro defectu ipsarum eadem in expedita remanere contingat, fraternitati tuæ contrahendi mutuum propter hoc usque ad summam quingentarum, vel sexcentarum, vel septingentarum, vel amplius Marcarum sterlingorum, nomine dictorum Abbatis et Conventus, et Monasterii, et ipsos Abbatem et Conventum, ac successores eorundem, et ejusdem Monasterii bona creditoribus obligandi, ac renunciandi constitutioni de duabus diæti editæ in Concilio generali, & beneficio restitutionis in integrum & omnibus Literis indulgentiæ Apostolicis impetratis, & impetrandis, necnon & conventioni judicium, si ipsorum creditorum nomine Apostolicas Literas super hoc cujusunque tenoris in posterum impetrari contigerit, plenam auctoritate presentium concedimus facultatem. Ita tamen, quod ipsi & successores eorum creditoribus hujusmodi pecuniam solvere, necnon ad damna & expensas ac interesse, si à termino à te statuendo, pecuniam eandem non solverint, super quibus juramento ipsorum vel eorum

eorum alicujus, sine aliqua probatione, qui dictam pecuniam mutua-  
verint, credi volumus, teneantur. Et dictis creditoribus prout alicujus  
constitutionis Canonica vel civilis, aut cujuscunque privilegii vel indulgentie, de quibus  
in nostris literis plenam & expressam oportet fieri mentionem. Et ne ipsi successores eorum,  
amplius in aliquo valeant se tueri, dictam pecuniam in utilitatem ipsorum Abbatis &  
Conventus, & Monasterii versam esse, probandi necessitas non incumbat. Data, &c.  
Eodem tempore, petiit Papa pecuniam sibi commodari à Comite Richardo, scilicet  
quinque millia Marcinarum, ad promotionem nepotis sui *Edmundi*. Cui Comes:  
Nolo thesaurum superiori commodare, quem non possum distringere. Hæc et  
alia detestabilia, a sulphureo fonte *Romana Ecclesiæ*, pro pudor,  
imo et pro dolo, tunc temporis emanarunt.

Hereupon, *Rustandus* tunc temporis universos *Angliæ* Prælatos convocavit au-  
toritate Papali *Londinum* conveniendos; ut ibi Domini Papæ præceptum obedi-  
enter audirent, in quindena sancti *Michaelis*. Et de arduis tam Domini Regis quam  
Papæ negotiis contrectantes, tanquam filii obedientiæ, discretè ac favorabiliter  
de rebus postularis & postulandis responderent: Ubi cum dictis loco & tempore  
convenissent, lectis & intellectis *Rustandi* potestatibus, fecit idem sermonem  
fieri ab Universis, exigendo infinitam pecuniam per scripta plena in-  
juriis et iniquitate, quæ possent patientissimi cor virulenter san-  
ciare. Quæ pecunia, si consideretur et colligeretur, *Ecclesiæ An-  
glicana*, imo totum Regnum vilissimæ subjaceret servituti, et irre-  
staurabili læderetur paupertate. Erat autem onus importabile,  
quod aliis imposuit bajulandum, nolens illud digito movere. At enim  
de aliis sileam, soli domui Sancti *Albani* injuncit sexcentas Mar-  
cas Domino Papæ numerare; exceptis usuris et gravibus condi-  
tionibus; quibus ipsam domum ardeant Mercatores usurarii, qui-  
bus concessa potestas ad suæ voluntatis fuerit arbitrium *Ecclesias*  
opprimendi. Præterea conabantur *Rustandus* & Episcopus *Herefordiensis*, & eo-  
rum complices, terminum solutionis festinando abbreviare, sub pœna suspen-  
sionis et excommunicationis. Quem terminum, nullo modo tene-  
re possent Obligati. Sed hoc factum est, ut cogerentur Prælati  
mutuo accipere ipsam pecuniam a Mercatoribus, et eorum usuris  
illico intricari subiacere. Quod omnibus & singulis non tam difficile, sed  
impossibile videbatur. Et cum strictissimum consilium super his per plures dies ha-  
beretur, longa trahens, præcordialiter suspitia Episcopus *Londinensis Fulco*, ait. An-  
tequam tantæ Ecclesiæ consentiam servituti et injuriæ, ab intolerabi-  
li oppresseione profecto decapitabor. Cujus constantiam cum au-  
disset Episcopus *Wygorniensis Walterus*, ait in propatulo; Et ego  
priusquam tali subiaceat Ecclesia sancta subversioni, suspensio con-  
demnabo. Quorum salubribus assertionibus omnes alii firmiter  
animati, constanter promiserunt se vestigia beati *Thomæ Martyris*,  
qui pro libertate Ecclesiæ se permisit excerebri; pedetentim sequi-  
turos. Attamen ardebantur undique, Rex adversabatur, Papa  
pecuniæ inhians inimicabatur, Magnates matri suæ Ecclesiæ non  
compatiebantur. *Rustandus* homo literatus & efficax ad nocendum stimulabar.  
Archiepiscopus *Cantuariensis*, qui vacillantis Ecclesiæ Petri ac naviculæ fluctuantis  
naucerus esse teneretur; in partibus transmarinis ac remotis, terrenis negotiis im-  
plicatus, gregem suum minus quam expediebat gubernavit. *Eboracensis* Archie-  
piscopus, vir magni consilii & profundi pectoris, in fata concessit. Electus *Winto-  
niensis*, tum quia *Pictaviensis*, tum quia frater Regis persequentis, tum quia nou  
Episcopus, suspectus habebatur, atque idecirco vitabatur. *Herefordensis* verò Episcopus  
non suspectus, sed manifestus adversarius habebatur. Invocata igitur  
Sancti Spiritus consolatione, appellantes ad præsentiam Papæ,  
qui sinum refugii pandere habet omni oppresso, super tam intole-  
rabili et inaudita exactione, contradixerunt voluntariis et impetud.

Mat. Paris' Hist.  
p. 886, 887.  
Consilium  
Londini habi-  
tum à Prælati-  
bus Angliæ.

sis magistri *Rustandi* oppresionibus et comminationibus. Et illico acclamatum est *Londini* voce præconia, auctoritate Episcopi *Londinensis*, ne aliquis auctoritate literarum magistri *Rustandi* placita moveret, vel exqueretur diebus pluribus. Quod cum eidem *Rustando* intemeretur, conquestus est Regi gravissimè, asserens quod Episcopus *Londinensis* omnes alios Prælatos animavit, ad contradicendum voluntati Regiæ ac Papali. Rex autem iratus valde conviciabatur Episcopo, asserens, quod nec ille Episcopus, ne aliquis de genere ejus ipsum Regem dilexisset. Et quod efficaciter pro uraris, ut Papa animadverteret in ipsum et puniret. Ad quod Episcopus, Auferant Episcopatum, quem tamen, non possunt de jure auferre, Papa et Rex qui me fortiores sunt. Tollant mitram, galea remanebit. Ipso etiam tempore instillatum est multorum auribus quoddam incredibile, quod quidem absurdum est & nefas credere, quod scilicet quidam falsarii Bulla nequiter abutebantur. Et scedulis vacuis, Bullam appendebant; ut quid placeret, postea inscriberetur. Dicebant enim ad invicem: Non placeat Christo, ut Dominus Papa, qui proculdubio vir sanctissimus est, talibus consentiret enormitatibus, quem constat esse ad tantum apicem divinitus sublimatum. Quisfecit, quod nunquam aliquem Papam fecisse meminimus, postulavit enim ab Ecclesia præcui devotionem sibi impendi. Et quomodo credi potest, quod hic faciat peiora prioribus? ablit. Et ita querentes solatium suæ imperitiæ et angustiae, falsariis talia deliramenta sub involucrio imputabant.

Episcopus *Herefordensis* & sui nuntius schisma inter Prælatos suscitare.

Mat. Paris Hist. p. 888, 889. Secunda congressio Prælatorum coram *Rustando*.

Procurare interim summopere nitebantur Episcopus *Herefordensis* & *Rustandus*, & alii *Transalpini*, suscitare schisma & divisionem inter Prælatos *Anglia*, ne concorderet coherentes, Dominum Papam in viam dirigerent veritatis. Et sic à proposito frustrarentur, pecuniis inhiantes, secundum illud Evangelicum: Omnis Regnum in se divisum desolabitur.

Per idem tempus, dum omnium *Anglia* Prælatorum universitas iterum coram magistro *Rustando* *Londini* congregarentur, & nimis quotidianis deceptionibus vexarentur: Tandem propter absentiam Archiepiscopi *Cantuariensis*, qui in ultramarinis partibus morabatur, & propter Ecclesiam *Eboracensem*, quæ secunda est in Regno, vacantem, & propter aliquorum Episcoporum absentiam, cepit certa responsio super postularis à Domino Papa per magistrum *Rustandum*, dilationem usque ad festum Sancti *Hilarii*, ut tunc omnes ibidem congregati, efficaciter & precise responderent. Et sic divisi, singuli post multa damna, expensas, & tardia, nescientes quid acturi forent, ad propria remearunt. Sic enim sive iuste, sive iniuste, per dictum magistrum *Rustandum* suspenderetur quis, vel excommunicaretur, Rex quasi lesus in abscondito, querens quem devoraret, post quadraginta dies omnia diriperet infiscata. Papa et Rex, velut Pastor et Lupus, in odium exterminium confederati, omnibus ruinam minabantur. Ex tunc igitur quasi cæci palpantes ad parietem, divisi sunt; & quilibet sibi consulere more *Anglicorum* satagebat. Qui si de communi assensu communem syndicum & prolocutorem ad Romanam Curiam destinassent, felici pace congauderent communiter.

Anni Conclusio.

Transit igitur annus ille Romana Ecclesiæ, et Papali Curia, si devotionem Populi reputet, vitulentissimus. Expirabit enim, quæ consuevit haberi devotio habita a Prælati et populo penes matrem nostram Romanam Ecclesiam, et patrem et pastorem nostrum, Dominum videlicet Papam. Et si illa Curia fideles Christi multoties usque ad amaritudinem spiritus cruentaverit, nunquam tamen, sicut hoc, et sequenti anno, tam lethaliter Univerfos Christi servos et singulos laiciabit. Coguntur enim infantes idololatrare, et quasi Apostata, veritati, quæ Deus, abrenunciare. Et præter hoc, quod et si intolerabile sit, tamen tolerabilius reputatur, bonis temporalibus violenter deprestantur. Quæ autem inconvenientia Annus iste *Anglia* præsentavit, præsentis pagina duximus inserenda. Cassantur Sanctorum



eorum privilegia indulgentiæ, nec reputantur, et hoc non sine injuria eorundem; Potestatem habet Papa in his quæ operantur in edificationem, non in his quæ ad ruinam, secundum Episcopum *Lincolniensem Robertum*. Pro triennio commutatur quinquennium, in promissione decimæ, subito, et tacite quia promissa sit per triennium. Novum super terram, consueverunt semper laici Prælati decimare tantum, nunc Prælati laicis decimare coguntur. Concessa fuit decima in subsidium *Terræ Sanctæ*, cogimur transferre eam in subsidium *Apuliæ* contra Christianos. Concessa fuit decima pro observatione Chartæ, quam tenere prædictus Rex *Henricus* tenebatur, quæ tamen non observatur. Concessa fuit decima ut Regi in *Terram Sanctam* peregrinanti, particulatim secundum provisionem distribueretur, non uti nunc; de Obligatione injustissime gravioza subire cogimur, multipliciter mentiri, falso profecto juramento, quod cælitus prohibetur in utroque testamento. Concedere cogimur terminos solutionis, quos nullo modo tenere possumus, ut intidamus in laqueos usurariorum suorum, quos socios eorum novimus, & participes. Datur potestas personis prorsus indignis super Nobiles Ecclesias, & eorum Prælatos excellentes. Venduntur Prælati ut Boves et Asini. Ecce ultimæ conditionis servitutis. Ecce venditores ejiciendi a Templo, flagellandi. Sed quia ignobilius est facere injuriam violenter, quam pati cum innocentia, credendum est, quod super hoc Clamor ascendat quæculus ad Deum Dominum ultionum.

Mat. Paris Hist.  
p. 889, 890.

There being many suits and controversies between the Archbishop of *Canterbury*, and Bishop of *Rochester*, (much vexed, oppressed by his power) the King upon the Bishops complaint, as Supream Patron and Ordinary, to preserve publick peace, issued this Writ to the Justices Itinerant, to stay all suites between them; to summon the Archbishops Bayliffes, and the Bishop and their witnesses before him, his Nobles and Council the next Parliament, where he would hear and decide all differences between them by their and the Justices advice.

**R**EX *Gilberto de Preston*, & sociis suis Justic. proximo itineraturis in Com. *Kanc.* salutem. Quia ex gravi quærela venerabilis Patris *L. Rossensis*, Episcopi apertius intelleximus, quod distractiones & exactiones quas Ballivi Venerabilis Patris *B. Cantuariensis* Archiepiscopi faciunt in Episcopatu *Rossensi*, & pro juribus temporalibus quæ idem Archiepiscopus exigit, & idem Episcopus debere fieri contradicit in Episcopatu prædicto; immensa damna, homicidia et aliæ transgressiones, quæ sunt contra pacem nostram, accidere possunt in terra nostra, in magnum præjudicium & turbationem pacis nostræ, et grave scandalum universalis Ecclesiæ, maxime, si inter tales Ecclesias quales sunt Ecclesia *Cantuar.* & Ecclesia *Rossensis*, quæ tam ardua præminent dignitate & autoritate talia debeant suboriri, Nos volentes hujusmodi infortunatis casibus obviare nisi quo possumus ampliori, Nobis Mandamus firmiter injungentes, quod omnes distractiones, exactiones & contentiones ortas & existentes inter prædictos Archiepiscopum & Episcopum, poni faciatis in respectum usque ad festum beati *Edwardi* proxim. futur. præfigentes tam magistro *Hugoni de Morino Mari*, & magistro *Henrico de Gaunt* Ballivis dicti Archiepiscopi, quam prædicto Episcopo diem illum, quod sint coram nobis apud *Westm.* sicut eis per literas nostras mandavimus. Et nos tunc per Consilium dilecti fratris nostri *R. Com. Cornub.* et aliorum Magnatum nostrorum qui ibidem intererint, vires et diligentiam apponemus in præmissis, ad prædicta inconvenientia prætabenda, prout utriusque Pontificis commodo et honori viderimus melius convenire; Et scire faciatis dicto Episcopo *Rossensi*, quod prisoneres pro quibus orta est principaliter contentio prædicta, dictis die & loco coram nobis venire faciatis, & vos ipsi sitis ibidem coram nobis, ad testificandum quantum ad vos pertinet quid actum, et ad consulendum quid faciendum fuerit in præmissis. Teste Rege apud *Alnwick*. 23. die *Septembris*.

Claus. 39 H. 3.  
m. 6. dorso.  
Pro Episcopo  
Ross.

The King by reason of his absence and business in the parts of *Scotland*, being unable to be personally present at the feast of *St. Edward* at *Westminster*, which he annually celebrated, by vertue of his Ecclesiastical authority, constituted several persons to solemnize this feast, and make offerings, processions, and give almes in his stead; and commanded the Parishioners of *St. Margaret*, and the *Londoners* to go to *Westminster* in procession with wax Tapers, and other formalities for the honour of this Saint and Holy day, by this Writ.

Claus. 39 H. 3.  
m. 6. dorso.  
De Festo San-  
cti Edwardi co-  
lebrando,

**Q**uia Rex non est certus quod interesse possit solemnitati instantis festi beati *Edwardi* apud *Westm.* pro variis & urgentibus negotiis quibus intendit in partibus *Scotia*, Mandatum est *Phillippo Luvel*, Thesaurario Regis & *Edwardo* de *Westm.* in fide & dilectione quibus Regi tenentur, quod prædictum festum, una cum venerabilibus patribus *Sar. Normie. Bathon. & Cicestr.* Episcopis, Abbatibus & Prioribus vicinis, quos ad festum illud Rex per literas suas invitavit, vice Regis veneant, & solemniter celebrent ad cultum Regis, & Capitagium Regis & Regine & liberorum suorum, scilicet de 36 ob. mucie nomine eorum offerri, & Cruci argenteæ supra magnum Altare *Westmonast.* attachiari faciant, & unam platam auri ponderis unius uncie nomine Regis offerant, prout moris est in solemnitate missæ prædicti *Edwardi*, ac si Rex præsens esset ibidem, & duas aulas Regis *Westm.* impleri pauperibus in dicto festo, & eos pasci faciant, sicut fieri consuevit, & processionem Ecclesiæ beati *Margar.* & omnes processiones Civitatis *London.* cum cereis & aliis processionibus suis solemniter venire faciant usque *Westm.* in die Sancti *Edwardi*, prout Rex similiter mandavit *Hajoti* et probis hominibus *London.* Et hæc & omnia alia quæ viderint fore facienda ad honorem prædicti Sancti, & solemnitatem festivitatis ipsius honorificè fieri faciant, prout melius & decentius nomine Regis fuerit faciendum; Ita quod prudentiam suam Rex merito possit commendare. Teste Rege apud *Werk*. 13. die *Septemb.*

He likewise enjoined all Sheriffs to proclaim in Cities, Burroughs and Market Towns, that all who had crossed themselves for the *Holy Land* should meet on Holydaies and other convenient times, and learn how to use slings and March in order, and to put them under Captaines, for which end the King had procured the Pope to grant them 40. daies pardon who should obey this Mandate.

Claus. 39 H. 3.  
m. 7. dorso.  
Pro Crucesignatis,  
de trahendo cum Ba-  
listis,

**M**andatum est singulis Vicecomitibus *Anglia*, quod in singulis Civitatibus, Burgis & aliis Villis Mercatorius de Balliva sua publice clamari faciant, quod omnes Crucesignati diligenter addiscant trahere cum Balistis, & hoc non omitrant, quia Dominus Papa ad instantiam Regis, singulis Crucesignatis modum trahendi cum Balistis addiscentibus xl. dies indulgentiæ concessit. Et omnes Crucesignati Civitatum, Burgorum & Villarum prædictarum poni faciant in constabulariis per Decenas sub aliquibus Capitaneis, qui eos ad trahendum modo prædicto diebus festivis & aliis diebus quibus ad hoc vacare poterunt, intendere faciant. Teste &c.

Some servants of *John Baylol* being excommunicated and imprisoned upon a *Capital Excommunicatum* by the Bishop of *Durham*, for entring forcibly into the Church of *Long-Newton*, other of them by way of revenge assaulted the Bishop & his men with horse & armes, as they travelled by a wood, irreverently abused the Bishop, & carryed four of his men prisoners to the Castle of *Bernard*, and there detained them, till the Bishop should release the persons excommunicated: upon the Bishops complaint of this riot and injury, the King issued this Writ to *John Baylol*, to release the Bishops men, who was ready to absolve and deliver his; threatening severely to punish this offence, if he did not enlarge them, and give the Bishop & his servants, competent satisfaction for the injury which he neither would, nor ought to passe by without due punishment.

Claus. 39 H. 3.  
m. 7. dorso.  
Pro Episcopo  
*Dunelm.*

**R**EX dilecto & fideli suo *Johanni de Baylol* salutem. Ex parte venerabilis patris *W. Dunelm.* Episcopi nobis est ostensum, quod cum homines vestri intrusissent se in Ecclesiâ de *Long-Newton*, *Dunelm.* Dioc. & ipsam manu armata contra justitiam occupassent, Eisdem Episcopus homines illos ob eorum manifestam offensam et contumaciam excommunicationis sententia innodasset.

deset. Et postea eos sicut moris est in Regno nostro postquam in eadem sententia per xl. dies & amplius perduraverant, capi fecisset, *Eustachius de Bayol*, Gocelinus frater ejus, *Henricus* filius *Ranulphi* & alii plures cum equis & armis, latitantes in quodam bosco in transitu prædicti Episcopi & familie suæ per boscum illum emiserrunt quosdam ex militibus & scutaris suis, qui in præfatum Episcopum & Clericos & alios familiares suos insultum cum gladiis & aliis armis, turpiter & irreverenter fecerunt, & eos enormiter tractaverunt, & quatuor ex familiaribus suis ceperunt, & ad Castrum *Bernardi* duxerunt, & ibidem imprisonaverunt, & eos adhuc in prisiona detinent, in libertatis Ecclesiasticæ præjudicium manifestum, et perturbationem pacis nostræ, quam præfatus Episcopus habet in libertate sua regali inter *Tynam* et *Teyssam*, eos quod præfatus Episcopus dictos Excommunicatos noluit ex forma Ecclesiæ absolute deliberare. Quia vero dicta transgressio in pacis nostræ læsionem enormem redundat quam incoirectam relinquere nolumus, sicut nec debemus; vobis Mandamus firmiter injungentes, quod prædictos imprisonatos à prisiona qua detinentur sine dilatione deliberari, & præfato Episcopo & suis de tam enormibus excessibus & injuriis, eis per vos et vestros illatis, competentes emendas sine dilatione exhiberi faciatis, quod pro defectu vestri iterata ad nos inde querela non perveniat, per quod manum ad hoc aliter apponere debeamus. Teste Rege apud *Eborum*, 13. die *Augusti*.

Idem Mandatum est *Eustach. de Bayol*: Et mandatum est Constabulario Castrum *Bernardi* quod prædictos imprisonatos à carcere quo detinentur deliberet. Teste ut supra.

It seems the Bishop refused to release those excommunicated persons, though they tendered good caution according to Law; whereupon the King issued this Writ de cautione admittenda, commanding him to deliver them out of prison, and to receive their caution.

**R**EX tali Episcopo salutem. Ostensum est nobis ex parte *Petri le Orseure*, quem ad instantiam vestram per corpus suum tanquam claves Ecclesiæ contemnenter præcipimus Justiciari, quod licet vobis frequenter obtulerit stare mandatis Ecclesiæ, ut tenetur, vos tamen cautionem legitimam ab eo admittere recusatis, quod miramur. Et ideo vobis mandamus, quod hujusmodi cautione recepta, præfatum *Petrum* à prisiona liberari mandatis; scituri quod si secus egeritis, nos quod nostrum est in hac parte exequemur. Teste Rege apud *Nor.* 24 die *Julii*.

Claus. 39 H.3.  
m. 7.  
De excommunicato à prisiona deliberando per cautionem.

Upon the complaint of the Archbishop of *Tuam*, and his suffragans, and likewise of all the other Bishops and Clergy of *Ireland*, of severall grievances, oppressions suffered by them and their Courts against Law, and the liberties of the Church of *Ireland*, particularly related, the King issued this Writ to Prince *Edward* his Son then in *Ireland*, to hear and redresse the same by advice of the Judges, Barons, Nobles, and his Counsil in *Ireland*.

**R**EX *Edwardo* filio suo primogenito & Hæredi salutem, & paternam benedictionem. Accedens nuper ad præsentiam nostram Venerabilis Pater *F. Tuamenfis* Archiepiscopus pro se & suffraganeis suis, nec non & ex parte totius Cleri *Hibern.* una cum Episcopo *Aland.* coram nobis exposuit quædam gravamina quibus *Hibernicæ* Ecclesia graviter opprimitur, & enormiter prægravatur. Adjiciens etiam, quod nisi maturis hiis apponere remedium curaremus, prædicta Ecclesia suis juribus & libertatibus defraudata opprobiose corrueret & viliter tenderet in occasum. Primo quidem queritur, quod ipsi & tenentes eorum contra antiquas libertates Ecclesiarum suarum trahuntur in placitum coram Justic. extra suos Comitatus ad alias provincias, ita per laborem nimium & expensarum defectum, litibus cedere, vel damnosas Compositiones inire coguntur. Secundo, quod quidem Justic. Vicecomites & alii ballivi nostri in loquelis coram eis motis, paciscuntur cum una parte de lucro participando, per quod altera pars citò labitur in jacturam, & jure suo legitimo defraudatur, quod quam graviter ferimus & molestè, cum non solum Clericos verum etiam Universalem plebem *Hibern.* anxius angit hoc gravamen. Tertio, quod sunt

Claus. 39 H.3.  
m. 8. dors.  
Hiberniæ.



frequentius Attachiamenta & summonitiones in terris ipsorum sine Waranto, quæ pecunialiter coguntur redimere, vel laborem & tædium de Com. in Comitatum discurrendo subire. Quarto, Quod quidem *Barones Hybern.* impediunt quo minus fideles *Hybernienses* de bonis suis testari valeant, & quominus Crucesignati votum complere valeant, vel illud redimere cum voluerint. Quinto, Quod Burgenses & alii tenentes eorum distringuntur ad sequelas faciendas in causis non tangentibus dictos Episcopos vel seipfos. Et quod hæc gravamina Ecclesiæ *Hybernicæ* intendantur contra jura & libertates suas quibus eadem antiquitus est gavisæ. Unde cum nostram deceat Regiam Majestatem, vestræque conveniat, utilitati congruat & honori, jura & libertates Ecclesiæ defendere, & potenti patrocinio confovere, afflictisque compati, & refrænare rebelles. Vobis mandamus firmiter injungentes, quod convocatis coram vobis Archiepiscopis, Episcopis, Abbatibus, Baronibus, Justic. & omnibus Magnatibus terræ *Hibernia* per Consilium dilecti & fidelis nostri *Johannis filii Galfridi Justic Hybernæ* & aliorum discretorum de Consilio vestro, necnon & de Consilio Magnatum prædictorum, in præmissis apponi faciatis celeriter remedium oportunit, prout Ecclesiæ indemnitati, & vestræ & terræ *Hyberniæ* utilitati, & tranquillitati videritis convenire. Quo decus Ecclesiæ crescat per vos, & vestræ novitatis principium laudis suscipiat incrementum. Apposuissemus autem præmissis remedium nisi vester in *Hiberniam* præsens fuisset accessus, propter quod vobis & consilio vestro hoc negotium duximus totaliter committendum. Teste Rege apud *Nor. singham.* 30. die *Julii*.

He likewise issued this further Mandate to the chief Justice of *Ireland*.

Claus. 39 H. 3.  
m. 8. dorf.

\* Here p. 784.

**M**andatum est *Johanni filio Galfridi Justic. Hibernia*, Quod aut faciat Archiepiscopo *Tuamensi* rationabile Escambium de terra in Com. pro Villa de *Eandon*, & ibidem firmet quoddam Castrum, si sit ad profectum *Edwardi* filii Regis, prout \* pridem inter ipsum *Johannem*, & dictum Archiepiscopum fuit proloquutum, vel reddat dicto Archiepiscopo Villam suam antedictam solutam & quietam. Teste ut supra.

He likewise issued this Writ for the Dean and Canons of *St. Martyns London* to respite the amerciament of all their Tennants in *Essex*, before the Justices in *Eyre*, according to their Claimes.

Claus. 39 H. 3.  
m. 8. dorf.  
Pro Archidacano de Leges.

**Q**uia Decanus & Canonici Ecclesiæ Sancti *Martini London*, vendicant sibi amerciamenta hominum suorum ubicunque amerciati extiterint, Mandatum est Vic. *Essex*, Quod demandam quam facit hominibus *Theobaldi* Archidacano de Leges prædictæ Ecclesiæ de *Christifstale* de una Marca, ad quam amerciati fuerunt coram Justic. ultimo itinerantibus apud *Chelmerford*, ponat in respectum usque ad festum Sancti *Edwardi* quod erit in quindena Sancti *Michaelis* proximo futuro, ut tunc super hoc Rex quod justum fuerit fieri faciat. Teste Rege apud *Nor.* primo die *Augusti*.

He likewise sent this precept to the Sheriffe of *Nottingham* and *Derby*, to pay his Chaplaines officiating in *Derby* Castle their wages,

Claus. 39 H. 3.  
m. 8. dorf.  
Pro Capellanis ministrantibus in Castro *Nor.*

**M**andatum est *Rogero de Lovetot*, Vic. Com. *Nor. & Derby*, quod quamdiu fuerit Vic. eorundem Com. singulis Annis faciat habere Capellanis Regis Ministrantibus in Castro Regis *Nor.* stipendia sua ad duos terminos, videlicet unam medietatem ad festum Sancti *Michaelis*, & aliam *Med.* ad *Pascha*. Teste ut supra.

The King by his Ecclesiasticall prerogative sent this pious Writ to the Cistercians, and other Abbots in their general assembly, to make this special devout prayer unto God for him, his Queen and Children.

Claus. 30 H. 3.  
m. 8. dorf.  
Pro Rege de Oracionibus.

**R**EX Abbati *Cister.* & cæteris Abbatibus in generali Capitulo *Cisterciens.* convenientibus salutem. Cum Regnorum gubernacula bene prosperari nequeant, nec administrari feliciter sine eo in cujus dispositione cuncta sunt Regna, per quem

quem etiam omnia gubernantur; Universitatem vestram attentius exoramus; quatenus pro statu nostro & Regine liberorumque nostrorum, devota preterea suffragia suppliciter offeratis altissimo, ut Actus nostros ita misericorditer ad laudem sui nominis & fidei Catholicæ exaltationem dirigere dignetur, quod consummatis presentis vite curriculis, æternæ felicitatis præmia consequamur, & vos proinde debeamus ætiori dilectionis vinculo amplexari. Teste Rege apud *Warsop*. 4. die *Augusti*.

One *Ralfe de Ribesford* a Clerk accused of Robbery, and delivered to his Ordinary, suing *Michael Thoni* late Mayor of *London*, in the spiritual Court before the Dean of the Arches, (for a defamation,) for what he did in Execution of his office as the Kings officer, who ought not to be questioned in such Courts for any thing done in the execution of his Office, it being to the prejudice of the Kings Crown and dignity, the King thereupon issued this memorable prohibition to the Dean, and another to this Prosecutor, not to proceed therein

**R**EX Decano Sanctæ Mariæ de Arcubus *London*. salutem. Monstravit nobis *Michael Thoni*, quondam Maior Civitatis nostræ *London*. quod cum ipse *Radulphus de Ribesford* tanquam malefactorem reatum de Roberia & Societate latronum, in eadem Civitate secundum legem & Consuetudinem Regni nostri arrestari fecisset, quem etiam postmodum Venerabili Patri *W. Wygorn*. Episcopo, qui ipsum tanquam Clericum & foro Ecclesiastico liberandum petiit; secundum Consuetudinem ejusdem Regni à Carcere & Custodia nostra liberasset, idem *Radulphus* præfatum *Michaelem* occasione prædicta, trahit in placitum coram te in Curia Christianitatis. Quia vero in manifestum præjudicium Regni nostri, et Coronæ nostræ est, quod aliquis Ballivus noster occasione Ministerii sui, et eorum quæ pro conservatione pacis nostræ et Regni nostri in hujusmodi casibus secundum consuetudinem et legem præfati Regni nostri fiunt, trahatur in placitum in Curia Christianitatis; tibi prohibemus, ne placitum illud ulterius tenere præsumas. Teste Rege apud *Woodst.* 5. die *Junii*.

Sub eadem forma mandatum est *Radulpho de Ribesford*, ne prosequatur idem placitum in Curia Christianitatis. Teste ut supra.

*Per Hen. de Bretton.*

The like Prohibition issued to the Bishop of *Worcester*, who sued the Sheriff of *Worcester* and his Bayliffs in his Court Christian, for levying the debts due to the King and himself upon some of the Bishops Tenants;

**R**EX *W. Wygorn*. Episcopo, salutem. Monstravit nobis dilectus & fidelis noster *Willielmus de Bello Campo*, Vic. noster *Wygorn*. quod cum *Robertus de Wykeman* Clericus suus, & quidam alii Ballivi & Ministri nostri ex officio suo, secundum consuetudinem Regni nostri, facerent distractionem quibusdam hominibus Ecclesiæ vestræ pro debitis nostris, & debitis ad ipsum Vic. ratione Ballivæ suæ spectantibus, & alia exequerentur quæ ad officium ejusdem Vic. pertinent, vos ea occasione, et etiam eo quod extractæ Rotulorum et Brevis vobis non liberantur modo quo petitis, Clericum et Ballivos prædictos trahitis inde in placitum in Curia Christianitatis. Quia vero manifeste est contra Coronam et dignitatem nostram, quod hujusmodi occasione trahatur aliquis Ballivus noster in placitum in Curia Christianitatis; cum ad nos pertineat correctiones transgressionum, et delictorum suorum, et prompti simus et parati vobis in Curia nostra Justitiæ complementum exhibere de prædictis Ballivis, si qua contra libertatem Ecclesiæ vestræ attemptaverint: Vobis firmiter inhibemus in Curia Christianitatis super præmissis ulterius procedatis, ab in-

Claus. 39 H. 3.  
m. 11. dorso.  
De prohibitione.

*Nota.*

Claus. 39 H. 3.  
m. 4. dorso.  
De inhibitione

*Nota.*

justa

justa veratione et molestatione prædicti Alc. Clericorum, Balliborum suorum a modo desistentes. Teste Rege apud Westm. 24 die Octobris.

*Per Henr. de Balhon. & Henr. de Mare.*

Such were the bold encroachments of the Bishops, Deans, Chapters, and their Officers then, as to draw most temporal Officers into their Courts, and there vex and excommunicate them, for executing their Offices upon any Clerk, Prelate, or their Tenants, Tenements; and to hold Plea of Lands and Goods, not belonging to their Jurisdiction, but the Kings Courts; and invade the Rights of the Kings Crown, the Kingdoms and Subjects Liberties in sundry particulars, in a very high degree; which intollerable grievances, in high affront to the Kings Crown and dignity, obstructing the execution of publick Justice, tending to make Prelates, Clergymen lawlesse, and all Laymen meer slaves to their Lordly wills, and exorbitant Courts, these Prohibitions timely prevented, and checked in some measure; witnesse this memorable complaint of the Mayor and Citizens of *Tork*, against the Dean and Chapter of *St. Peters of Tork*, and this memorable Prohibition issued thereupon, wherein their intollerable Usurpations in sundry kinds upon the Kings Rights, Royal Authority, Officers, Courts, and proud presumption in Excommunicating the Mayor and Citizens, tending an illegal Oath unto them *de parendo jure Ecclesiastico*, are particularly recited, severely prohibited, and their obstinate contemptuous persisting in these their Usurpations and Extravagancies, notwithstanding the Kings Prohibitions, fully displayed.

Claus. 39 H. 3.  
m. 17. dorso.  
De querela Civium Eborum  
versus Archiepisc. Eborum.

*Nota.*

*Nota.*

**R**EX Decano & Capitulo Sancti Petri Eborum, salutem. Ex querelis Majoris & Civium nostrorum Eborum frequenter intelleximus, quod usurpatis vobis placita de Laicis feodis, et de catallis et debitis quæ non sunt de Testamento vel Patrimonio, et alia jura et libertates in prædicta Civitate ad Majorem et Ballibos nostros ejusdem Civitatis spectantes: Nec permittitis custodes mensurarum nostrarum in eadem Civitate probare mensuras in terris quas dicitis esse vestras, nec eas signo nostro signare, sed signo adulterino eas facitis signari. Item non permittitis eosdem Civis capere nomina hominum vestrorum pro debitis suis, secundum tenorem Chartæ nostræ quam inde habent, in qua nec homines vestri, nec alii excipiuntur. Item appropriastis vobis homines nostros, et omnia placita eorum tenetis in Curia vestra, vi excommunicationis, ratione terrarum in quibus manent; nec permittitis Ballibos nostros prædictæ Civitatis ingredi terras quas dicitis esse vestras, licet non sint, ad debita nostra levanda, nec ad latrones seu malefactores capiendos vel arrestandos, sed si terras vestras ad hoc sine licentia vestra ingrediantur, vel gravaminibus prædictis, pro jure nostro salvando se opposuerint, statim in eos assensu nostro irrequisito, de emendis faciendis sententiam Excommunicationis promulgari facitis, (the Popes, Prelates, Clergymens grand, intollerably prophaned, abused engine, to oppresse, vex, suppress, enslave both Emperors, Kings, Kingdoms, Subjects of all sorts, and wreck their malice or revenge upon them: ) nec eam pro aliquo mandato nostro relaxare curatis, nisi præstito Sacramento de parendo jure Ecclesiastico, (an abuse, usurpation since practised by such Courts, persons, to the Subjects grand oppression. ) Cum igitur præmissa in jurium nostrorum præjudicium non modicum, et dignitatis Regiæ maximam cedant læsionem, (let all Prelates, persons guilty of such exorbitances well observe it) et per Literas nostras frequenter requisiti fueritis, quod ab hujusmodi exactionibus et usurpationibus desisteritis; Nos iterato monendos duximus, et exortandos mandantes, quatenus Majorem et Ballibos et Civis prædictos, imo nos juribus et libertatibus prius usitatis in



in Civitate prædicta gaudere pacifice permittentes, de cætero nihil attemptetis, quod in iurium nostrorum cedat præiudicium, sententiam Excommunicationis si quam in Ballivos vel Cives prædictos occasione prædicta promulgari feceritis, sine dilatione revocantes: Scituri indubitanter, quod nisi feceritis, diutius sustinere non poterimus, sicut nec debemus; quin de tantis excessibus et injuriis nobis illatis, quæ non solum in exheredationem nostram, sed etiam in dedecus nostrum et opprobrium redundant, (mark it well) gravissimam vindictam qualem debemus capiemus: (a just, royal, heroick, necessary resolution.) Injunctum etiam Majori et Ballivis prædictis, quod iura et libertates nostras illas pro posse suo conservent, et firmiter ex parte nostra \* inhiberi faciant, ne aliqui de Civitate prædicta coram vobis compareant in Curia vestra, ad respondendum de aliquibus pertinentibus ad Coronam et dignitatem nostram. Teste Rege apud Westm. 19 die Februarii.

\* Here p. 699;  
704, 705.

Eodem modo mandatum est Abbati Sanctæ Mariæ Eborum, & Priori Sanctæ Trinitatis, & Magistro Hospitalis Sancti Leonardi Eborum, eo excepto, quod in Literis istis nulla sit mentio de sententia Excommunicationis lata in Majorem, Cives & Ballivos ejusdem Civitatis. Nec quod prædicti Abbas, Prior & Magister alias requisiti fuerint per Literas Regis, quod ab hujusmodi exactionibus desisterent. Telle ut supra.

Those Prohibitions were seconded with these ensuing of like nature, upon the complaints of particular persons unjustly prosecuted in the Courts Christian at York, for Chattels and Debts, not in cases of Matrimony or Testament, to the prejudice of the Kings Crown and Dignity.

**R**EX Decano & \* Præceptori S. Petri Eborum, & eorum Commissariis, salutem. Prohibemus vobis ne teneatis placitum in Curia Christianitatis de Catallis vel Debitis unde *Walterus de Rudham Clericus*, si cut ex relatu quorundam fidelium nostrorum intelleximus, trahitur in placitum coram vobis in Curia Christianitatis auctoritate Literarum Domini Papæ, per Abbatem et Conventum de *Fontibus*, nisi Catalla illa vel Debita sint de Testamento vel Matrimonio, quia placita de Catallis et Debitis quæ non sunt de Testamento vel Matrimonio, spectant ad Coronam et dignitatem nostram: inhibemus etiam prædicto *Waltero* ne in Curia Christianitatis super hujusmodi Catallis vel Debitis examen Ecclesiasticum in iuris et dignitatis Regiæ præiudicium aliquatenus subire præsumat.

Claus. 39 H. 3.  
m. 17. dorso.  
De Prohibitione.  
ne.  
\* Præcentori

Eodem modo scribitur Abbati & Conventui de *Fontibus*.

By which several Writs it is most apparent, that there was a strong combination and endeavour at this time between the Bishops, Abbots, Deans, Chapters, and others who had Ecclesiastical Courts and Jurisdiction, and the Court of *Rome*, to usurpe and engrosse the cognisance of most Temporal causes concerning Lands or Goods (especially of Clergymen and Religious persons) into their own hands; and to trample the Kings Temporal Courts, Officers, Crown, Dignity, and Lay-Subjects under their feet; which they unanimously and strenuously opposed, and endeavoured to prevent by the precedent, and these subsequent Prohibitions to them, in the case of the Monks of *Winton*, who suing the Bishop elect of *Winton* in the Court of *Rome*, and before the Popes Delegates, touching the propriety of the Mannour of *Taunton*, and other Lands held immediately of the King, moving from him, and part of the Barony of the Bishop, to the prejudice of the Kings Crown and dignity, whereof neither the Pope nor any Court Christian had or ought to have any cognisance or jurisdiction, but only himself and his own Courts, the King thereupon issued this memorable Prohibition to the Bishop, not to appear or answer to

to any such Suit before the Pope, or in any Court Christian, under pain of seising his Temporalities, being contrary to his Oath of Fealty to the King, and to the prejudice both of his Crown and Realm.

Pat. 39 H. 3.  
m. 4. dorso.  
De Prohibitione.

**R**EX *A. Winton.* electo, salutem. Intelleximus ex relatu quorundam fidelium nostrorum, quod Monachi *Winton.* vos super Manerio de *Tannion*, & quibusdam aliis quæ de nobis immediate tenetis, & quæ à nobis indubitanter movere noscuntur, coram Domino Papa vel auditoribus suis in Curia Romana trahunt in causam, et super proprietate Maneriorum ipsorum sibi cum instantia a vobis postulant responderi. Quia vero ad nos tanquam ad Dominum principalem cognitio prædictorum, sicut et aliorum feodaliū Regni nostri, indubitanter noscitur pertinere; vobis sub debito fidelitatis in qua nobis tenemini, et sub pœna ansmadverſionis debitæ et condignæ, in temporalia et feodalia quæ de nobis tenetis, districtius inhibemus, ne de prædictis in foro Ecclesiastico, seu coram alio quam coram nobis, in nostrum et Regni nostri præjudiciū et gravamen, aliquatenus respondere præsumatis, præsertim cum hoc sine transgressionem Juramenti quo nobis tenemini facere non possitis, sicut nec debetis: Pro certo tenentes, quod si secus egeritis, omittere nec volumus nec valemus, quin nos ad temporalia et feodalia vestra secundum legem et consuetudinem Regni nostri capiemus. In cujus, &c. Teste Rege apud *Novum Castrum super Tyam*, 29 die *Augusti*.

The King being further informed, that the Monks of *Winton* in this Suit between the Bishop and them, had procured a sequestration of the Temporal goods belonging to the Priory, to the Abbots of *Stafford* and *Boxley*, towards the satisfaction of the debts of the Priory, and expenses of the Monks in this Suit, which they intended to execute in derogation of the Rights of his Crown, and contrary to the Law and Custom of the Realm, issued this Prohibition to them, not to proceed therein under pain of seising their Temporalities.

Pat. 39 H. 3.  
m. 9. dorso.  
De Prioratu  
*Winton.*

**R**EX Abbatibus de *Stafford* & de *Boxlegh Cisterciensis* ordinis, salutem. Intelleximus & miramur plurimum et movemur, quod in causa quæ vertitur inter venerabilem Patrem electum *Winton.* ex una parte, & Monachos loci ejusdem ex altera, Dominus Papa, non intelligens nec advertens qualiter et quantum negotium hujusmodi nos tangebatur, in nostrum præjudiciū et gravamen ordinat vel ordinare proponit, Quod facta sequestratione bonorum Temporalium ad Prioratum Ecclesiæ *Winton.* spectantium, vobis eorundem bonorum custodia assignetur, de quibus secundum quod fieri poterit, fiat solutio debitorum, et provideatur Monachis hinc inde sibi adverbantibus in expensis, sicque durante sequestratione hujusmodi, Prior ibi non existeret qui possessionem Temporalium obtineret. Cum autem Prior *Winton.* in Curia nostra certis temporibus satisfacere, et multa nobis alia consueta servitia exhibere, et coram nobis et Justitiariis nostris respondere omnibus de se conquerentibus teneatur, nec ad hæc de consuetudine Regni nostri insolabiliter hactenus observata, procuratorem vel atornatum possit constituere loco suo, nisi præsens in Curia ipsum constitueret viva voce, et quociens in aliquo prædictorum defecerit in amerciamen- tum nostrum incidat, et nobis debeat propter hoc certam pecuniæ quantitatem, per ordinationem et sequestrationem hujusmodi, cum non esset qui prædicta faceret, nos debitis consuetudinibus et servitiis contingeret defraudari. Præterea cum bona temporalia Prioratus

Prioratus prædicti, de Baronia nostra esse et a nobis teneri noscantur, et non existente ibi Priori ad Episcopum *Winton.* vel si Episcopus ibi non existeret, ad nos honorum custodia pertineat eorundem, Dominus Papa de bonis ipsis quæ de Baronia nostra existunt, nobis irrequisitis in nostrum præjudicium nihil potuit aut debuit ordinare. Nec aliquid sine dubio, ut credimus, ordinasset si veritatem super hoc cognovisset, cum nullus alius, ubi nos maxime in iustitiam non deficiamus, iudicare vel ordinare habeat de eisdem. Unde vobis mandamus prout districtius possumus inhibendo, quatenus si Literas forte super hoc receperitis, vos de bonis prædictis donec saltem Dominum Papam super hoc consulueritis, nullatenus intramittere præsumatis: pro certo tenentes, quod si secus egeritis, in omnibus et singulis consuetudinibus, iuribus et servitiis a Priori *Winton.* nobis debitibus quibus propter hoc nos defraudari contingeret, habebimus quantum districte poterimus, ad vos et bona vestra recursum, et vobis super hiis in aliquo non parcemus. Telle Rege apud *Woodst.* 18 die Junii.

*Nota.*

He likewise as supreme Ordinary and Patron of the Monastery, to preserve it from ruine, issued this Writ to all Merchants, Citizens and others, not to lend the Monks any money upon their Common Seal, in deference of the Prior justly removed, or on any other occasion.

**R**EX Universis Mercatoribus, Civibus, & aliis Christi fidelibus, salutem. Ad universitatem vestram volumus pervenire, & omnibus fieri manifestum, quod Monachi Cathedralis Ecclesiæ *Winton.* modum expensis superfluis non ponentes, & fines largitatis excedentes, terminos prodigalitatis appetentes tantis Ecclesiæ suam debitis obligaverunt diversis creditoribus, quod vix speratur, istis temporibus posse ab huiusmodi debitorum onere sublevari. Nos igitur, licet obstandum fuisset principis ne scintilla tenuis in flammam profleret; destructivam tamen dum scimus rei seriem, et possumus, quambis tarde, eidem Ecclesiæ compatiētes, et merito cum nostra inter sit, cum ejus patroni simus, et nostri antecessores fundatores, ne nostris temporibus gravem sui iacturam patiat, et ipsis mobilia et immobilia ad pios usus a diversis concessa fidelibus ob culpam eorundem Monachorum propter æs alienum necessario distrahantur, vobis omnibus prædicta publice nunciamus. Contradicentes et inhibentes, ne Monachis ejusdem Ecclesiæ, vel *Willielmo de Tann'on*, qui iuste ab administratione Prioratus ejusdem Ecclesiæ est amotus, si pro Priori se gerit, aliquid mutuo sub sigillo ejusdem Capituli, vel alio modo concedatis. Si vero contra hanc inhibitionem nostram feceritis, hoc ipso nostram Regiam Majestatem offenderitis, et vobis in repetitione pecuniæ eidem creditæ quibuscunque modis poterimus opponemus, et etiam in aliis si locus affuerit, vobis utpote nostro Edicto et voluntati contrariis, curabimus ut decebit, pro meritis respondere. Telle Rege apud *Westm.* 5 die Februarii.

Par. 39 H. 3.  
m. 14. intus.  
De Monachis  
Cathedralis Ecclesiæ  
*Winton.*

The King as founder of the new Priory of *Ravenstone* presented thereunto, and constituted a Proctor to see it effected, by this Patent.

**R**EX *H. Lincolnensis* Episcopo, salutem. Cum ad Prioratum quem nuper incepimus fundare apud *Ravenstone*, fratrem *Willielmum de Divis*, virum vita & moribus commendabilem, vobis præsentaverimus, nos Magistrum *Johannem de Chiseshull* ad præsens negotium procurandum & prosequendum Procuratorem nostrum constituimus. Dantes eidem potestatem appellandi & prosequendi nomine nostro

Par. 39 H. 3.  
m. 4. dorso.  
De Procuratore  
substituto.



si opus fuerit, & omnia alia facienda quæ in præsentis negotii prosecutione sibi visum fuerit expedire. Teste Rege apud *Werk*, 9 die *Septembris*.

The King as supreme Patron, Ordinary, and by custome of the Realm, claimed the Palfrye and Cup of every Bishop or Abbot that was translated or deceased, as is evident by this memorable Writ issued to the Abbot of *Oseney*, demanding the Palfrye and Cup of his predecessor to be presently delivered to the King, or to shew cause to the contrary.

Claus. 39 H. 3.  
m. 11. dorso  
De Palfrye &  
Cuppa Abbatis  
Oseney.

**R**EX Abbati de *Oseney*, salutem. Cum ex consuetudine approbata & obtenta habere consueverimus Palefridos & Cuppas Episcoporum & Abbatum Regni cedentium & decedentium: Vobis mandamus sicut alias mandavimus, quod Palefridum & Cuppam *Ada* Abbatis prædecessoris vestri, nobis sine dilacione mittatis. Alioquin sitis coram nobis in instanti media quadragesima, ubicunque fuerimus in *Anglia*, ostensuri, si quod Warrantum habeatis, quare Palefridum illum & Cuppam habere non debeamus. Quia consuetudinem nostram in hac parte obtentam nullo modo sine ratione demittimus. Teste Rege apud *Westm.* 22. die *Febr.*

You heard before (p. 808, 809.) of the Popes proffer of the Kingdom of *Apulia* to our King *Henry* and his son *Edward*, which he commanded the Bishop of *Hereford* and other Clergymen to accept of under their Seals, (thereby to engage them to supply him with monies to gain it, and carry on the Wars against *Conrade* and *Manfred*) as appears by this Patent.

Pat. 39 H. 3.  
m. 1. dorso.  
De facto Apu-  
lia.

**R**EX *Johanni Mansell* Præposito *Beverl.* salutem. Cum Dominus Papa Regnum *Apulia* nobis & dilecto filio nostro *Edmundo* duxerit concedendum, & conferendum, quod per Venerabilem Patrem *Herefordensem* Episcopum, duximus admit- tendum: Vobis mandamus in fide & dilectione quibus nobis tenemini, & sicut com- modum & honorem nostrum & nostrorum affectatis, & sicut indignationem nostram & nostrorum in perpetuum vitare volueritis, illud una cum aliis fidelibus no- stris acceptetis, & rescripto super ipsa acceptatione confecto sigillum vestrum, una cum sigillis quorundam aliorum fidelium nostrorum, qui dictam admissionem similiter acceptarunt, apponatis. In cujus, &c. Teste Rege apud *Westmonasterium*, 18 die *Octobris*.

The King to promote the businesse of the Croysado, under pretext to raise mo- nies to relieve the Holy Land, but in truth to fill the Popes coffers, and gain the Realm of *Apulia* and *Sicily*, which he had (without right or title) conferred on him and his Son, issued this Patent to the Provincials of the Freers Preachers and Minors, entreating them to further this affair.

Pat. 39 H. 3.  
m. 4. dorso.  
De negotio  
Crucia.

**R**EX rogat per Literas suas Priorem Provinciale fratrum Prædicatorum, quod in instanti Capitulo suo Provinciali disponat de fratribus, ad prædicandum verbum Crucis (instead of the Gospel of Christ) in singulis Diocæsis, cum per Venerabilem Patrem *Norwicen.* Episcopum negotii Crucis exequutorem, super hoc fuerit requisitus. Teste Rege apud *Norwicen.* super *Tynam*, 28. die *Augusti*.

Et eodem modo rogat Ministrum generalem ordinis fratrum Minorum. Teste ut supra.

Yet notwithstanding he respited the levying of this Disme upon the Priors and Rectors of the Hospitals of the poor people and religious persons within the Diocess of *Winton*, till the next Parliament, by this Patent.

Pat. 39 H. 3.  
m. 13. intus.  
Pro pauperibus  
Hospit. & viris  
religiosis in  
*Winton*, Dioc.

**R**EX *Norwicen.* & *Cicestren.* Episcopis, & Abbati *Westm.* executoribus negotii Crucis in subsidium sibi à sede Apostolica concessum, & eorum Commissariis, salutem. Mandamus vobis, quod Piores & Rectores pauperum Hospitalium, alios- que pauperes viros religiosos *Winton*, Dioc. pacem habere permittatis de omnibus demandis quas eis facitis occasione præfate gratiæ nobis concessæ usque ad Parlia- mentum

mentum nostrum quod erit apud *Westmonasterium* à die *Pasch* prox. futur. in tres *Septiman.* In cuius &c. Teste Rege apud *Westm.* 19. die *Febr.*

He likewise respited the levying of this Disme, upon a Clerk then Treasurer to the Queen, by this Mandate.

**M**andatum est *W. Norwic.* Episcopo collectori gratiæ Regi in subsidium *Terra Sancta* à sede Apostolica concessæ, quod exactionem prædictæ gratiæ quam facit Magistro *Jacobo de Egga* alba *Thef.* Regiæ de proventibus Ecclesiæ Sancti *Michaelis* super *Wyram.* quæ est in Custodia *P. Hereford.* Episcopi, qui est in servitio Regis, & in paribus transmarinis, ponat in respectum quousque Rex cum prædict. *Norwic.* Episcopo super hoc, ——— vel aliud à Rege receperit mandatum. Teste ut supra.

Claus. 39 H. 3.  
m. 8. dorf.  
Pro Herefordensi Episcopo.

The King by his Royall Prerogative granted this protection to the Church of *St. Maryns* the Grand in *London*, being his free Chapple.

**R**EX Omnibus &c. Quia Ecclesia Sancti *Martini* Magni *London.* quæ a prædecessoribus nostris Regibus *Anglia* fundata est, libera Cappella nostra est, et libertorū cæteris Capellis nostris *Anglia*, suscepimus in protectionem et defensionem nostram homines, terras, redditus et omnes possessiones Decani Capituli et Canonicoꝝ Ecclesiæ prædictæ. Et ideo Vobis Mandamus, quod manuteneatis, protegatis, & defendatis homines, terras, redditus & omnes possessiones prædictorum Decani & Capituli & Canonicoꝝ, non inferentes eis aut inferri permittentes injuriam, molestiam, damnum aut gravamen. Et si quid eis forsactum fuerit, id eis sine dilatione faciatis emendari. In cuius &c. Teste Rege apud *Westm.* 28. die *Februarii.*

Patent. 39.  
H. 3. m. 13.  
intus.  
Pro Ecclesia & Capitulo Sancti Martini Lond.

There being many Jewish Converts in *England*, for whom the King by reason of his Wars had not provided sufficient maintenance, he thereupon out of his Christian care to support them, issued these ensuing Writs to the Abbots, Priors and Convents of most religious Houses through *England*, to intertain and receive one or more of them for two years, and to allow them a daily pension or Conrody not exceeding such a sum, wherein the names of each male and female Jewish convert sent to every house are thus recorded in the fine Rolls of this year.

**R**EX Priori & Conventui Sanctæ *Maria de Walsingham* salutem. Cum per Guerra nostra quam nuper sustinimus, in *Wascon.* & aliis arduis negotiis, statum nostrum & Regni nostri tangentibus, de statu Conversoꝝ adhuc plene ordinare non possumus, devotionem vestram rogamus attente, quantum latoꝝ presentium adhuc per biennium, in victualibus et aliis necessariis exhibere velitis. Ita tamen, quod si liberatione sua diurna noluerit esse contentus, tunc in optione vestra sit conferendi ei tres obolos per diem tantum ad sustentationem suam. Nullam super hac petitione nostra preterdentes excusationem pro qua vos debeamus alias inde sollicitare. Quia volumus modis omnibus preces nostras in hac parte a votis exaudiri. Quibus exauditis, in negotiis vestris gratiam & favorem a nobis obtinebitis cum speciali gratiarum actione, rescribentes nobis per unum de vestris qualiter has preces nostras duxeritis exaudire. Teste apud *Merton* 20. die *Januar.*

Fines 39 H. 3.  
m. 13. dorf.

*Consimiles literas habet Willielmus de Kanc. Abbati & Conventui de Bello.*

*Marger.* Conversa, Abbati & Conventui de *Waltham.*  
*Jorca de Hingshay,* Abbatisæ & Conventui de *Godeflow.*  
*Elena* Conversa, Abbati & Conventui de *Bruera.*  
*Robertus Grosseffe,* Conversus Priori Sancti *Swithini Winton.*  
*Hen. Clericum,* Conversus Magistro & fratribus *Hospital Oxon.*  
*Mabilia* Conversa, Priori & Conventui Sancti *Gregorii Caninar.*

*Otto* Conversus, Priori & Conventui de *Bernwell*.

*Johannes* Conversus, Priori & Conventui *Roff*.

*Willielmus de Wygorn*, Conversus Priori & Conventui *Wygorn*.

*Richus* Conversus, Priori & Conventui Sanctæ *Frecheswith*.

*Johannes* Conversus, Abbati & Conventui de *Fontibus*.

*Robertus* Conversus, Abbati & Conventui de *Bellaland*.

Memoratum quod Rex concessit Abbati & Conventui de *Cerreseye*, ne aliquis conversus vel conversi admittatur in domo sua.

*Willielmus de Cantuar.* & *Johanni* fil. ejus Abbati & Conventui de *Stanley* in *Wils.*

*Robertus Windour.* & *Isabell* uxor ejus, Abbati & Conventui de *Dore*.

*Dionysia* uxor *Otto.* & fil. ejus Priori & Conventui *Huntendon*.

*Rich. de Dunton.* & *Richold.* uxor ejus Abbati & Conventui de *Buldwes*.

*Augustinus de London.* Conversus Abbati & Conventui de *Boxele*.

*Robertus* & *Hugo* filii *Risbari* Conversi Abbati & Conventui de *Boxele*.

*Johannes de Plessetia* Abbati & Conventui de *Roches*.

*Galfridus* Conversus Priori & Conventui *Ley*.

*Rich.* fil. *Galfrid.* Conversi Abbati & Conventui de *Rival*.

*Hodierna* filia *Willielmi* Conversi Priori & Conventui de *Farnley*.

Priori & Conventui de *Horton* pro *Matilda* uxore *Roberti* *Grossatesti* Conversi & *Johanne* filio ejus.

Priori & Conventui de *Wenlock* pro *Johan. de Hereford.* & *Mat.* uxor ejus, conversis Abbati & Conventui de *Paro Lude* pro *Rogero de Linc.* Conversi.

*Maria de Linc.* Conversa & fil. ejus, Abbati & Conventui de *Kirkstead*.

*Christiana de Glouc.* Conversa Priori & Conventui Sancti *Oswaldi*.

*Hugo* fil. *Philippi* Conversus, Priori & Conventui Sanctæ *Fidis*.

*Constantia.* Conversa, Abbati & Conventui de *Rading*.

*Johannes de Lamburne* Conversus Abbati & Conventui de *Waleden*.

*Richus* Conversus & *Martha* uxori ejus Abbati & Conventui de *Abbandon*.

*Johannes Mansel* Conversus Priori & Conventui de *Lewes*.

*Richus* de Sancta *Swithin* & *Matild.* uxor ejus Abbati & Conventui *Colecestr.*

*Thomas de Exon* Conversus Abbati & Conventui Sancti *Edmundi*.

*Mattheus* Conversus & *Tecia* uxor ejus Priori & Conventui Sancti *Normic.*

*Richus de Wygorn.* Conversus Abbati & Conventui *Glaston*.

*Johanna* fil. *Richardi* Conversi Priorissæ & Conventui de *Stratford*.

*Muriel* Conversa, Abbati & Conventui de *Pipewel*.

*Richus* Conversus Abbati & Conventui *Osoveston*.

*Johannes* & *Odierna* filii *Will.* Conversi Priori & Conventui de *Thorinton*.

*Henr.* & *Hawis.* fil. *Rich.* Conversi Abbati & Conventui Sancti *Aug. Bristol.*

*Helewis* fil. *Muriel.* Conversus Abbati & Conventui de *Begeham*.

*Dionisia* fil. *Johan. Mansel.* Conversi Priori & Conventui de *Michelham*.

*Richus* fil. *Galfridi.* Conversi Abbati & Conventui de *La Dale*.

*Gilbertus le Deboner.* Conversus Priori & Conventui de *Bashon*.

*Philippus* Conversus Priori & Conventui de *Monteacuto*.

*Thomas* Conversus, Abbati & Conventui de *Beland*.

*Richus de Stamford.* Priori & Conventui de *Selford*.

*Stephanus* & *Galf.* Sancti *Thoma* Conversi Abbati & Conventui de *Coggeshal.*

*Dyonis.* & *Julian* fil. ejus Priori & Conventui de *Bosegrave*.

*Thom.* Conversus & *Juliana* uxor ejus Abbati & Conventui de *Dunkwel.*

*Stephanus* fil. *Thom.* Conversi Abbati & Conventui de *Tiletay*.

*Christiana* uxor ejus Conversa Abbati & Conventui de *Malmbur.*

*Susanna* quæ fuit uxor, *Johannis de Lincoln.* Abbati & Conventui *Rammis.*

*Sybilla* Conversa Priori & Conventui de *Wyrklop.*

*Juliana de Nottingh.* Conversa Abbati & Conventui de *Neufom.*

*Petrus* fil. *Will.* Conversi Abbati & Conventui de *Wetebeek.*

Priori & Conventui Sanctæ *Trinitatis Eborum* pro *Matil de Linc.* Conversa.

*Galf. de Hereford.* & *Alic.* uxor ejus apud *Sumeshewet.*

These Religious Houses had generally so little charity and devotion towards these converted Jews as not to entertain them upon the Kings former Writs and entreaties, who much wondring at it, issued these second Letters to them on their behalves, thus registred in the fine Rolls,

REX



**R**EX Abbati & Conventui de *Abendon* salutem. Cum preces nostras nuper vobis directas pro *Richardo* converso & *Martia* uxore ejus per biennium in necessariis exhibend. nobis existentibus in *Anglia*, minime curavistis exaudire; unde plurimum miramur et movemur, presumentes ex hoc indubitanter, quod si absentes essemus et in partibus transmarinis eadem preces nostræ parum vel nullum penes vos obtinerent effectum, maxime cum in præsentia nostra illas admittere recusaveritis; volentes autem adhuc experiri si erga devotionem vestram in hac parte exaudiri vel repulsam pati debeamus pro eisdem Conversis, iterato vos ducimus sollicitandos, rogantes quatinus juxta tenorem priorum liberarum nostrarum vobis inde directarum in necessariis exhibere velitis, taliter in hac parte preces nostras effectui mancipantes, quod dilatio præcedens per effectum subsequenter penitus expletur, et quod a Summo Remuneratore dignam inde remunerationem et a nobis grates reportare mereamini. Teste Rege apud *Westm.* 6. die *Februarii*.

Fines 39 H. 3.  
m. 12. dors.

*Consimiles Literas habet Matill. de Oxonia; Abbati & Conventui de Oseni.*

*Willms* Conversus Abbati & Conventui de *Bello*.  
*Mabell* Conversa Priori & Conventui Sancti *Grigor. Cantuar.*  
*Henricus le Clerk*, Conversus Magistro *Hospital. Sancti Johannis Oxon.*  
*Robertus Grossetest.* Conversus Priori Sancti *Swithini Winton.*  
*Philippus* Conversus Priori Sanctæ *Mar. de Walsingham.*  
*Ochis* Conversus Priori & Conventui de *Bernevel.*  
*Juliana* uxor *Rogeri* Conversi & duæ filia suæ Abbatis & Conventui de *Annestow.*  
*Philippus* Conversus Priori & Conventui de *Montedcinto.*  
*Isabel* Conversa Abbati & Conventui de *Dore.*  
*Richarda* Conversa Abbati & Conventui de *Baldewai.*  
*Thomas de Sancto Lawr.* Conversus Abbati & Conventui de *Cumba.*  
*Christiana de Winton.* Conversa Priori & Conventui Sancti *Bartholomai. London.*  
*Willus de Cantuar.* & *Johannes* fil. ejus Abbati & Conventui de *Stanleg. in Wiltes.*  
Abbati & Conventui de *Rupe* pro *Johannes de Pleffetis* Converso.  
Abbati & Conventui de *Kirkst.* pro *Mar. de Linc.* & fil. ejus.  
*Richus* fil. *Galf.* Conversus apud *Takebir.*  
*Willus de Cantuar.* Conversus apud *Leuynton.*  
*Robertus Grossetest.* Priori Sancti *Swithini Winton.*  
*Galf.* Conversus Priori & Conventui *Leycestr.*  
*Richus de Wygorn.* Conversus Abbati & Conventui de *Glasson.*  
*Johannes Mansel.* Priori & Conventui de *Lewis.*  
*Muriel* Conversa Abbati & Conventui de *Pipewell.*  
*Helwisa* fil. *Muriel.* Conversa Abbati & Conventui de *Bogham.*  
*Windour.* & *Isabel.* uxor ejus Abbati & Conventui de *Dore.*  
*Dyonisa* uxor *Otton.* & fil. ejus Priori & Conventui *Huntend.*  
*Richus de Panton.* & *Richarda* uxor ejus Abbati & Conventui de *Baldewai.*  
*Symon.* fil. *Isabel.* & *Sibil.* soror ejus Abbati & Conventui de *Flaxels.*  
*Joh. de Hodiern.* *Pueri Will.* Conversi Priori & Conventui de *Thornton.*  
*Henricus & Hawis* Conversi Abbati & Conventui Sancti *Aug. Bristol.*  
*Willus* Conversus Priori & Conventui de *Wygorn.*  
*Danis.* & fil. ejus Conversa Priori & Conventui de *Bosgraves.*  
*Dionisa* fil. *Johannes* Conversi Priori & Conventui de *Michelham.*  
*Richus* Conversus Priori & Conventui de *Selford.*  
*Christiana de Glouc.* Priori Sancti *Oswaldi.*

Fines 39. H. 3.  
m. 11. dorſ.

*De Conuerſis iterato miſſis Abbatibus, & Prioratibus in quibus prius morati  
ſunt ad inſtantiā Regis.*

*Alicia* Conuerſa Priori & Conuentui de *Surgeſton*.  
*Willus* Conuerſus fr. *Galfr.* Conuerſi Priori & Conuentui *Dunolm*.  
*Willus de North.* Conuerſus Priori & Conuentui de *Benner*.  
*Robertus* fil. *Galfr.* Conuerſus Abbati & Conuentui de *Gerewedon*.  
*Richus de London.* Conuerſus Abbati & Conuentui de *Mireuall*.  
*Drugo* Conuerſus Abbati & Conuentui de *Stanlegb* in *Arden*.  
*Laur.* Conuerſus uxor ejus & fil. ejus *Hoſp.* Sancti *Leon.* *Ebor.*  
*Alie.* de *Linc.* Conuerſa apud *Duneſtapple*.  
*Suſanna* apud *Rammus.* ad vitam ſuam.  
*Johan.* de *Cantuar.* Conuerſus apud *Roffam*.  
*Walterus* fil. *Muriel & Helewiſa*, ſoror ejus Abbati & Conuentui de *Topham*.  
*Muriel & Johannes* fil. ejus Priori & Conuentui de *Kynes*.  
*Cecilia* uxor *Will.* Conuerſi Abbati & Conuentui de *Flexl*.  
*Johannes & Odicoma,* Conuerſi Priori & Conuentui de *Tranb.*  
*Willus de Cantuar.* Conuerſus Abbati & Conuentui de *Crokeſden*, poſtea habuit ſecundum breve.  
*Ang.* fil. *Will.* de *North.* Conuerſus Priori & Conuentui Sancti *Barth.* *Linc.*  
*Willus de North.* Abbati & Conuentui de *Valle Dei*.  
*Johannes Clericus* Conuerſus Abbati & Conuentui de *Bello Capite*.  
*Agnes* Conuerſa Abbati & Conuentui de *Sautre*.  
*Henr.* de *Ebor.* Conuerſus Priori de *Tinemuth*.  
*Sibilla.* de *Ceſteneſham,* & *Agn.* fil. ejus apud *Meſſenden*.  
*Johan.* de *Oxon.* Conuerſa Abbati & Conuentui de *Middleſton*, poſtea habuit ſecundum breve.  
*Iſabella de London,* Conuerſa Abbati & Conuentui de *Abbedeſtr.*  
*Edith de Glouc.* Conuerſa apud parvam *Mauverne*.  
*Johannis de Derlinton.* Conuerſus Abbati de *Derleg*.  
*Matil.* uxor *Roberti Croſſcoate* Conuerſa & *Johannis* fil. ejus Abbati de *Hyda*.

Fines 39. H. 3.  
m. 11. dorſ.

*De Conuerſis miſſis per Abbatias.*

*Thom.* de *North.* Conuerſus Abbati & Conuentui de *Holcoltram*.  
*Petronilla de Eborum* Priori & Conuentui de *Hexſtildeſham*.  
*Rhicus de Kanc.* Conuerſus Priori & Conuentui *Bathon*.  
*Johan.* fil. *Walteri* Conuerſus Priori & Conuentui de *Encresay*.  
*Johan.* de Sancto *Albano* Conuerſus Abbati & Conuentui de *Ouburn*.  
*Sabina* Conuerſa uxor *Johannis* de Sancto *Albano* Abbati & Conuentui de *Kings-Wood*.  
*Johan.* de *London.* Conuerſa Abbati & Conuentui de *Eynſham*.  
*Claramunda* Conuerſa Abbati & Conuentui de *Alneſtow*.  
*Johan.* de *Sutton.* Conuerſus Priori & Conuentui de *Dauent*.  
*Johan.* de *North.* Conuerſus & *Mabel* uxor ejus Abbati de Sancta *Agatha*.  
*Will.* Conuerſus & *Jul.* ſoror ejus Priori de *Kirkham*.  
*Petronilla de Eborum* Priori de *Bolinton*.

Fines 39. H. 3.  
m. 1. dorſo.

*De Conuerſis miſſis ad domos Religioſorum per primum Breue, & qui habent  
talem Cyphram O, in Capite habent utrumq; breue, & forma Breuium  
poterit inueniri in principio hujus Rotuli ſuorum 39. Hen. 3.*

*Willus de Kanc.* Conuerſus Abbati de *Bello*.  
*Margeria* Conuerſa Abbati de *Waltham*.  
*Forta de Hyngſby* Conuerſi Abbatiffæ de *Godeſſow*.  
*Elena.* Conuerſa Abbati de *Bruer*.  
*Robertus Groſſeteſte* Conuerſus Priori Sancti *Smithin Winc.*  
*Hen.* Clericus Conuerſa *Hoſp.* Sancti *Johannes Oxon.*

*Matil.*

*Mabil*, Conversa Priori Sancti *Gregor. Cantuar.*  
*Otto* Conversus Priori de *Bernwell.*  
*Johannes de Cant.* Conversus Priori *Rossen.*  
*Willus de Wygorn.* Conversus Priori *Wygorn.*  
*Richardus* Conversus Priori Sanctæ *Frecheswyd.*  
*Johannes* Conversus Abbati de *Fontibm.*  
*Robertus* Conversus Abbati de *Bella Landa.*  
*Willus de Cantuar.* & *Johannes* filius ejus Conversus Abbati de *Stanleg.* in *Witesyr.*  
*Robertus de Wyndecur* & *Isabella* uxor ejus Priori & Conventui de *Bridlington.*  
*Dionys.* uxor *Othonis* & fil. ejus Conversus Priori de *Huntedon.*  
*Richardus de Dunton* & *Richold.* uxor ejus Conversus Abbati de *Buldewas.*  
*Augustinus de London* Conversus Abbati de *Boxlegg*: *Johannes de Cantuar.* Con-  
 versus.  
*Johannes de Plessetis* Conversus Abbati de *Reches.*  
*Galsfridus* Conversus Priori de *Leyc.*  
*Richus* fil. *Galsfridi* Conversus Abbati de *Ryvas.*  
*Hodiern.* fil. *Willielmi* Con. Priori de *Pharlegg.*  
*Johannes de Hereford* & *Matild.* uxor ejus Conversus Priori de *Wenlock*;  
*Rogerus de Linc.* Conversus Abbati de *Parcolud.*  
*Maria de Linc.* & fil. ejus Conversa Abbati de *Kirkstead.*  
*Christina de Glovernia* Conversa Priori Sancti *Oswaldi.*  
*Hug.* fil. *Philippi* Conversus Priori Sanctæ *Fidis.*  
*Constance.* Convent. Abbati de *Redigg.*  
*Johannes de Lamborne* Conversus Abbati de *Walden.*  
*Richardus* & *Martha* uxor Conventi Abbati de *Abbaden.*  
*Johannes Mansell* Conversus Priori de *Lewes.*  
*Richardus de Sancto Swithino* Conversus, & *Matild.* uxor ejus Conversa Abbati de  
*Colecestr.*  
*Thomas de Oxon.* Conversus Abbati Sancti *Edmundi.*  
*Mathias* & *Tecla* uxor ejus Conventi Priori de *Normic.*  
*Richardus de Wygorn.* Conversus Abbati de *Glassingbyr.*  
*Johanna* fil. *Richardi* Conversa Priorissæ de *Sacford.*  
*Muriell* Conversa Abbati de *Pypewell.*  
*Richardus* Conversus Abbati de *Oson feston.*  
*Johannes & Hodiern.* fil. *Willielmi* Conventi Priori de *Thornthow.*  
*Henr. de Hawys* fil. *Richardi* Conversus Abbati Sancti *Augustini Bryston.*  
*Helewys* fil. *Muriell* Conversus Abbati de *Begub.*  
*Dionys.* fil. *Johannis Mansell* Conversus Priori de *Mychbith.*  
*Richardus* fil. *Galsfridi* Conversus Abbati de la *Dale.*  
*Gilbertus de la Boneyr* Conversus Priori de *Bathon.*  
*Philippus* Conversus Priori de *Monte Acuto.*  
*Thomas* Conversus Abbati de *Beland.*  
*Richardus de Staunford* Conversus Priori de *Selford.*  
*Stephanus* & *Galsfridus* fil. *Thom.* Conventi Abbati de *Coggesh.*  
*Dionys.* & *Julian* fil. ejus Conventi Priori de *Bosegrave.*  
*Thom.* & *Julian* uxor ejus Conventi Abbati de *Dunkwell.*  
*Stephanus* fil. *Thom.* Conversus Abbati de *Tyletsey.*  
*Christiana* Conversa uxor *Willielmi le Serjeant* Abbati de *Malmsbyr.*  
*Susanna* quæ fuit uxor *Johannis de Linc.* Conversa Abbati de *Rames.*  
*Sibilla* Conversa Priori de *Wyresop.*  
*Juliana de Noringh.* Conversa Abbati de *Newson.*  
*Petrus* fil. *Willielmi* Conversus Abbati de *Wellebeck.*  
*Matilda de Linc.* Conversa Priori Sanctæ *Trinitatis Eborac.*  
*Galsfridus de Hereford* & *Alic.* uxor ejus Conventi Priori de *Swynsheved.*  
*Alic.* Conversa Priori de *Surgurston.*  
*Willus* Conversus fratr. *Galsfridi* Conventi Priori *Dunelm.*  
*Willus de Northampton* Priori de *Bauwer.*  
*Robertus* fil. *Galsfridi* Conversus Abbati de *Gernsdon.*  
*Richardus de London* Conversus Abbati de *Muryvall.*  
*Drogo* Conversus Abbati de *Stanlegg* in *Ardern.*



*Laurentius* Conversus, uxor & filius ejus *Conversi* Hospital. Sancti *Leonard.*  
*Eborac.*

*Alic. de Linc.* Conversa Priori de *Dunstaple.*

*Walterus* fil. *Muriell* & *Helewys* soror ejus *Conversi* Abbati de *Thoph.*

*Muriell* & *Johannes* filius ejus *Conversi* Priori de *Kines.*

*Cecilia* uxor *Willielmi* Conversa Abbati de *Flexleg.*

*Johannes* & *Hodiern.* *Conversi* Priori de *French.*

*Willus* de *Cantuar.* Conversus Abbati de *Crokefden.*

*Agnes* fil. *Willielmi* de *Northant* Conversa Priori Sancti *Bartholomai Linc.*

*Willus* de *Northant* Conversus Abbati de *Valle Dei.*

*Johannes* Clericus Conversus Abbati de *Bello Capite.*

*Agnes* Conversa Abbati de *Sauve.*

*Henr. de Ebor.* Conversus Priori de *Tymenue.*

*Sibill. de Chestneſh* & *Aug.* fil. ejus *Conversi* Abbati de *Meſſenden.*

*Johanna* de *Oxon.* Conversa Abbati de *Middleſton.*

*Isabella* de *Lond.* Conversa Abbati de *Abbedesbyr.*

*Edyth. de Glouceſtr.* Conversa Priori de *Parva Malvern.*

*Johannes* de *Derlington* Conversus Abbati de *Derleg.*

*Matild.* uxor *Roberti Groſſeteſte,* & *Johan.* fil. ejus *Conversi* Abbati de *Hyde.*

*Thomas* de *Northampton* Conversus Abbati de *Holcoltr.*

*Petronill* de *Eborac.* Conversa Priori de *Hexſtrideſh.*

\* ——— de *Cantuar.* Conversus Priori *Bathon.*

———— fil. *Walteri* Conversus Priori *Encraſy.*

———— de *Sancto Albano* Conversus Abbati de *Woburne.*

———— com. uxor prædicti *Johannis* Abbati de *Kingſwode.*

———— de *London* Conversus Abbati *Eynſh.*

*Claramunda* Conversa Abbati de *Anneſton.*

*Johan. de Suttſon.* Conversus Priori de *Daventr.*

———— & *Mabill.* uxor ejus Conversa Abbati de *Sancta Agatha.*

———— uxor ejus *Conversi* Priori de *Kyrkham.*

———— Priori de *Boyling.*

———— Abbati de *Oſe.*

*Galfrid.* fil. *Thom.* Conversus Priori de *Bukenham.*

*Johan.* fil. *Thom.* Conversus Priori de *Liuebull.*

*Johanna* Conversa Abbati & *Conventui* de *Notle.*

*Edith. de Glouc.* Conversa Abbati de *Tymerne.*

*Chriſtiana* de *Glouc.* Conversa Priori & *Conventui* Sancti *Gutlac. Hereford.*

*Emma* quæ fuit uxor *Richardi* *Conversi* *Hawie* & *Hodiern.* fil. ejus Priori de *Briſtenbah.*

*Willus* de *Cantuar.* Conversus Abbati de *Halt.*

*Ph. de Winton.* Conversus apud *Wimundale.*

*Willus* de *Nottingh.* apud *Merkeb.*

*Petrus* fil. *Willielmi* Conversus apud *Novum locum ſuper Acolni.*

*Emma* quæ fuit uxor *Richardi* *Conversi* apud *Langedon.*

*Hugo* fil. *Phi.* Conversus apud *Boleg.*

Priori de *Lanc. Ingramus* & *Thom.* *Conversi.*

*Thom.* & *Jul.* ſoror ejus *Conversi* apud *Kokerſand.*

*Nich.* Conversus apud *Brateneſt.*

*Henr.* fil. *Chriſtiana* Conversus apud Sanctum *Jacobum North.*

*Juliana* de *Derb.* Conversa apud *Haverholm.*

*Chriſtiana* de *Winton.* Conversa apud *Rufford.*

*Johanna* uxor *Richardi* de *Stamford* Conversa apud *Totebyr.*

*Willus* de *Lond.* & *Jnl.* ſoror ejus apud *Merlus.*

*Ran.* Conversus & *Elizabeth* uxor ejus apud *Whiteby.*

*Thom. de Nor.* Conversus apud Sanctum *Nicholaum Exon.*

*Steph. de London.* Conversus apud *Brumer.*

*Johan. de Sancto Albano* & *Sabina* uxor ejus apud *Clyve.*

*Rob. de Lond.* Conversus Priori Sanctæ *Elena* de *With.*

*Willus* de *Cantuar.* Conversus Priori Sancti *Jacobi Briſtoll.*

\* The names  
are ſome and  
illegible in the  
Roll.

The Bishops having unanimously and resolutely withstood the Popes and *Rustands* demanded Exactions the year before, as you have heard, being adjourned to a further day, were so terrified and divided in the interim by *Rustands* policy, power, and the Kings, who joyned with him for his own advantage, that they durst scarce open their mouths or mutter against him, but only appeal.

In festo autem Sancti *Hilaris*, congregati sunt *Londini* Episcopi *Angliae* & Archidiaconi, undique vehementer angustati, ut darent responsum Magistro *Rustando*, Papæ et Regis Clerico, Papæ Nuntio, Regis Procuratori. Coram quo, cum Magister *Leonardus*, de quo prius fit mentio, quasi Clerici advocatus, & Proloquutor universitatis, verba faceret pro Episcopis; & inter cætera responderet *Rustando*, qui se erigebat contra Magistrum *Leonardum*; dicens, quod omnes Ecclesiæ sint Domini Papæ; & diceret satis modeste, verum est, ad tuitionem, non fruitionem, vel appropriationem: secundum quod dicimus, omnia esse Principis; ac si diceretur, defensione, non dispersione. Et hæc intentio fundatorum. Ad hæc iratus Magister *Rustandus*, ait: Loquatur de cætero quisque pro se, ut sciat tam Papam, quam Regem, quid quis in eorum dicat negotio. In quo verbo omnes ita fuerunt attoniti, quod mutire vel non audebant, vel ignorabant. Patuit enim jam luce clarius, quod Papa et Rex in gravamen Ecclesiæ et Clerici confoederabantur. Contra igitur postulata appellatum est. Voluit enim Magister *Rustandus* mutare unum iota unius scripti quod scripserat: in quo inseritum fuit, ut affirmarent Prelati, se recepisse mutuo a Mercatoribus *Transalpinis* pecuniæ memoratæ quantitatem non minimam, et ipsam fuisse conuersam in suarum commodum Ecclesiarum; quod profecto manifeste falsum esse constitit universis. Unde affirmabant, nec sine ratione, quod mori in hac causa, via fuisset martyrii manifestior, quam fuerat in causa beati *Thomæ* Martyris. Cum autem Magister *Rustandus* videret omnes usque ad amaritudinem spiritus contristari, mansuetior effectus, dissimulavit, dicens, se velle cum Domino Papa super hoc habere colloquium. Veruntamen missus est *Romam* Decanus *Londinensis*, scilicet Sancti *Pauli*, & quidam alii, pro universitate Ecclesiæ *Anglicanæ*. Timebatur autem super omnia, ne in hac causa occumberent Prelati præ duplici impetu tam validorum adversariorum, videlicet Papæ et Regis, et ne hæc servitus detestanda, et oppressio Ecclesiæ et Clerici, traheretur in consequentia; quod esset per sæcula deploandum.

At last, Episcopi *Angliae*, variis eragitati angariis, in quindena Paschæ convenerunt *Londini*, *Rustando* præcisè super exactione postulata responsuri. Qui primo fracti et discordes, fuerant recessuri. Postea vero, animati per Barones, contradixerunt; ne Domino Regi de Baronis suis aliquid contribuerent.

The Nobles and Prelates to preserve their Liberties against all Papal and Regal encroachments, procured the Great Charter of Liberties, and another for free Elections, to be again ratified, and a \* *solemn Excommunication* denounced again in *Westminster-Hall* against all infringers of them, agreeing verbatim with the last \* fore-cited; which Charters being sent to Pope *Alexander* to ratifie, (as heretofore they were confirmed by Pope *Innocent*) what cold entertainment and answer they there found and received, is thus related.

Provisumque est salubriter, ut Magnæ Chartæ Regis *Johannis*, quas sponte promissit Baronagio *Angliae*, & iste Rex præsens iterum, & nunc iterum de novo in magna aula *Westmonasteriensis* sponte & liberaliter concessit, sub pœna horribilis Anathematis conserventur. Et propter Regis tyrannidem, quam non desinit exercere in Ecclesiis vacantibus; alia Charta, quam memoratus Rex *Johannes* concessit Regno, conspectibus Papæ præsentaretur: concerning the freedom of Elections, which I have already cited, p. 336, 337, 338.

Hæc & alia *Romam* deferenda, salubriter à Summo Pontifice discutienda, providebantur. Sed quid juvat? Hæc adjectio detestabilis (Non obstante) omnia infirmat. Prævaricatores, susurriones, & Magnatum adulatores, per-

Anno 1256.  
Mat. Paris Hist.  
Angl. p. 891.  
Prelati Angliæ  
mutire non au-  
dent contra Ru-  
standum.

Mat. Paris Hist.  
Angl. p. 891.  
Conventus E-  
piscoporum An-  
gliæ Londini.

\* Mat. Westm.  
Anno 1256.  
P. 275.  
\* Here p. 796,  
797.

Mat. Paris Hist.  
Angl. p. 891.  
Provisio de ob-  
servandis Char-  
tis libertatum  
concessarum, &c.

Multorum pia  
provisio enervatur.

vertentes omnia, sinistra interpretantur universa. Repertantque frequenter queruli a Romana Curia tale responsum, videlicet a Domino Papa et fratribus: *Nolamus his diebus principes offendere: & addunt, Oportet multa dissimulare, & conniventibus oculis (licet lædant) pertransire. Et sic, pro dolo, per meticulous rigorem justitiæ, maxime in illa Curia, cernitur vacillare.*

Mat. Paris Hist. Angl. p. 892. Johannes Romanus Archidiaconus Richemundiz mortuus.

Eisdemque diebus, obiit *Johannes Romanus* Archidiaconus *Richemundiz*, quamplurimis saginatus redditibus & thesauris, hominum avarissimus. Hic ferme quinquaginta annis thesauris incumbens acervandis, unus de nobilioribus Canonicis *Eboracensis* Ecclesiæ, primus, vel de primis fuit, qui quasi explozator impiissimus arcana *Angliæ* reſeravit, et provocavit Romanos, ut redditibus *Angliæ* solito avidius et thesauris per fas et nefas inhiarent. Quo defuncto, Rex illico ejus præbendam & alia bona, quæ poterat occupare, ad suum contulit, ratione vacationis Archiepiscopatus, beneplacitum.

The Archbishop of *Canterbury* oppressing the Bishop of *Rocheſter*, notwithstanding the Kings premised Writs, by reason of the Queens power and favour, reiterated his complaint to the King against him, thus related.

Mat. Paris Hist. p. 893, 894. Archiepiscopus Cantuariensis vexat Ecclesiam Roſſen.

Diebus sub eisdem, Archiepiscopus *Cantuariensis Bonifacius*, Ecclesiam *Roſſensem* prægravans, ejusque invadens possessiones, tantam de facto suo notam incurrit vituperii, ut Ecclesia, cujus esse debet defensor, per eum dicatur vexari. Episcopus autem *Roſſensis*, cum Domino Regi hujus ultori, lachrymabiliter super tanta injuria conquereretur, Rex demisso vultu respondit: *Non possum cum ſectere ad justitiam vel humilitatem, ne ipsum tam generosum, & genus suum tam magnificum, præcipue Regiam, offendam vel contristem.*

Anno 1256. *John de Camezane* an Italian, by pretext of Pope *Innocents* Bull of Provision, prosecuting the Abbot and Covent of *St. Albans* in the Court of *Rome*, to hold the Church of *Herteburne* by Provision, though impropriated, to the great prejudice of the Abby and right of the Kings Crown; they thereupon sent their Proctors to *Rome*, together with the Kings Letters to the Pope and Cardinals, in their behalf, thus related.

Mat. Paris Hist. p. 894. W. de Hort, & W. de S. Edwardo Monachi Sancti Albani Romam missi.

Et circa idem tempus, cum quidam Clericus *Transalpinus*, Ecclesiæ beati *Albani* nocumenta & damna machinaretur, missus est unus fratrum ejusdem Ecclesiæ ad *Romanam* Curiam, ut contra dictum Clericum, qui *Johannes de Camezana* dicebatur, quod justum erat, impetraret. Dicitur igitur frater, videlicet Dominus *Willielmus de Hortuna*, memoratæ Ecclesiæ Cellerarius, assumpto secum Magistro *Willielmo de Sancto Edwardo*, Dominica Palmarum iter arripuit *Transalpinum*. Habuit etiam secum Literas Domini Regis elegantissimas, pro ipso deprecatorias, tam Domino Papæ, quam Cardinalibus. Quas quia Rhetoricè & optimè conceptæ & compositæ fuerunt, redarguit ille *Johannes* cavillator, falsitatis: asserens quod tam magnus intercessor, tam specialiter, tam familiariter, nunquam pro quodam simplici Monacho literatoriè Domino Papæ & aliis gravibus & autenticis personis intercessit. Sed ipsius versuta redargutio, Regis postea testimonio patuit denudata. Si quis illas Literas videre desiderat, in *libris Additamentorum* poterit reperire; thus registrat therein.

Addimenta Matthæi Paris. p. 195, 196.

Domino Papæ Rex *Angliæ* salutem, cum reverentia & honore. Dilectionis prærogativa specialis, qua inter cætera nostræ ditionis Collegia Abbatem & Monachos *Sancti Albani Lincolniensis* Diocæseos, charius amplexamur, ad providendum utilitati & tranquillitati ipsorum cum opus est, multipliciter nos inducit. Cum igitur venerabilis pater *Dunelmensis* Episcopus, non absque consensu & consilio Capituli sui, ad sustentationem hospitalitatis quæ apud dictos Abbatem & Monachos specialiter vigere dignoscitur, & ad quam suarum possessionum facultas sufficere nequiverat, duas partes Ecclesiæ de *Herteburne*, *Dunelmensis* Diocæseos, ipsorum usibus, interveniente consensu Prioris & Conventus de *Thinemna* (qui unâ cum Abbate prædicto jus patronatus obtinuerant in eadem) & residuum, usibus vicarii in ea ministrantis, dudum charitative, necnon et precum nostrarum instantia, duxerit ordinandum: Magister *Johannes de Camezane*, cui in Ecclesia de *Wengrave* extat proviſum, prætextu cujusdam Literæ Papalis, quâ scilicet recordationis *Innocentius* quartus prædecessor vester, ultimus, sibi à dictis Abbate & suo Conventu, Ecclesiam suam prædictam in beneficium uberius mandaverat commutari,



mutari, ipsos super dicta Ecclesia de *Herteburne*, in ipsorum grabe dispendium, et nostræ mentis turbationem non modicam, aggravat et molestat. Sed et causam ipsam, in læsionem juris nostri et privilegiorum nostrorum, extra Regnum nostrum trahi procurans; suppressa Litera contra ipsos impetrata, per quam in *Anglia* iidem Abbas & Conventus, infra certum tempus in eadem Litera comprehensum, poterant conveniri, & causa ipsa similiter ibidem terminari, nullo sibi die infra dictum tempus præfixo, causam eandem a suo iudice, nullis rationibus vel causis legitimis admittis, ab eodem ad Curiam Romanam nequiter obtinuit remitti. Sanctitati igitur vestræ, quæ nobis & nostris toties extitit gratiosa, cum quanta possumus affectione supplicamus, quatenus Monasterium supradictum, quod & de nostro extat patronatu, & vobis est immediatè subjectum, suo jure destitui non permittatis, sed potius ordinationem prædictam, de consueta benignitate sedis Apostolicæ confirmare, & in aliis ejusdem Monasterii negotiis coram Sancta paternitate vestra expediendis, sibi favorem & gratiam impertiri velitis. Super quo, vestris beneplacitis cum gratiarum actione multiplici, uberius reddamur astricti. Teste meipso apud *Leystonam*, primo die *Aprilis*.

Litera Regis ad Cardinalem J.

**H**ENRICUS Dei gratia Rex *Anglia*, &c. Venerabili Patri J. eadem gratia titulo Sancti *Laurentii* in *Lucina*, Presbytero Cardinali, salutem, & sinceræ dilectionis affectum. Dilectionis Prærogativa specialis, qua inter cætera nostræ ditionis Collegia, Abbatem & Monachos Sancti *Albani* *Lincolniensis* Diocæseos, charius amplexamur, ad eorum indemnitate (cum opus fuerit) providendum multipliciter nos inducit. Cum igitur Magister *Johannes de Camerane*, Domini Papæ Capellanus, Abbatem & Conventum Sancti *Albani* super commutatione Ecclesiæ de *Wengrave* sibi faciendæ, de Ecclesia de *Herteburne*, quam Episcopus *Dunelmensis* ad exhibitionem hospitum, eis ad precum nostrarum instantiam charitatis intuitu concessit, nos, Abbatem & Conventum intolerabiliter aggravet & moleste, trahendo ipsos in causam extra Regnum nostrum, contra indulgentiam nobis a sede Apostolicâ concessam, quod grave ferimus et molestum, ac idem Abbas dilectum nostrum fratrem *Willielmum de Horton* commoniachum suum, ad præsentiam Domini Papæ transmittat, tam pro prædicto negotio, quàm aliis utilitatem Ecclesiæ suæ contingentibus (prout idem *Willielmus* vobis vivâ voce intimabit) dilectionem vestram, de qua plenam gerimus fiduciam, affectuosè rogamus; quatenus eundem *Willielmum* habere velitis in præmissis specialiter recommendatum, consilium & juvamen vestrum ei pro amore nostro taliter impensuri, quod vobis propter hoc ad retributionem condignam, & ad gratiarum merita oportunis temporibus teneamur. Teste meipso apud *Framlingham*, 11. die *Aprilis*, Anno Regni nostri 40.

To these precedent vexations of the Abböt by Suits at *Rome*, they superadded the payment of a great sum of money to the Popes Merchants within one month, by a forged Obligation, under pain of suspension, notwithstanding all their former Priviledges and Bulls.

Eodemque die missæ fuerunt Literæ a Domino Papa, Abbati & Conventui memoratæ Ecclesiæ Sancti scilicet *Albani*, ut infra mensem solberent quibusdam Mercatoribus quingentas *Marcas*, in quibus tenebantur eisdem Mercatoribus. Quem terminum si transgrederentur, scirent se ex tunc suspensos. Hoc insertum fuit in tenore Literarum, cum tamen nunquam scirent se alicui obligari. Et simili modo multis aliis Cœnobiis factum est, ut videlicet sic cogerentur jugum subire Mercatorum sceneratorum. Et ut efficacius pecuniam extorquerent exactores, dicebant omnia exigi ad opus Domini Regis, præparati ad iter peregrinationis accipiendum.

That Pope *Alexander* himself was the original fountain of these forged Obligations, made and sealed in the names of Abbots and others, for great sums of money supposed to be borrowed by them from the Popes Merchants, was thus evidenced:

§ Pz

Ut

Mat. Paris Hist.  
Angl. p. 894.  
Literæ Papales  
ad Abbatem S.  
*Albani*

Mat. Paris Hist.  
p. 904.  
Origo detestanda  
obligationis.

Ut autem manifestè pateat cuilibet Lectori, quod hæc virulenta obligatio, quæ ab Episcopo *Herefordensi* emanat, fontem habet initialem ab ipso Papa, nisi Bulla adulteretur; has lites durimus huic libello, ut perpetuetur memoria, inseri; Prælatorum modernorum et servitutis Ecclesiasticæ commendandas.

Litteræ Papales  
negatiæ.

ALEXANDER, &c. Dilecto filio Magistro *Ruffando*, &c. cum olim *Bertolde*, Marchioni de *Cambrigia*, pro negotii Regni *Sicilia* procuratione, duo Millia unciarum auri per dilectos filios, *Reinaldum*, *Remerum*, *Pervium*, *Scottum*, & *Christophorum Colum*, eorumque socios, Cives & Mercatores *Senenses*, persolvi mandaverimus, & propter hoc quædam Monasteria Ecclesiæ Regni *Anglia* fuerunt in duobus Millibus Marcarum sterlingorum novorum, de mandato nostri eisdem Mercatoribus obligata. Quia prædictus Marchio & fratres sui multorum & beneficiorum quæ a nobis & Ecclesia *Romana* receperant, immemores existentes, manifestam prodicionem adversus nos & eandem Ecclesiam, & Charissimum in Christo filium nostrum Regem *Anglia* illustrem commiserunt in Regno prædicto *Sicilia*, propter quod omnibus beneficiis & gratiis à nobis impensis eisdem, meritò sunt privandi. Et de huiusmodi pecunia non nisi tantum trecentæ uncia fuerunt per dictos Mercatores eisdem Marchioni & fratribus persolutæ; discretioni tuæ in virtute obedientia per Apostolica scripta firmiter præcipimus, quatenus prædicta duo Millia Marcarum, ab huiusmodi Monasteriis et Ecclesiis colligas, vel per alium colligi facias, et hoc per dilectum filium Magistrum *Bernardum de Sen*. Capellanum et nuncium nostrum, vel per quemcunque alium Collegam suum, et eisdem Mercatoribus antedictis assignata, valore prædictarum trecentarum Marcarum auri demisso Mercatoribus sepelitis, residuum tibi facias a detentoribus exhiberi, contradictores et detentores huiusmodi per censuram Ecclesiasticam appellatione postposita compescendo, non obstantibus aliquibus literis Apostolicis vel indulgentiis cuiuscunque tenoris existant impetratis, vel in posterum impetrandis, per quas huiusmodi solutio impediri valeat vel differri, seu si aliquibus literis Apostolicis a sede Apostolica sit indultum, quod excommunicari, interdicti nequeant vel suspendi. Postquam vero prædictam pecuniam collegeris vel receperis ab ejusdem detentoribus quibuscunque, tu Monasteria ipsa, & Ecclesias supradictas ab obligatione qua super solutione facienda Mercatoribus ipsis de supradicta summa pecuniæ tenebantur, Apostolica auctoritate absolvens, instrumenta publica, et literas super huiusmodi obligatione confectas, vitibus in posterum carere decernas. Quid autem & quantum ab huiusmodi Monasteriis & Ecclesiis, vel Magistro *Bernardo*, & Mercatoribus supradictis, & aliis detentoribus quibuscunque receperis, dilectis filiis *Carbucco*, & *Jacobo de Last*, vel eorum alteri, *I. Remero*, *Gilberto Cremonensi*, & Mercatoribus *Florentinis*, qui pro munitionibus civitatum & castrorum aliorum & locorum ejusdem Regni *Sicilia*, duo Millia Marcarum sterlingorum nobis liberaliter mutuarunt, ad quorum solutionem nos & Ecclesiam *Romanam* eis certo termino faciendam obligati sumus eisdem, sicut caram gratiam nostram habes, assignare procures. Non obstante quòd tibi super solutionibus quibusdam pecuniarum summis eis & quibus aliis communiter faciendis, alias direximus scripta nostra, quantitatem pecuniæ, quam eis duxeris assignandam, tuis nobis patentibus literis intimando. Nos igitur de huiusmodi summa pecuniæ in prædictis *Carbo* & *Jacobo*, vel eorum alteri, fuerit nostro & Ecclesiæ *Romane* nomine persoluta, reputabimus nobis et Ecclesiæ prædictæ fore plenarie satisfactum. Mandatum autem nostrum taliter studeas adimplere, quod ipsos *Carbo* & *Jacobum*, propter hoc non oporteat ulterius ad nos habere rerursum. Quod autem hæc omnia de voluntate nostro procedant eidem Regi intimare procures. Abbates vero & Priores, & Conventus Monasteriorum & Ecclesiarum, quæ propter hoc obligata fuerunt, nec non et quantitatem pecuniæ in qua quodlibet eorum Monasteriorum, in quibus Ecclesiarum ipsarum tenetur et obligatione huiusmodi, præsentibus fecimus annotari. *Prior et Con-*

Conventus de *Dunelm.* in quingentis marcis. *Bathon.* in quadringentis marcis. Abbas et Conventus de *Thornela*, in quadringentis marcis. Abbas et Conventus de *Croilandia*, in quadringentis marcis. Prior et Conventus de *Gisburnia* ordinis S. *Augustini*, in trecentis marcis fuerunt Auctoritate sedis Apostolicæ obligati. Datum *Anagnia* decimo cal. *Julii*, Pontificatus nostri Anno secundo.

Cum autem audissent Prælati *Anglia*, ut prædictum est, quod Papa & Rex confederarentur in subversionem *Anglicana* Ecclesiæ, quod intelligi potest per prædicta, adeo in ambiguum rotabantur, et quasi inter duas molas conterebantur, ut cæci nescirent penitus quid agendum. Veruntamen Prior et Conventus *Dunelmensis*, neque Prior vel Conventus de *Gisburnia*, aliquo modo voluerunt flecti, ut consentirent illi virulentæ obligationi, ut ipsi suas Ecclesiæ tam enormi servitutis inclinarent, licet omnes fere alii genera *Baal* incurbarunt. Sed steterunt, et suspensionem diutinam, et *Romana* Curie persecutionem, et Mercatorum id est, usurariorum Conbitia, iurgia, et comminationes alacriter et viriliter; pro libertate suæ Ecclesiæ dimicantes sustinuerunt. Et sicut ipsi voluerunt non habere in tali certamine consortes, ita timuerunt super omnia Papales, ne alii præstarent illis in tribulatione subsidium compatiendo, et similia cum suis fratribus aggrediendo. Sed pusillanimes et meticulosi incurvari sunt, ut ab hostibus calcarentur. Et sic non erat qui solatium impenderet, vel subsidium exhiberet; sed divisi, quasi vento agitati, quilibet quæ sua fuerunt, Charitatis expertes, defendebant, et defendendo succumbebant. Et hæc cornua præstabant inimicis.

In what strange forms of obligations those Papal usurpers and Merchants involved the King, his Proctors and others, this president of the Kings Proctors obligation to them under Pope *Innocent* the 4th. An. 1254. will evidence, the Original whereof I found in the White Tower Chappel.

Prior & Conventus *Dunelmensis* & *Gisburnia* nolunt consentire obligationi prædictæ.

**I**N Nomine Domini *Jesu Christi* Amen. Anno Nativitatis ejusdem Milleſſimo Ducentessimo Quinquagesimo quarto. Indictione duodecima, mensis *Maii* die Sextadeſſima, Pontificatus Domini *Innocentii* Papæ quarti, Anno undecimo, in præſentia mei Morborii Scovarii & Testium ſubſcriptorum, ad hoc ſpecialiter vocatorum & rogatorum, Dominus *Guido* de Poſitione Archidiaconus *Lugduni*, Nuncius & procurator Illuſtris viri Domini *H.* Dei gratiæ Regis *Anglia*, Domini *Hybernia*, Ducis *Normania* & *Aquitania*, & Comitibus *Andegavia*, apud ſedem Apoſtolicam conſtitutus, habens à dicto Domino Rege Mandatum de mutuo contrahendo uſque ad ſummam Trecentarum Marcarum Sterlingorum novorum, prout in Literis Domini Regis exinde conſectis plenius continetur, Confeſſus eſt & recognovit ſe pro negotiis dicti Domini Regis ac neceſſariis utilitatibus apud eandem ſedem Apoſtolicam promovendis & expediendis, mutuo recipiſſe & habuiſſe à *Bonifacio Bonſignoris*, & *Bonaventura Bernardini*, mutuantiſus & ſolventibus, tam pro ſe, quàm pro *Bernardino Proſterio*, *Aldebrando*, *Hildebrando*, Civibus & Mercatoribus *Senen*, trecentas Marcas bonorum novorum legalium ſterlingorum, tredecim ſolidis & quatuor ſterlingis pro Marca qualibet computatis, de quibus dictus procurator procuratorum nomine ſe bene quietum & pacatum vocavit, exceptioni non numeratæ & non ſolutæ ſibi pecuniæ omnino renunciando. Quas prætaxatas Trecentas Marcas ſterlingorum ipsis vel uni eorum, aut ipſorum Nuncio præſens publicum instrumentum deferenti & reſtituenti, in feſto beati *Michaelis* proximo futuro *London*, apud ſcaccarium Regis per legitimam ſtipulationem, promiſit dictus procurator procuratorio nomine, jam dictum Dominum Regem plenè ſoluturum & integrè redditurum. Quod ſi in dictis loco & termino prædicta pecunia ipsis, ut dictum non fuerit integrè perſoluta, extunc in antea ſtipulatione prædicta promiſit eis dictus procurator procuratorio nomine, pro damnorum & intereſſe re-compensatione, perſolvere per ſingulos duos meſes pro ſingulis decem Marcis prædictis, unam Marcam ipſorum ſterlingorum, & expenſas uniſus Mercatoris, cum uno equo & uno ſervienter ubicunque fuerit uſque ad plenam totius dictæ pecuniæ ſolutionem;



onem: quam prædictam recompensationem dampnorum, expensarum & interesse antedictis Mercatoribus promisit in sorte dicti debiti nominatus procurator procuratorio nomine nullatenus computare, ac non detinere memoratum debitum contra ipsorum Mercatorum voluntatem, sub præceptore compensationis prædictæ ultra terminum prælibatum. Pro quibus omnibus & singulis supradictis firmiter observandis & plenarie adimplendis, memoratus procurator procuratorio nomine jam dictum dominum Regem & successores suos prædictis Mercatoribus principales constituit debitores & pacatores, ipsum Dominum Regem cum omnibus bonis suis mobilibus & immobilibus præsentibus & futuris, eisdem Mercatoribus propter hoc specialiter obligando. Renunciavit in præscriptis omnibus dictus procurator procuratorio nomine dicti Domini Regis & successorum suorum, omni juris & legum auxilio Canonici & Civilis, consuetudini & statuto, privilegio fori, beneficio restitutionis in integrum, & exceptioni etiam quod prædicta pecunia non sit conversa in utilitatem dicti Domini Regis & terræ suæ, constitutioni de duabus dietis Concilii generalis, omnibus Apostolicis Literis, indulgentiis & aliis quibuscunque à sede Apostolica impetratis ac etiam impetrandis, & omni exceptioni, actioni, defensionis, & rei quæ obijci posset contra hoc instrumentum vel factum. Ad maiorem autem dictorum Mercatorum cautelam præfatus procurator bona fide promisit apud dictum Dominum Regem studiosè & fideliter laborare, ut euncta omnia & singula supra dicta, antedictis Mercatoribus observentur; In huius itaque rei testimonium & evidentiam plenior, præfens instrumentum dictus Dominus Archidiaconus suo sigillo roboravit. Actum Assisi coram hiis testibus, scilicet Magistro Hugone Cumanjaco test. Pomio de Salisfo Clerico Test. Willielmo de Resplione Test. Thomasto de Venant famul. dict. Arch.

Authoritate Imperiali Setimanus prædictis omnibus interfui, & hoc instrumentum scripsi & complevi rogatus.

Mat. Paris Hist.  
p. 907.  
Ecclesia S. Albani supponitur interdicto.

Eodem anno, proterventibus Papalibus exactoribus, Ecclesia Beati Albani, circa festum Simonis & Jude, per quindecim dies supposita est interdicto, non quia magnificis destituta sit privilegiis, sed quia hæc adjectio detestabilis, Non obstante, omnium sanctorum Patrum piæ enervat concessiones, et annullat auctoritatem. Maluit igitur Conventus injustam ac violentam sententiam, ne contemptus tribulationem suscitaret, observare reverenter, quam temerè non tenere. Cessavit igitur à campanarum pulsatione, divinarumque celebratione: & interim in Capitulo horas Canonicas cum Matutinis, complevit voce demissa. Animante igitur fratre Johanne de Dia, qui quasi vices egit Legati tunc in Anglia, Conventus divina modo consuecto celebravit. The like opposition was made by the Cistercian Abbats, thus related.

Mat. Paris Hist.  
p. 895.  
Abbas de Wared, misericordiam postulat a Rege.

Diebus sub eisdem, Magister Rustandus vocavit omnes Abbates Cisterciensis ordinis in Anglia auctoritate Apostolica: ut coram eo quarta Dominica post Pascha apparerent, mandatum Domini Papæ ibidem audituros. Qui cum convenissent loco et die quo eos vocaverat, Rustandus facto prologo satis prolixo, postulat ab eis ad opus Papæ et ad opus Regis jubamen pecuniare non modicum, quantum ascendit pretium lanarum suarum, vel amplius. Et nobis mundus, quod in lanis eorum omnis eorum subsistit commoditas et sustentatio. Quod cum audissent Abbates, communicato consilio, omnes constanter responderunt unanimitè, quod non licuit tali ac tantæ exactioni præcise respondere, irrequisito assensu et consilio Abbatis et Capituli Cisterciensis, cujus membra erant et filii. Et sictrato balde magistro Rustando, ad sua coenobia remearunt. Magister igitur Rustandus sicut solet infans læsus et quezulus ad sinum matris, ad Regem festinavit quantocypus pervenire, asserendo enarrans et conquestus, quod Abbates Cisterciensis ordinis uno spiritu proci et superbo responderunt, se nullo modo ipsum in hac sua necessitate adjuturos.

Ret

Rex igitur iratus iuravit, quod singulos damnificaret, quos omnes nequiverat fidere ad consensum. Et quia dixerant, quod Regem plus decuit orationes ab iisdem exigere, quam pecuniam: iuravit, quod voluit et orationes habere ab eis, et pecunia non destitui. Erat autem tunc fortè in Curia Abbas de *Bildemas* ordinis *Cisterciensis*; quem Rex objurgans iussit sibi accersiri, & ait: Quid est Abbas, quod mihi indigenti & humiliter postulanti, auxilium pecuniare denegasti? Nonne sum patronus vester? Cui Abbas: Usinam patronus, pater, & defensor. Veruntamen non expedit vobis nos in extorsione pecunia damnificare, sed potius cum devotione orationum suffragia postulare, exemplo pii Regis Francorum salubriter informatus. Cui Rex: Utrumque exigo, pecuniam videlicet cum orationibus. Cui Abbas: Non credo hoc posse contingere. Alterutro oportet te carere. Si enim substantiolas nostras a nobis violenter extorqueas, quomodo devotè & sinceris cordibus pro te orabimus? Oratio nempe sine devotione parum vel nihil prodesse prævalebit. Rex autem, licet satis eleganter respondisset Abbas, tamen Abbatibus *Cisterciensibus* tacitus insidiabatur universis.

Erat autem tunc temporis quidam Miles dives, *Willielmus de Bello Campo* dictus, uxorem habens nomine *Tam*, genere nobilem, sed moribus degenerem nimis, & religiosorum & religiosarum, persecutrix fuerat indefessa. Hæc igitur nacta jam nocendi Abbati de *Wared* de Regis ira oportunitate, more femineo nocere machinans, gravem movit contra dictum Abbatem in Regis Curia quæstionem; sciens quod Rex ipsum iustè vel iniustè, quia iratus, damnificaret. Et cum ex causa pusilla, vel nulla, in misericordiam Regis cecidisset, & necesse haberet Abbas à Rege ipso, quia alias Rex vias præcluserat, misericordiam humiliter postulare, Rex torvo vultu iurando horribiliter respondit; Qua fronte, Abbas, misericordiam postulas? Qui nuper mihi indigenti misericordiam cum tuis Coabbatibus denegasti. Et damnificavit eum Rex in multæ pecuniæ, ad arbitrium & persequentem voluntatem, effusione. Similiter autem & Abbas de *Rafere Cisterciensis* ordinis, pro quadum non causa, ut causa, quam provocarunt & excitarunt duæ viles personæ, quas garciones vocant, ad solutionem non minimæ pecuniæ, licet iniustè, cogebatur. Similiter & alii *Cisterciensis* ordinis Abbates, damna & injurias & subire multipliciter compellebantur.

Missi sunt igitur viri discreti de ordine *Cisterciensis* ad curiam *Romanam*, ut super hoc gravamine remedium impetrarent. Contra quos & Rex pro eo Dominum *Willielmum Boncoque*, Militem & Jurisperitum, ad eandem curiam, & ob alia negotia destinavit. Impetratio autem *Cisterciensium* talis erat. *Alexander* Episcopus, servus servorum Dei, dilectis filiis Abbatibus & Conventibus *Cisterciensium* ordinis in Regno *Anglia*, ac locis qui sub eisdem Regni Dominio subsistunt constituti, salutem & Apostolicam benedictionem. Quanto excelsiorem eximæ religionis gradum ordo vester gratia divina conscendit, & sublimius suæ conversationis stationem ac sanctimonix collocavit: tanto eum amplius sedes Apostolica, pii mater, continuis semper promovit augmentis & spiritualibus favoribus communivit. Nos igitur, qui eundem ordinem affectu prosequimur intimæ charitatis, attendentes ejusdem ordinis Monasteria Regni *Francia*, à præstatione decimæ Ecclesiasticorum proventuum, à felicis recordationis *Innocentio* Papa prædecessore nostro, charissimo in Christo filio nostro Regi *Francorum* illustri concessæ in *Terra sancta* subsidium, excepta fuisse, eodem Rege devotarum orationum ejusdem ordinis suffragia pluris quàm temporalia subsidia æstimante. Ac volentes quieti vestræ, quantum cum Deo possumus, providere, specialem gratiam vobis faciendo, ne prætextu concessionis charissimo in Christo filio nostro Regi *Anglia* illustri à prædicta sede factæ, de decimis Ecclesiasticorum proventuum Regni sui & locorum suo Domino subiectorum certò percipiendis ab eo tempore, in subsidium *Terra sancta*, decimam reddituum & proventuum vestrorum ipsi Regi seu alii solvere teneamini, nec ad ipsarum solutionem compelli possitis, auctoritate præsentium vobis indulgemus. Decernentes vos nihilominus à præstatione harum decimarum, & quarumlibet exactionum genere, seu obligatione bonorum vestrorum occasione hujusmodi, penitus liberos & immunes, omnes indulgentias & literas super hoc ab eadem sede concessas, & processus, si qui contra vos & Monasteria vestra, penitus revocamus. Ac statuimus insuper, concedendas; cujuscunque tenoris indulgentias & literas super hoc ab eadem sede concessas, &

Abbas de Wared, misericordiam postulat à Rege.

Mar. Paris Hist. p. 896, 897. Literæ Papales pro ordine Cister.

pro-

processus, si qui contra vos & Monasteria vestra, penitus revocamus. Ac statuimus insuper concedendas, cujuscunque tenoris indulgentias & Literas, nisi de hac specialem & plenam de verbo ad verbum fecerint mentionem; vires aliquas adversus vos & Monasteria vestra non habere. Nulli ergo omnino hominum liceat, hanc paginam nostræ constitutionis & revocationis infringere, vel ausu temerario contraire. Si quis autem hoc attemptare præsumpserit, indignationem omnipotentis Dei & beatorum Petri & Pauli Apostolorum, se noverit incursurum. Data Neapoli, octavo Calend. Junii, Pontificatus nostri anno primo.

Mat. Paris Hist.  
Angl. p. 896.  
Literæ deprecatoriz pro ordine Cisterc.

Mat. Paris Hist.  
Angl. p. 906.  
Monachi Cistercienses vestigal solvere coguntur.

Misit insuper eodem tempore Papa Literas Regi deprecatorias (prædictas) pro ordine Cisterciensi. Scripsit insuper *Albui* Cardinalis Regi devotissime pro ordine Cisterciensi, ne pro Deo ipsum sacrum ordinem talibus vexaret exactionibus, & sic ad horam Cistercienses respirarunt, qualiquali pace gaudentes.

But soon after, Rex præcepit, ne aliqua gratia exhiberetur Cisterciensibus, sed ut vexarent eos Vicecomites & alii Regii satellites, nec fieret eis jus, nisi commune. Et iratus quia intercessores procurabant pro eis, permisit, ut exigeretur & extorqueretur ab illis, cum redirent de generali eorum Capitulo, Telonium, quod vulgariter dicitur Paagium, contra libertatem & antiquam, & approbatam eorum consuetudinem. Unde multi super hoc non præmuniti, cucullas & tunicas vendere cogeantur.

Mat. Paris Hist.  
Angl. p. 896.  
Modificatio Papalis.

Qui verò ex parte universitatis Prælatorum ad Romanam Ecclesiam destinabantur, talem adepti sunt modificationem, & de intolerabili rigore remedium. Alexander, &c. Prælati, &c. Provisionis nostra provenire debet auxilio, ut unde nullum est commodum assequuti, detrimentum minimè sentiant. Cum igitur venerabilis frater noster Herefordensis Episcopus, de nostra licentia sibi per Literas nostras concessa, à dilectis filiis specialibus, Olivero Rosa, ac eorum sociis, Civibus ac Mercatoribus Florentinis, quingentas Marcas sterlingorum mutuo receperit, pro negotiis charissimi in Christo filii nostri Anglorum Regis illustris: quanquam in Literis ipsis & instrumento publico confecto super hujusmodi mutuo continetur expresse, quod non pro vestris & Monasterii vestri negotiis fuit hujusmodi pecunia mutuata, pro qua etiam idem Episcopus vos ac dictum Monasterium & ejus bona, prælati Mercatoribus obligavit. Nos volentes super hoc taliter providere, quod vos vel dictum Monasterium ex hoc non incurritis aliquam lesionem, auctoritate præsentium vobis indulgemus, ut si eundem Regem in prædicta pecunia solutione cessare contigerit, & vos de ipsa Mercatoribus satisfacere memoratis, liceat vobis decimam vestrorum proventuum Ecclesiasticorum, dicto Regi ab Apostolica sede pro Terræ Sanctæ subsidio deputatam, usque ad quantitatem prædictæ pecunie, quam Mercatoribus solvetis eisdem, ac damnorum & expensarum, quæ foris propter hoc incurretis, liberè retinere: non obstantibus aliquibus Literis super executione prædictæ decimæ, sub quacunque forma verborum, ad quoscunque Judices seu executores, à sede impetratis, vel etiam impetrandis. Cæterum, si occasione hujus retractionis prædictæ decimæ, fuerint in vos vel aliquem vestrum per quoscunque suspensionis, excommunicationis, vel interdicti sententiæ promulgatæ, decernimus eas auctoritate præsentium nullas esse, et vos ad ipsorum conservationem non teneri.

What an opinion many had of this Pope hypocrisie, occasioned by his rapines, this passage clearly discovers.

Mat. Paris Hist.  
Angl. p. 897.  
Tepuit multorum devotio erga Papam.

Diebus sub eisdem, tepuit devotio multorum, quem de Papa nostro patre, et Ecclesia Romana matre nostra habere consueverant. Ex quo enim in principio creationis suæ precum suffragia exigebat à fidelibus; hypocrisis reputant et secularitatis palliationem quamplurimam, sed de sua suspitione decepti: cum sanctus nos admoneat, dicens: Cum quid inceperis bonum, instanter Deum posce, ut ipse perficiat, &c. Sed quia hujusmodi devotionem opera subsequuntur contraria, verba de eo percurrunt incongrua. Spes igitur præconcepta de sanctitate Papæ, propterea evanuit elusivata. Veruntamen multorum auribus veraciter instillatum est, quod de Bulla decepto Papa fraudis committitur multiformis. Sed hæc ratio, si tamen ratio est, Papam non excusat.

What ill successe Boniface Archbishop of Canterbury and his Brother had in their Wars, supported with the Archbishops rapines in England, and what a flattering consolatory



consolatory Letter Pope *Alexander* writ to the King and Queen of *England*, to allay their grief for this losse, to seise the goods of these Delinquents, and promote his rapines by their favour, is thus related by *Matthew Paris*.

*Petrus* autem de *Subandia* constantissime cum Magnatibus generis sui, videlicet Archiepiscopo *Canuariensi*, & electo *Lugdunensi*, & aliis *Subandianis*, Urbem *Taurinam* infestat, ita ut deficientibus victualibus, nec poterat eis pondus proficere, Urbem suam imbelli populo vacuarent. Cives igitur quanto plus ardebantur, tanto firmius Comitem *Thomam* tenuerunt vinculum: ut si Cives puniendi forte caperentur, ipse Comes, qui primus & ultimus causam perturbationis suscitaverat, primitus puniretur. Dominus autem Papa, ut videretur Domino Regi *Anglorum* & Regine in hoc casu profuisse, ipsos blandis consolationibus demulcendo, scripsit eisdem sic.

Mat. Paris Hist. p. 899, 900, Papa scribit Reginæ & Regi Angliæ.

**A**LXANDER Episcopus, &c. Charissimæ in Christo filie illustri Regine *Anglorum*, salutem & Apostolicam benedictionem. Nimis amaræ nimiumque molestæ sunt nobis injuriæ, quæ devotis Ecclesiæ filiis irrogantur: valde cor nostrum offensa fidelibus Apostolicæ sedis illarum conturbant. Sed de illorum molestiis plus dolemus, quorum circa sedem Apostolicam semper devotio servavit, clarisque sinceritas, quod inter alios puritatis titulo præsignari meruerunt, & uberiori ab eadem sede fulciri favore, & attolli honorificentia potiori. Horum namque gravamina illico sentimus in nobis, qui mox cum læduntur, degustamus suarum amaritudinem læsionum. Sanè ad audientiam nostram, non sine cordis amaritudine, & mentis tribulatione pervenit, quod nuper *Astensis* Civibus ad depopulationem Castri *Montis Calerii* hostiliter procedentibus, dilectus filius nobilis vir *Thomas* de *Subandia* Comes, avunculus tuus, qui in eodem Castro tunc temporis morabatur, recedens exinde, ad Civitatem se transtulit *Taurinensem*, sperans cum auxilio Civium Civitatis ejusdem, suorum utique Vassallorum, in successu prædicti Castri, quod ad eum spectare dignoscitur, recuperare. Sed dicti Cives, tanquam contemptores divini timoris, & famæ propriæ neglectores, \* fidelitatis juramento, quo prædicto Comiti tenebantur astricti, temerè violato, eisdem *Astensibus* procurantibus, & ad id auxilium impendentibus, ipsum capere & detinere, non sine prodicionis nota, nequiter præsumpserunt. Et quidam rumor jam sinister, interiora nostra dolore immani acriter vulneravit: quia tanto venit auribus nostris acerbior, quanto detenti nobis clarior est persona. Tristamur itaque, nec indignè, quod filius, quem inter alios præcipue complectimur, taliter detinetur. Dolemus, nec mirum, quod tanti persona Magnatis, de ejus sincero confidebamus obsequio, in manus suorum incidit proditorum: arctiusque tenetur, quia devotione assidua invalescens, ad prædictæ sedis exaltationem indefessa sollicitudine laborabat. Cum enim prædictum Comitem suumque genus singulari benevolentia prosequimur, cum ejusdem domum propter suæ devotionis merita quodam semper affectu prætulerimus speciali, magis ex hoc suarum sentimus aculeos passionum, amplius ob id adversitatum ipsius amaritudinem delibamus. Quin imò sic proximo nos ejus detrimenta contingunt, quod ea patienti compatiatur statim: similiter non potest unquam adversitatis flagello feriri, quin percutiamur protinus cum eodem. Similes quippe nobis affectus commisit, propriosque dolores amara nobis transfusione partitur. Ideo serenitatem tuam rogandam intentius duximus, & hortandam, quatenus personas & bona Civium *Taurinensium* & *Astensium*, in terris tuæ ditioni subjectis existentium, capi facias, & tam diu detineri, donec prædictus Comes restituitur pristina libertati. Regi quoque consimilis Epistola est transmissa.

\* Yet Popes can dispense with them to infringe such Oaths, without sin or scruple.

Circa festum beatæ *Catharinæ* applicuit *Canuariensis* Archiepiscopus de partibus *Italia*, post multas inutiles *Anglicanæ* pecuniæ effusiones, et labores instructuosos, qui parum profecit in bellicis negotiis apud *Taurinam* Civitatem. Nec est liberatus frater ejus *Thomas*, quandoque Comes, à carcere Civium, licet *Subandianis* omnes vires effuderint ad ipsius liberationem, & quamvis Papa ipsum liberare conaretur, scribens Regine *Anglorum* contra Cives, ad eorum impedimentum: as aforesaid.

Mat. Paris Hist. Angl. p. 907. Redi Archiepiscopus Canuariensis ex Italia in Angliam.

What Authority the Pope exercised this year in disposing Archbishopricks in *Ireland*, is thus storied in one particular.

52

Magister

Mat. Paris Hist.  
Angl. p. 892.  
Mat. Westm.  
Anno 1257.  
p. 276.  
R. de Norwico  
electus in Ar-  
chiepisc. Dubl.

Magister insuper *Radulphus de Norwico*, Cancellarius *Hibernia*, vir dapilis & face-  
tus, sed à primis annis plus in Regis Curia, quàm liberalium artium schola Canonice  
eruditus, electus est à Canonicis *Dublin*, in Archiepiscopum *Dublinensem*. Sed propter  
aliquorum contradictionem, dilata est ejusdem confirmatio. Reprehendebantur  
nempe electores, eo quod hominem elegerint penitus secularem, et  
adhuc in Regis clientela ac custodia, *Hibernia* telonio assidentem.  
Et sic cassabatur. *Matthew Westminster* relates, A suis procuratoribus in  
Curia Romana nequiter probitus est et cassatus, et *Fulconi de Sandford*,  
qui a causa aberat, idem Archiepiscopatus confertur: who it seems was  
put by, and *Fulco Basset* preferred by the King.

Mat. Paris Hist.  
p. 896, 897.  
Portus probi-  
betur.

Circa diem vero Sancti *Dunstani*, prohibuit Rex, nescitur qua ratione,  
(though it appears it was principally to prevent Letters and Bulls from *Rome*)  
portus, ne quis *Pælatus*, *Miles*, vel *Clericus*, transfretaret:  
cum tamen transfretaverant *Episcopus Bathoniensis*, et *Episcopus*  
*Roffensis*: (with the Kings license.)

Mat. Paris Hist.  
Angl. p. 892.  
Abbas Westm.  
& *Rustandus*  
transfretant.

Soon after, Dominus Abbas *Westmonasteriensis*, & Magister *Rustandus*, electusque  
suum pro Domini Regis negotio, eodem Rege sic volente; nescie-  
batur ad quid, sed ob arcanas causas, utinam bonas, transfretarunt.  
Et pro multiplicatis secularium discordiarum rediivis seminibus extirpandis, *Batho-  
niensis* & *Roffensis* Episcopi latenter et festinanter transalpinaverunt.

The Bishop elect of *Winton* having forcibly and unjustly by his power deprived  
the Prior of *Winton*, and thrust another into his place without due election, the de-  
prived Prior thereupon appealed to the Pope and Court of *Rome*, where he expected  
to be restored with great confidence; but to shew how much more prevalent money  
then was in that corrupt Court, then justice, this intruder was confirmed, and he re-  
turned after great expence frustrate of his expectation, having some Mannors assign-  
ed him for his support during life, out of which the Pope had an annual pension of  
365. Marks to support his Table.

Mat. Paris Hist.  
Angl. p. 892.  
Prior Winton.  
intrusus stabili-  
tur.

Prior autem *Wintoniensis* per electum intrusus, *Andreas* nomine, adminiculo ipsius  
electi, in loco suo, quem occupaverat, contra omnium opinionem (ut sciatur  
quantum possunt munera *Rome*) stabilitur. Et qui tot expensas  
pro jure suo obtinendo effuderat, rediit in *Angliam*, suo defraudatus  
proposito, quambis de promissione certissima, non sine opima retribu-  
tione, spem præconceperat, ut Prior in domo sua, prout jus exegerat,  
restitueretur. Assignata igitur sunt ei quædam Maneria, ut inde vitam confusio-  
nis quoad viveret, continuaret, de domo *Wintoniensis*, ut sciant omnes quan-  
tum valent munera in Curia Romana. Dispersi igitur Monachi non sine  
rubore revocantur.

Mat. Paris Hist.  
Angl. p. 902.  
Prior Winton.  
expulsi munus  
ad mensam Pa-  
palem.

Anno sub eodem, ex prodigalitate Prioris *Wintoniensis* expulsi, recepit mensa Pa-  
palis incrementum qualibet die per annum, unius marce argenti in reditu perpetuo.  
Quem Dominus Papa patentibus rictibus deglutivit. Sunt autem  
dies in anno 365. Reditus igitur extortus ad tot marcas ascendit.  
Et cachinnantibus Romanis, recessit idem Prior infecto negotio a Cu-  
ria, omni fraudatus proposito desiderato: Nam munera sui adver-  
sarii, videlicet electi *Wintoniensis*, ad plus ascendisse perhibentur.

How fraudulently and forcibly Pope *Alexander* and his Instruments by a Provision  
from *Rome*, intruded and installed one *Jordan* an alien, Dean in the Church of *Tork*,  
and how much he vexed the Archbishop, *Sewal*, for opposing it in the Court of *Rome*,  
this History informs us.

Mat. Paris Hist.  
p. 905, 906,  
926.  
Decanus E-  
boracensis per  
fraudem occu-  
patur.  
Godwins Cata-  
logue of Bps. p.  
465, 466.

Per idem tempus, venerunt quidam ignoti in Ecclesiam *Eboracensem*, in hora dum  
discumberent homines soli mensæ intendentes, clanculo intrantes: inquisiverunt à  
quodam ibidem orante, quodnam esset stallum Decani? Et responsum est, hoc, de-  
monstrato stallum Decanali. Duo igitur tertio, quem installarunt, dixerunt: Fra-  
ter, nos te auctoritate Papali installamus. Quod cum cognovisset  
Archiepiscopus *Sewal*, noviter creatus, & quandoque illius Ecclesie Decanus,  
doluit inconsolabiliter de tali fraude perpetrata, et factum illud  
subdolum, quantum in se potuit, irritabit. Fraudulenti tandem

*Romanam*

Romanam Curiam, de qua venerant, adeuntes, illum bonum virum et modestum Archiepiscopum, interdicti fecerunt, et damnis et laboribus immensis fatigarunt. Quæ omnia Sanctus Præsul sustinuit in patientia, ut immineret ei evidenter tribulatio, quam Magister, ejus amicus quondam & socius, Sanctus Edmundus, prædixerat profuturam. Hæc autem fraudulenta præsumptio, omnes Canonicos ita reddidit attonitos, quod quid agendum penitus ignorarunt. Absurdum namque et omni rationi dissonum, imo detestabile eis merito videbatur, tam nobilem Præbendam, tam arduum officium, de spicabili et ignoto, sic intruso, conferri permittere, ut in tam nobili Ecclesia fieret talis et taliter suo Archiepiscopo secundarius. Auctoritatem tamen tyrannicam Domini Papæ, cui se Rex totum inclinabit, et ut aptius dicam, incurbavit, vehementer formidabant.

What Bishops and other Ecclesiastical persons died this year, how the King and Pope disposed of their Temporalities, Goods, Elections of their Successors, and Suits against each other, the continuer of *Matthæi Paris* thus relates.

Eodemque anno cœpit ægrotare lethaliter Archiepiscopus *Burdegalensis*, jam senex & decrepitus. Et cum penitus crederetur, qui semivivus extitit, mortuus Episcopus *Herefordensis* (qui summo desiderio ad illum Archiepiscopatum ambiens anhelabat) impetratis Literis Domini Regis, quem habuit favorabilem, utpote *Celohæartius* ejus, cum veritas pateret quod viveret, iter, laborem, operam perdidit, & expensas, multis fannis appetitus, sicut de quodam Magistro *Lambino* dicitur contigisse, de quo licet tantillum à materia digrediar, duo versiculi componebantur :

*Æro dato multo, nondum Pastore sepulto,  
Lambit ad optatum Lambinus Pontificatum.*

Eodemque tempore obiit *Laudanus*, & alius est substitutus. Eodem quoque anno Episcopus *Karlesensis* Magister *Thomas* in principio *Octobris*, qui sicut Episcopus *Elensis*, vix uno anno suum rexerat Præsulatum, de medio sublatus est. In quibus pendula gloria dignitatis secularis, quàm sit transitoria, luce clarius declaratur. Episcopus autem *Elyensis* *Willielmus*, in itinere *Hispaniensi*, dum Regi terreno ministraret obsecundans, ad tribunal summi tractus Imperatoris, in fata concessit peregrinus. Cor autem ipsius ad suam Ecclesiam *Elyensem* deferretur tumulandum solenniter in eadem. Episcopus quoque *Cestrensis*, Magister videlicet *Rogerus de Westham*, die Omnium Sanctorum, ultro suo concessit Episcopatu. Obiit quoque eodem tempore Prior de *Newburgo* *Johannes* Canonicus, qui sicut Episcopus *Elyensis* *Willielmus* de quo prædictum est, Domino Regi familiaris, & consiliarius extitit specialis.

Eodem anno, quibusdam controversiis inter Episcopum *Bathoniensem* & Conventum *Glastonensem* exortis, intrusus quidam in illud Cœnobium violenter, & invito Episcopo, autoritate Regia, cœpit omnia ausu temerario ordinare, sigillum sibi adulterinum fabricare. Interim dum Episcopus, pro jure suo prosequendo, *Romam* peteret, rerum fiebat utrobique distractio. Intrusus autem quoscunque poterat convocat nebulones & gyrovagos, & convocatos indignos, in læsionem honoris Monastici, (ut suam partem contra Episcopum roboraret) Monachavit decem & octo, & tertia die fecit professos, non veritus istam Dominicam comminationem, imo potius maledictionem, *Va homini per quem scandalum suscitatur*. Similique modo nobilis Ecclesia *Wintoniensis* schismate turpabatur. Et sicut illi histriones, quos electus *Wintoniensis* in contumeliam Prioris convocatos Monachaverat, apostatantes recesserunt, sic non aliud ab istis sperabatur.

It seems there was a Suit pending in the Archbishops Court, prosecuted by the Bishop of *Bath* and *Wells* against this Abbot, \* to deprive and excommunicate him, and another Suit at the same time in the Kings Court, for the Temporalities of the Abbey, whereupon the King issued this Prohibition to stay the proceedings touching the Deprivation and Excommunication.

**R**EX Magistro *Hugoni de Mortuo Mari* Offic. *Cantuar.* salutem. Intefleximus quod Episcopus *London.* & alii vicini Episcopi ad preces Episcopi *Bathoni* & *Wellen.* circumventi, per errorem facti quia fortè ipsos latebat, quod causa pender in Curia *Cantuar.* coram vobis inter prædictum Episcopum, & *Rogero* Abbatem *Glaston.* super depositionis et excommunicationis sententiis, et quibusdam aliis Articulis, et in Curia nostra de temporalibus certis di-

Mat. Paris Hist.  
Angl. p. 906.  
Obitus quorundam Episcoporum.

Mat. Paris Hist.  
Angl. p. 907.  
Scandalum ortum in Cœnobio *Glaston.*

\* See Braden l. 5. De exceptionibus, c. 25. sect. 2.

Claus. 40 H. 3. m. 14. dorso.  
Pro Rogero Abbate de *Glaston.*



ebus in utraque Curia assignatis, intendunt prædictum Rogerum, depositum et excommunicatum publice denunciare: Nos rogamus attente, quatenus sicut honorem Cozonæ nostræ diligitis, suffraganeis Ecclesiæ Cantuar. et præcipue Episcopo London. mandare velitis, quod pendente lite prædicta ab huiusmodi denunciationibus et diffamationibus omnino superseant. Quod si forte facere neglexerint, eas publice denunciari mandetis irritas et inanes, quia causa quæ inter eos vertitur manifeste tangit honorem et dignitatem Cozonæ nostræ. Eo libentius et favorabilius si placeat statum ipsius Rogeri qui dudum ante ad vos appellaverat, et pro jure nostro contendit, sicut ad vos pertinet, defendere velitis. Et hoc statim mandetis præfato Episcopo London. & Archid. London. & ejus Offic. Teste Rege apud Norwicum 27. die Martii.

Eodem modo & per eandem narrationem scribitur Episcopo London. adjecto quod superseant &c. quousque cum Rege habuerit colloquium, & Rex super facto illo quatenus cum contingit plenius instruat, et quod rescribat, &c. Teste.

\* See p. 340.  
Mat. Paris Hist.  
p. 907.  
Dublinensis &  
Eboracensis stabi-  
liuntur in Ar-  
chiepisc. suis.  
\* Acta Pontif.  
Ebor. col. 1725.  
Godwins Cata-  
logue of Bps.  
p. 465.

\* Temporibus quoque sub eisdem, stabiliuntur prosperè in Archipræfatus suis Dublinensis, scilicet Magister Fulco Basset, & Eboracensis, Magister Sewall, Domino Papa manum apponente, post multas ipsorum Episcopatum vastationes irreparabiles. Et sic Regis auctoritas, eo ipso procurante, cum Regni dignitate diatim declinabit.

\* Thomas Stubbs informs us concerning Sewall, Eo quod defectum patiebatur in natalibus, & ideo non fuit secum dispensatum quoad talem dignitatem; ejus electioni cum Rex Henricus 3. negaret assensum, idem electus misit ad Curiam Romanam, & Dominus Papa Alexander 4. confirmavit ejus electionem, & ut in Ecclesia Eboracensi consecraretur cum eo gratiose (but not gratis) dispensavit. Consecratus est autem Sewallus in Ecclesia Sancti Petri Eboraci, à Suffraganeis quos advocaverat die Dominica 2. Kal. Augusti, Anno Domini 1256. et sic nolente volente Rege obtinuit et Pontificatum et Pallium.

Mat. Paris Hist.  
p. 907.  
Andreas intru-  
sus Prior: Win-  
toniensis stabili-  
tur.

Ipsa quoque anno muneribus Electi Wintoniensis in Curia Romana discurrantibus, et Simonialibus præmiis et precibus Prioris intrusi Wintoniensis, quem idem Electus creaverat, intermeantibus, stabilitur intrusus, scilicet Andreas. Alteri autem post labores transalpinos, & pecuniæ infinitam effusionem, & enormem sui Prioratus læsionem, quoddam manerium ad sui sustentationem providetur. Conventus autem dispersus, imperiose sub pœna anathematis convocatur ab Electo: & sic diatim in Nobilibus Ecclesiis Conventuabilibus, opprobria per schismata suscitantur. Quæ propter discordias et ambitiones, Curia Romana pabula ministrantur: ita videlicet ut per hanc solam discordiam, additus est annuus redditus mensæ Papali qualibet die una marca argenti.

After long expensive suites between the Bishop Elect of Winton, and the Monks of St. Swithin about deposing of the old, and enforcing of a new Prior on them by the Bishop in the Court of Rome, upon a Reference from Pope Alexander, they came to this final accord, which the King himself thus recited and ratified under his great Seal.

Pat. 40 H. 3.  
m. 7. dorso.

**H.** Dei gratia Rex Angliæ, &c. Universis ad quos, &c. Salutem in Domino sempiternam. Noverit Universitas vestra quod nobis personaliter existentibus in Capitulo Sancti Swithini Winton. præsentibus A. Dei gratia Electo Winton. & A. Prior & Conventu ejusdem Ecclesiæ, pax & concordia inter dictum Electum ex una parte, & Priorem & Conventum & procuratorem Willi de Taunton ex altera, fuit de consensu partium recitata sub hac forma. Universis Præsentibus Literas inspecturis vel audituris Fr. Adam. de Marisco de ordine fratrum minorum, Judex à Domino Papa delegatus in causis moris inter Venerabilem Patrem A. Dei gratia Winton. Electum ex una parte, ad dictum Will. de Taunton, pro se & Convent. Winton. ex altera, & deputatus & tractandum de pace & faciendum inter eosdem, salutem in Domino. Mandatum Domini Papæ suscepimus in hæc verba,

ALEX.

ALEXANDER Episcopus, servus servorum Dei, Dilecto filio fratri *Ada de Marisco* ordinis minorum, salutem & Apostolicam benedictionem. Dudum inter dilectum filium A. Electum *Winton*, ex una parte, & Dominum *Willielmum de Taunton* Capellanum nostrum Priorem ac Conventum *Winton* ex altera, super diversis Articulis questione suborta & præfatis Electo & Conventui per procuratores, ipso verò *Willielmo* personaliter comparentibus coram nobis tam ex ipsius, *W.* quam ex prædicti Conventus parte plures & varii libelli contra procuratorem præfati Electi ejus nomine oblatis fuerunt, super quorum aliquibus litis contestatio per eundem ipsius Electi procuratorem facta extitit, & super eisdem hinc inde de veritate dicenda juratum; & tandem factis hinc inde rationibus, ad ipsarum aliquas fuit ex utraque parte responsum, prout hæc omnia in Actis super hiis confectis, quæ venerabilis frater *Præneltinus* Episcopus & dilectus filius noster *F. Sancti Nicholas* in carcere *Tulliano* Diaconus Cardinalis quos eisdem partibus audituros concessimus, tibi sub signis transmittunt inclusa plenius perspicies contineri. Verum quia de assertionibus partium apud Apostolicam sedem facere liquere non poterat, nos nolentes causas hujusmodi per Commissiones & remissiones varias in grave *Winton*. Ecclesiæ dispendium prorogari, discretionis tue per Apostolica scripta in virtute obedientiæ districtè præcipiendo Mandamus, quatenus dictis libellis & Actis diligenter inspectis, hujusmodi negotia pace vel concordia, si de partium voluntate processerit, terminare procures, Alioquin per Judicii tramitem seu alias per provisionem prout secundum Deum expedire videris, usque ad sententiam in negotiis ipsis procedas processum postmodum tuum siue causas sufficienter instructus remittens ad prædictæ sedis examen, præfigendo partibus terminum peremptorium competentem, quo se Apostolico Conspectui representent, justam dante Domino sententiam recepturæ. Proviso, quod præfato Priori & Monachis hujusmodi negotia prosequentibus, expensas ad prosecutionem ipsarum necessarias de bonis ejusdem Ecclesiæ fac exhiberi, & super aliis sumptibus, qui in negotiis ipsis opportuni fuerint, quod de prædictis bonis fiant; nihilominus providendo concedimus quoque tibi, ut omnia bona dictæ Ecclesiæ ad ipsum Conventum spectantia, siue antequam incipias in negotiis ipsis procedere, siue post, si volueris, vel tibi videbitur expedire, valeas sequestrare. **Contradictores per Censuram Ecclesiasticam appellatione postposita compescendo, non obstante si personis aliquibus a prædicta sede sit indultum, quod interdici, suspendi vel excommunicari, quodque extra suam Diocesim in Com. trahi, vel ad Judicium evocari non possint per litteras Apostolicas, plenam et expressam non facientes de indulto hujusmodi mentionem, et constitutione de duabus dietis edita in Concilio generali, nec non indulgentia quæ fratribus tui ordinis a præfata sede dicitur esse concessum, quod de causis quæ ipsis a sede committantur eadem se nullatenus introumittere teneantur.** Data *Anagnia* 10. Calend. *Octobris* Pontificatus nostri Anno primo.

Vestraz igitur Universitati notum facimus, quod dicto Domino Electo & Conventui *Winton* & procuratoribus ejusdem, nec non procuratore Domini *W. de Taunton*, in nostra præsentia legitime constitutis, apud *Winton* in Capitulo Sancti *Swithini* dictus Conventus & dicti procuratores destiterunt ab omnibus litibus & questionibus propositis ex parte eorundem in Curia Romana contra eundem Electum, et renuntiaverunt eisdem quamdiu dictus Electus Episcopatum *Wintoniæ* tenuerit. Quam desistentiam & renunciationem ipse Electus in Capitulo acceptavit. Dictus verò Conventus & procuratores memorati protestati fuerunt, quod ipso Electo cedente vel decedente salvæ sint ei omnes quæstiones quas se dicunt habere contra eundem. Promiserunt etiam & concesserunt quod Prior & Obedientarii rationem summariam siue compotum reddent de administrationibus suis dicto Domino Electo suo perpetuo, vel duobus vel tribus viris honestis quos ad hoc deputaverit infra septa Monasterii Sancti *Swithini* præsentibus senioribus Conventus ejusdem. Insuper supplicaverunt dicto Domino Electo, quod si penes eum aliqua residua de bonis Prioratus remanserint, faciat eis exinde subventionem ad debita Monasterii relevanda, & de gratia sua provideat dicto Domino *Willielmo de Taunton* in competenti sustentatione de bonis ipsius Prioratus, & quod circa reformationem Monasterii curam adhibeat diligentem tam in spiritualibus quam temporalibus;

libus, in Priore & in Monachis, ad honorem Dei & salutem animarum, cum ea qua fieri potest Celeritate, & quod de Coquina. Celeri serviente, infirmariæ fiat inquisitio per viros discretos neutri parti suspectos, qualiter præcedentibus temporibus fuit observatum, & prout per inquisitionem invenerit futuris temporibus observetur, & literas suas patentes concedat eisdem pro se & suis, nec ipse nec auditores computi aliquid ad opus suum recipiant. Et si quod residuum fuerit in usus Monasterii convertatur per manus officialium ejusdem Monasterii, de Consilio & consensu Prioris & Conventus. Et pace inter eos taliter reformata, & omni materia discordiæ totaliter sopita, dicto Conventui & singulis de Conventu rancorem, si quem habebat contra eos, ad oscula pacis benigniter recepit. Hæc omnia acta sunt coram nobis ultimo die *Maii*, Anno Domini 1256. In quorum omnium fidem & testimonium præsentibus sigillum nostrum apposuimus. Nos vero utilitatem Ecclesiæ attendentes & tranquillitatem ejusdem pro viribus amplectentes, **dictam pacem Approbavimus**, & ad instantiam dicti fratris *Ada*, & petitionem partium sigillum nostrum præsentis scripturæ apponi fecimus in testimonium veritatis una cum sigillo dicti Conventus. Teste Rege apud *Winton.* 26. die *Junii*.

The King by reason of the vacancy of the Archbishoprick of *Yorke*, presented *John Mannesel* to the Treasureship of that Church, the Dean and Chapter refused to install him therein by his Proctor, unlesse he were personally present, though then employed in the Kings service, pretending it to be contrary to the Custome of that Church, and an Oath they had taken. Whereupon the King issued this Writ, commanding them to install him by his Proctor, notwithstanding this pretended Custome and Oath, being so employed in his and his Kingdoms service that he could not personally resort thither, and that within three dayes space, or else in their default, the Guardian of the Archbishoprick should install him.

Claus. 40 H. 3.  
m. 17. dorso,

**R**EX Decano & Capitulo *Eborum* salutem. Cum nuper vacantem Thesaurariam Ecclesiæ *Eborum* dilecto & fideli nostro *Johanni Mannesel* Præposito *Beverla*, prout ad nos pertinet ratione Custodiæ Archiepiscopatus *Eborum* in manu nostra existentis, contulerimus; ac Mandaverimus ipsum procuratorem suum ipsius nomine per vos, prout moris est, in ipsius possessionem induci: intelleximus, quod vos prætextu consuetudinis Ecclesiæ vestræ, ut dicitur, **Juramento firmata; per quam observatum est**, quod absens per procuratorem super hoc non admittatur in ipsa ad aliquam dignitatem, ipsius procuratorem super hoc admittere, & stallum & locum sibi debitum pro vestra voluntate, **non sine nostri juris injuria disfulistis assignare**. Verum cum idem præpositus in nostris & nostrorum desudando incunctanter obsequiis dudum fuerit Canonicus vester, non videtur nobis, quod pro permutatione hujusmodi debeatis vos sibi sicut in receptione extranei, difficiles exhibere, vel ei necessitatem imponere occasione hujusmodi illuc personaliter veniendi. Quia insuper pro arduis negotiis nostris quæ alii ad præsens credere non possumus nec committere, necesse habuimus ipsum sine dilatione ad partes *Gallicanas* destinare, universitatis vestræ sinceritatem affectuosè rogamus, quatenus attendentes providè quod, Clericus absens de beneficio Ecclesiastico ritè poterit per alium investiri, **nec ulla unquam tempore reperimus aliquos in regno nostro contrarios vel rebelles in exequutione hujusmodi mandati nostri cujuscunque consuetudinis occasione vel statuti in aliquibus Ecclesiis quantumcunque privilegiatis**, quodque ipsius circumspèctio & industria, & nobis & Regno nostro perutiles & necessariæ, & poterit vobis & Ecclesiæ vestræ esse valde fructuosa, possessionem prædictæ Thesaurariæ procuratori suo ipsius nomine assignatis sibi stallis in Choro & loco in Capitulo tam favorabiliter quàm benignè, absque dispendio moræ interim ad eandem Thesaurariam pertinentibus integrè assignare curetis, præcipuè, cum ipse paratus sit quàm citò poterit ad partes illas commodè declinare, quicquid de Jure vel consuetudine fieri debeat in hujusmodi negotio libenti animo facere personaliter & adimplere: Taliter has preces nostras exaudientes, quod in agendis vestris & Ecclesiæ vestræ grata vobis debeamus vicissitudine respondere. Cæterum quia frustroria esset nostra collatio, quod absit, nisi iis cui eam duxerimus faciendam rei collatæ plena ac corporali possessione latetur, dilecto & fideli nostro Magistro *Joh. Clarel*, Custodi nostro Archiepiscopatus memorati, nostris literis damus in mandatis



datis, ut si vos post receptionem præsentium infra trium dierum spatium prædictum mandatum nostrum exequi neglexeritis, ipse extunc illud amoto cujuscumque difficultatis obstaculo exequatur. Teste Rege apud *Winds* 20. die Jan.

Per ipsam Regem, Johannem filium Galfridi,  
& Robertum Walter.

The Dean & Canons of the Cathedral Church of *Lincoln*. petitioning the King, that they might enlarge and remove their Church toward the East part thereof, the King thereupon issued this memorable Writ of *Quod dampnum*, concerning it; before he granted any such licence to them.

**R**EX *Henrico de Bathonia* salutem. Cum dilecti nobis in Christo Decanus & Canonici *Lincol.* Ecclesie nobis supplicaverint, quod licentiam eis concederemus elongandi Ecclesiam suam versus orientem, per remotionem muri orientalis Civitatis nostre *Lincol.* qui est ex opposito ejusdem Ecclesie: Ignorantes utrum hoc fieri posset sine dampno nostro, & detrimento aut nocumento ejusdem Civitatis, Constitumus vos ad inquirendum per Sacramentum proborum, ntrum esset ad dampnum nostrum, aut detrimentum vel nocumentum Civitatis prædictæ si concederemus prædictis Decano & Canonicis quod elongare possint prædictam Ecclesiam suam, & removere prædictum murum versus orientem necne, Et si esset ad dampnum nostrum vel detrimentum seu nocumentum prædictæ Civitatis, ad quod dampnum, quod detrimentum & quod nocumentum. Et si non esset ad dampnum &c. per quæ loca & per quas divisas posset prædicta Ecclesia elongari & prædictus murus removeri sine dampno nostro, & detrimento ac Nocumento ejusdem Civitatis. Et ideo vobis mandamus quod in propria persona vestra accedatis ad prædictam Civitatem, in præsentia Majoris & Ballivorum & aliorum Civium ejusdem Civitatis dictam Inquisitionem & sicut prædictum est, faciatis. Et quod inde inveneritis nobis in reversione vestra ad nos distinctè & apertè scire faciatis. Mandavimus enim Vice nostro *Lincol.* quod ad diem &c. venire fac. coram vobis tot & tales, &c. de Balliva sua per quos &c. In cujus, &c. Teste Rege apud *Westm.* 5. die Nov.

Pat. 40 H. 3.  
m. 12. dorf.  
De Ecclesia  
*Lincol.* Elongan-  
da.

King *Henry* to ingratiate himself with *Rustand* the Popes Legate besides the livings he obtained by the Popes provisions, granted him provisions out of the Ecclesiastical benefices, dignities and prebendaries which should first happen in his own gift, amounting to 300. Marks a year, to be preferred before all others formerly granted by him, one only excepted.

**R**EX Omnibus &c. salutem. Sciatis quod nos damus & concedimus venerabili Patri *P. Hereford.* Episcopo & dilecto Clerico nostro *H. de Wingham* plenam & liberam potestatem providendi dilecto nobis in Christo Magistro *Rustando* Domini Papæ S. diacono & Capellano, vice nostra in primis beneficiis, Ecclesiasticis dignitatibus vel præbendis nobis vacaturis in Regno nostro, ad Collationem nostram suspectantibus usque ad summam CCC. Marcarum per Annum. Quam quidem provisionem omnibus aliis provisionibus a nobis concessis præferri volumus, excepto provisione quam prius concesseramus præfato *Henrico* fac. in dignitate vel præbenda ad collationem nostram spectante in Ecclesia *Sarr.* vel alibi in Regno nostro, si eidem *Henrico* in prædicta Ecclesia *Sarr.* per nos non fuerit provisum. In cujus &c. Teste Rege apud *Winds.* 12. die Maii.

Pat. 40 H. 3.  
m. 12. intus.  
Pro Magistro  
*Rustando.*

The Jews of *Lincoln* having crucified a Christian Child to the great dishonor and disgrace of Jesus Christ, the King out of his Ecclesiastical supremacy, and zeal to vindicate the honor of the name of Jesus Christ, and for the Exaltation of the Christian faith, appointed speciall Justices, diligently to inquire of, and severely to punish this grand offence, by this Patent and Commission:

R E X

Pat. 40 H. 3.  
m. 17. dorf.  
De inquisitione  
quadam capi-  
enda. (de pue-  
ro per Judæum  
Crucifixo.)

**R**EX &c. *Rogero de Turkleby & Nicholas de Turri.* salutem. Quia horribile factum nuper perpetratum in Civitate nostra *Linc.* de Puero Christiano ibidem Crucifixo in dedecus et vituperum Jesu Christi, toto Cordis desiderio vindicari peroptamus, ad ipsius Jesu Christi nominis honorem, fidel Christianæ exaltationem, nec non et pacis nostræ conser- vationem, constituimus vos Justic. nostros ad faciendam pleniorin inquisitionem quia fuerunt de Schola Peytevin Magni, qui fugit pro morte dicti pueri, & de quibusdam articulis dictum factum contingentibus. Et ideo vobis mandamus, quod die Martis prox. ante instantem Dominicam Palmarum, conveniatis apud *Linc.* ad dictam inquisitionem faciendam prout vobis nuper viva voce injunximus. Mandavimus enim Vic. nostro *Linc.* quod 12. tam milites quam alios liberos & legales homines de propinquiorebus Visnet. Civitati *Linc.* & 12. Legales & discretos Cives ejusdem Civitatis, una cum majore Ballivis & Coronatoribus dictæ Civitatis, per quos rei veritas in præmissis melius & plenius investigari valeat & inquiri. Et omnes Judæos et Judæas qui aliquibus Judæis in eadem Civitate infra biennium proximo præteritum sunt obsecuti, dictis die et loco coram vobis venire faciatis ad dictam Inquisitionem plenius faciendum. Et quod ipse Vic. assumptis secum Coronatoribus nostris Com. sui vobis ad præmissa facienda dictis die & loco assistat diligenter, ex parte nostra injunxeritis. In cujus, &c. Teste Rege apud *Norwicum* 27. die *Marci*.

The History of this Childs crucifixion, and proceedings against the Jewes upon this inquisition, is thus recorded by the continuer of *Mat. Paris*.

*Mat. Paris Hist.*  
p. 883, 483.  
Judæi duriter  
tractantur, ob  
puerum ab eis  
crucifixum.  
See Holinshed,  
Grafton, and  
others An. 40.  
H. 3.

Anno quoque sub eodem, circa festum Apostolorum *Petri & Pauli*, Judæi *Lincolniæ*, furati sunt unum puerum, *Hugonem* nomine, habentem ætate octo annos. Et cum ipsum in quodam conclavi secretissimo, lacte & aliis puerilibus alimentis nutrent, miserunt ad omnes ferè *Angliæ* Civitates, in quibus Judæi debebant, & convocarunt de unaquaque Civitate aliquos Judæorum, ut in contumeliam, et opprobrium Jesu Christi interessent sacrificio suo *Lincolniæ*. Padebant enim, dicebant, quendam puerum absconditum ad crucifigendum. Et convenerunt multi *Linc.* Et convenientes, constituerunt unum Judæum *Lincolniensem* pro Judice, tanquam pro *Pilato*. Cujus judicio & omnium favore, affectus est puer diversis tormentis. Verberatus est usque ad cruorem & livorem, spinis coronatus, sputis ac cachinnis lacessitus. Et insuper à singulis pñctus cultellis, qui dicuntur *Anelarii*, potatus felle, derisus probris & blasphemis, & crebrò ab eisdem, frendentibus dentibus, *Jesum* Pseudo-propheta vocatus. Et postquam diversimodè illuserant ei, crucifixerunt. Et Lancea ad cor pupugerunt. Et cum expirasset puer, deposuerunt corpus de Cruce, & nescitur qua ratione eviscerarunt corpusculum: dicitur autem, quod ad Magicas artes exercendas. Mater autem pueri filium suum absentem per aliquot dies diligenter quæsit, dictamque ei à vicinis, quod ultimo viderunt puerum, quem quæsit, ludentem cum pueris Judæorum sibi coætaneis, & domum Judæi cujusdam intrantem. Intravit igitur mulier subito domum illam, & vidit corpus pueri in quendam puteum præcipitatum. Et contè convocatis Civitatis Ballivis, inventum est corpus & extractum. Et factum est mirabile spectaculum in populo: Mulier autem mater pueri, querula, & clamorosa omnes Cives in uno convenientes, ad lacrymas & suspiria provocavit. Erat autem ibidem Dominus *Johannes de Lexingtona*, vir quidem circumspexius & discretus, insuper eleganter literatus. Quia ait: Audivimus quandoque quod talia Judæi in opprobrium Jesu Christi domini Crucifixi, non sunt veriti attemptare. Et èptro uno Judæo, in cujus domum scilicet intravit puer ludens, & ideo aliis inspectior, ait illi: *Miser, nescis quod te festinus manet interitus? Totum aurum Angliæ non sufficeret ad redemptionem tuam aut redemptionem. Veruntamen dicam tibi, licet indigno, qualiter poteris vitam tuam reservare, & membra ut mulieris. Utrumque tibi salvabo, si quacunque in hoc casu agueris, sine falsi flamine mihi pandere non formides.* Judæus respondit ille, cui nomen *Copinus*, sic credens viam invenisse evasivis, respondit, dicens: *Domine Johannes, si dictis facta compensas, panderam tibi mirabilia.* Et animavit eum & stimulavit ad hoc Domini *Johannis* industria. Et ait Judæus: *Vera sunt qua dicunt*

cant Christiani. Judæi ferè quolibet anno, annum puerum in injuriam & contumeliam Jesu crucifigunt: Sed non quolibet anno comperitur. Occultè enim hoc faciunt, & locis absconditis & secretissimis. Hunc autem puerum, quem Hagonem vocant, immiseri- corditer nostri Judæi crucifixerunt, & cum obisset, & mortuum vellent abscondere, non potuit obrui in terra, nec abscondi. Inutile enim reputabatur corpus infantis angurio, ad hoc enim eviscerabatur. Et cum manè putaretur absconditum, edidit illud terra & eva- nuist, & apparuit corpus aliquoties inhumatum supra terram, unde abhorrerunt Judæi. Tandem in puteum precipitatum est, nec adhuc tamen poterat occultari. Mater enim improba omnia persequenda, tandem corpus inventum Ballivus intimavit. Dominus autem Johannes tenuit Judæum vinculis mancipatum. Et cum hæc Canonicis Ecclesiæ Lincolnensis Cathedralis innotuissent, petierunt corpusculum sibi dari, & concessum est illi. Et cum ab infinitis satis consideraretur, honorificè in Ecclesia Lincolnensi, tanquam pretiosi martyris, humabatur. Sciendum, quod Judæi tenuerant puerum vivum per decem dies, ut tot diebus pastus lacte, tormenta vivus multiformia tole- rarer. Cum Rex redisset de partibus Borealibus Angliæ, & certificaretur de præ- missis, increpavit Dominum Johannem, quod tam flagitioso vitam & membra polli- ceretur, quod dare nequiverat. Dignus enim erat blasphemus ille & homicida, mortis poena multiformi. Et cum judicium reo immineret irremediabile, ait: Im- minet mihi mors mea, nec potest mihi Dominus Johannes perituro suffragari. Nunc dico vobis omnibus veritatem: Hujus pueri, de quo calumiantur Judæi, morti consencie- bant omnes ferè Judæi Angliæ. Et cujuslibet ferè Civitatis Angliæ, in qua Judæi habi- tant, quidam electi convocabantur ad illius pueri immolationem, quasi ad Paschale sacri- ficium. Et cum hæc dixisset simul cum aliis deliramentis, ligatus ad caudam equinam, & tractus ad patibulum, aëreis cacodæmonibus in corpore & anima præsentatur. Et alii Judæi, hujus facinoris participes, quaterviginti & undecim, in bigis Londinum ducti, carcerali custodiæ mancipantur. Qui si fortè ab aliquibus Christianis plan- gerentur, ab ætulis eorum Casus suis sicis lachrymis deplorabantur.

Postea verò, per inquisitionem Justiciariorum Domini Regis præceptum fuit & inventum, quod Judæi Angliæ communi consilio puerum innocentem, pluribus die- bus flagellatum, interemerunt crucifixum. Sed postea pro iniquitate illa, matre dicti pueri contra ipsos de tali morte appellationem suam coram Rege constanter prosequente, Deus ultionum Dominus dignam pro meritis reddidit retributionem. Nam in die Sancti Clementis, octodecim de d tioribus & Majoribus Civitatis Lincoln- ensis fuerunt tracti, & ad fureas novas, ad hoc specialiter præparatas vento præ- sentati. Et in Turri Londinensi, plusquam viginti tres ad simile judicium in carcere sunt reservati.

Octodecim Jæ-  
dæi tracti ad  
patibulum &  
suspensi.

I find a Pardon granted by the King to one John a Convert Jew, pro morte pueri nuper Crucifixi apud Lincoln. ad instantiam dilecti nobis in Christo fratris Johannis de Darbuton: Ita tamen quod sit rectus in Curia nostra, si quis versus eum inde loqui voluerit.

\* Par. 40 H. 3.  
m. 18.

The Archbishop of Tuam and his Suffragans in Ireland, complaining to the Pope this year (as they did to the \*King the year before) of divers abuses done to them and their Tenants by the Kings Justices and Bayliffs in Ireland, procured a Bull from the Pope to Excommunicate the Justices and Bayliffs, as well as others, not- withstanding the Kings Prohibition or other Constitutions, thus entred in the Patent Rolls.

\* Here p. 82.  
828.

Omnibus presentes Literas inspecturis, Johannes de Camesian Domini Papæ Cæ- pellanus, & ejusdem Contradictorum Auditor. salutem in Domino. Noveritis quod cum Magister Michael Clericus Procur. Venerabilium Patrum Archiepiscopi Tuamen. & Cluensis. Elfinen. Cluacen. Attoden. & Alleden. Episcoporum, Suffra- ganeorum ejus proipsis impetrasset Literas Apostolicas sub hac forma.

Par. 40 H. 3.  
m. 13.  
Hybern.

ALEXANDER Episcopus, &c. Venerabili fratri Episcopo, & dilectis filiis Decano & Archidiacono Finabaryn. salutem, &c. Ex Venerabilium fra- trum nostrorum Archiepiscopi Tuamen. & Cluensis. Elfinen. Cluacen. Attoden. & Alleden. Episcoporum, Suffraganeorum ejus conquestione didicimus, quod Johan- nes filius Grosesfridi nunc Hybernia Justiciarius, Richardus de Rochella, Johannes dictus Cumyn, Milites, & quidam alii Ballivi charissimi in Christo filii nostri Regis Anglorum illustris, contra personas Ecclesiasticas eisdem Archiepiscopo & Episcopis subditis ob- erimen vel suspicionem criminis, & interdum ad suggestionem malevolam aliquorum

5 R

privatas



privatas Inquisitiones faciunt, ipsos non convictos nec confessos, nequiter capiunt, tradunt in vincula, & sub detentione sacrilega carceralibus tormentis affligunt. Cumque illos repetit Ecclesiasticus Iudex suus, ut ejus subisciantur Judicio cui cadunt, tunc demum eos obinet sibi reddi cum eorum detentoribus sacrilegis, certam exhibuerunt cautionem vel Literas Patentes ipsius quod in certo termino eadem personæ coram Judice compareant seculari, ut ibi defendant in forensi strepitu causas suas. Quia igitur in oīs plurimum libertas Ecclesiastica concutatur, ac ideo non decet nos ea consensibus oculis pertransire, discretioni vestræ per Apostolica scripta mandamus, quatenus cognita super his diligenter veritate, Ballivos ipsos quod ab hujusmodi præsumptionibus conquiescant monitione præmissa, per censuram Ecclesiasticam appellatione postposita compescatis, non obstante Prohibitione Regia, vel Constitutione de duabus dietis edita in Concilio generali, dummodo ultra tertiam vel quartam aliqui extra suam diocæsim auctoritate præsentium ad Judicium non trahantur. Quod si non omnes, &c. tu frater Episcopo, &c. Dat. Anagnia in Non. Decembris, Pontificatus nostri anno primo.

\* See here p. 829, 830.

The Kings Proctor at *Rome* being informed of this Bull, protested against the clauses in it relating to the Kings \* Justices and Bayliffs, as contrary to the Kings Prerogative; whereupon the adverse party were contented to waive that clause, and that it should not be extended to them to their prejudice, as this entry under it in the Patent Roll demonstrates.

Pat. 40 H. 3. m. 15.

Eisdem Literis Finatus Domini Papæ Subd. & Robertus de Baro, Procur. illustris Regis Angl. pro Justic. Ballivis, Præpositis, & Offic. ipsius, in audientia publica contradixerunt: Timentes dictum Johannem Justic. Richardum de Rochella, & alios in Litera ipsa contentos per hujusmodi Literas, & non contentos in ea per illam generalem clausulam quidam alii conveniri. Quas tandem ea conditione absolverunt, quod dicti Johannes filius Gottefridi nunc Hybernia Justic. Richardus de Rochella, Johannes Dominus Cumyn, Milites, & alii Justiciarii, Ballivi, Præpositi, & Officiales Regis, ejusdem ratione officii non conveniantur, nec eis per prædictas Literas præjudicium aliquod generetur, nec ad ipsos eadem Literæ ratione prædicta aliquatenus extendantur. Quod pars altera promisit sponte, et acceptabit solenniter coram nobis. In cujus rei testimonium præsentis Literas fieri fecimus & nostro sigillo muniri. Dat. Lateran. Non. Decembris, Pontificatus Domini Alexandri Papæ quarti, anno primo.

At the same time the Archbishops Proctor procuring a Bull from the Pope, for the Bishops in *Ireland* to hold Plea of all Advousons and Rights of Patronage, as belonging properly to Ecclesiastical Courts, and to Excommunicate the Kings Justices and Bayliffs who should hold any Plea of them in the Kings Temporal Courts, notwithstanding the Kings Prohibitions; the Kings Proctors at *Rome* opposed those clauses, as prejudicial to the Kings Crown, Courts, Justices, Officers: whereupon it was then agreed by the adverse party, that they should not be extended to them, thus entred in the Patent Rolls.

Pat. 40 H. 3. m. 15. dorso. Hibern.

Omnibus præsentis Literas inspecturis, Johannes de Camerac Domini Papæ Capellanus, & ejusdem Contradictorum Auditor, salutem in Domino. Noveritis quod cum Magister Michael Clericus Procur. Venerabilium Patrum Archiepiscopi, & Suffraganeorum Ecclesiæ Tuamensis pro ipsis impetrasset Literas Apostolicas sub hac forma.

ALEXANDER Episcopus, &c. Venerabili fratri Episcopo, & dilectis filiis Officiali & Archidiacono Finaburum, salutem, &c. Molesta nostris auribus Venerabilium fratrum nostrorum Archiepiscopi & Suffraganeorum Ecclesiæ Tuamensis venit assertio, videlicet, quod Mauritius filius Giraldis, Walterus de Burgo, Richardus de Rochella, Mylerus de Breminghth. Johannes de Cotton, Milites, & quidam alii

ali Ballivi Regu in *Hibernia* non attendentes, quod ius Patronatus adeo est spiritualibus causis annexum ut ad Ecclesiasticum debeat iudicium pertinere, ipsa emergente, super hoc et aliis etiam ad eorundem Archiepiscopi et Suffraganeorum eorum spectantibus questionibus coram se in forensi faciunt strepitu ventilari, et Patrimonialibus ac Testamentariis duntaxat questionibus eorundem Archiepiscopi et Suffraganeorum iudicio reservatis, eis cognitionem aliorum omnium interdiciunt, in salutis propriæ detrimentum, subversionem Iustitiæ ac derogationem Ecclesiæ libertatis. Quia igitur in his periclitatur evidenter animæ suæ salus, discretionem vestræ per Apostolica scripta mandamus, quatenus si est ita, eosdem Ballivos, quod ab eorundem Archiepiscopi et Suffraganeorum iniuriis conquiescant, monitione præmissa per censuram Ecclesiasticam appellatione remota, veritate cognita, compestratis, non obstante Prohibitione Regia, vel Constitutione de duabus dietis edita in Concilio generali, dummodo ultra tertiam vel quartam aliqui extra suam diocæsiam auctoritate præsentium ad iudicium non trahantur. Quod si non omnes, &c. Tu frater Episcopo eorum altero, &c. Dat. *Literan.* Non. Decembr. Pontificatus nostri anno primo.

• Ecclesiasticæ

**E**isdem Literis Finatus Domini Papa Subd. & Robertus de Baro, Procur. illustris Regis Angliæ pro Justiciariis, Ballivis, Præpositis, & Officialibus dicti Regis, in audientia publica contraxerunt: Timentes dictum *Mauritium, Woburnum de Burgo*, & alios in Litera ipsa contentos per huiusmodi Literas, & non contentos in ea per illam generalem clausulam, quidam alii conveniri. Quas tandem ea conditione absolverunt, quod dicti *Magistri filius Giraldis, Walterus de Burgo, Richardus de Rochella, Mylerus de Brevingh.* Johannes de Cotton, Milites, & alii Justiciarii, Ballivi, Præpositi, & Officiales ejusdem Regis in *Hibernia*, ratione officii non conveniantur, nec eis per prædictas Literas præjudicium aliquod generetur, nec ad ipsos eadem Litera ratione dicti officii aliquatenus extendantur. Quod pars altera promisit sponte et acceptavit solenniter coram nobis. In cujus rei testimonium præsentis Literas fieri fecimus & nostro sigillo muniri. Dat. *Literan.* pridie Idus Decembris, Pontificatus Domini *Alexander* Papæ quarti anno primo.

The Bishop of Ely being content to go Embassador into Spain about the Kings important affaires, was sued before the Popes Delegate by some of the Popes Merchants for 300. marks principal, and 100. marks interest, and threatned to be tryed and excommunicated by others of them for the like sum in Court Christian, for which debts he and others were obliged to the said Merchants by the Pope and his Agents, without their privy, for the Kings use. The Bishop thereupon refused to go Embassador, unlesse the King would first free him from these debts and suits; whereupon he issued these Letters Patents to his Treasurer, to satisfy these Merchants out of the first monies received in the Exchequer at Michaelmas following.

**R**EX Philippo Lovell, & Edwardo de Westm. salutem. Cum Venerabilis Pater *W. Elyensis* Episcopus, ad magnam instantiam nostram nobis concesserit, se iurum in Nuncium nostrum in *Hispaniam*, pro urgentibus negotiis nostris, injunximus. Et Genalis Gentil. *Fredericus, Orlandi*, & eorum socii Mercatores *Senen.* ipsum Episcopum trahant in causam coram Magistro *Alex. de Forentin.* Iudice a Domino Papa Delegato, super Trecentis Marcis de sorte, et Centum Marcis de interesse: Et *Matthæus Reynerii, Jacobus Thes,* & socii sui Mercatores *Senen.* eundem Episcopum proponant in Curia Christianitatis, super consimili pecuniæ quantitate: In quibus quidem debitis dictis Mercatoribus tenemur, et pro quibus idem Episcopus, vos et quidam alii Clerici nostri familiares dictis Mercatoribus pro nobis estis obligati. Ac idem Episcopus assumptum iter versus *Hispaniam*

Claus. 40 R. 3;  
m. 2. dor.  
Pro Elyensi  
Episcopo.

nolit accipere nisi indemnitati suæ in hac parte ante iter acceptum fuerit prospectum. Vobis mandamus, quod sicut nos & honorem nostrum diligitis, erga ipsos Mercatores taliter sine dilatione laboreris, quod idem Episcopus ab exactione totius debiti penitus liberetur. Volumus enim & vobis mandamus, quod eidem Mercatoribus de primis denariis receptis ad Scaccarium Sancti Michaelis instantis de prædicto debito ad liberationem nostram & vestram satisfiat. Et hoc pro nullo mandato nostro vobis directo vel dirigendo omittatis. Ita vos habentes in hac parte ne per defectum iter dicti Episcopi retardetur ulterius, per quod dictus Episcopus ad nos vacuus revertatur, & exinde irreparabile dispendium incurramus. Et ut securius & celerius istud negotium faciat, mittimus vobis super hoc Literas nostras Patentes. Teste Rege apud *Clarendon*, 8. die *Julii*.

\* See here p. 829, 830.

It seems there issued an Attachment against the Bishop of *Worcester*, for not absolving the Sheriff of *Worcester* and his Bayliffs upon the premised \* Prohibition; whereupon the Bishop condescending to absolve them for a time, the King superseded the Attachment by this Writ.

Claus. 40 H. 3.  
m. 14. dorso.  
De Priore de  
Thurgarton.

**Q**uia *W. Wygorn.* concessit relaxare usque in quindenam Paschæ proximo futuram. sententias excommunicationis latus in quosdam Ballivos *Uic. Wygorn.* occasione quarundam districtionum quas fecerunt in terris prædicti Episcopi, ut dicitur, Rex etiam concessit quod districtiones quæ sunt pro ipso Episcopo attachiando occasione prædicta relaxentur. Et mandatum est *Uic. prædicto*, quod districtiones quæ sunt pro Attachamento prædicto interim faciat relaxari in forma prædicta. Teste Rege apud *Sanctum Albanum* 25. die *Februarii*.

\* Here p. 821.

The Bishop of *Hereford* having been the original contriver of all the \**forged Obligations* to the Pope for great sums of money, wherein other Bishops, Abbots, Priors and Covents were obliged to the Popes Usurers in what vast sums he pleased, without their privacy; and the Popes and Kings prime Instrument to levy the Dismes and other Exactions pretended to relieve the *Holy Land*, like a cunning decoy, caused himself and his Church to be obliged in the sum of 4000 Marks to the Popes Usurers, to palliate his fraud, but yet procured this special Writ from the King, and Bull from Pope *Alexander*, to reimburse these monies out of the Dismes he should collect in *England* and *Ireland*, and to levy them with severity, when as all other Bishops, Abbots, were enforced to pay their forged Obligations as just debts, without any relief at all.

Claus. 40 H. 3.  
m. 16. dorso.  
Pro Hereford.  
Episcopo.

**R**EX Magistro *Laurentio de Somercote*, salutem. Cum Venerabilis Pater *P. Hereford.* Episcopus, à Domino Papa existat ad colligendam pecuniam decimæ nobis concessæ, & etiam obventiones redemptionum votorum cruce signatorum in *Hibernia*; Ac idem Episcopus in *Curia Romana*, nuper de mandato Domini Papæ et Cardinalium, obligaverit se et Ecclesiam suam *Heref.* pro quatuor millibus *Marc.* quas mutuo recepit a *Spilleto* et *Eymero Combis* eorumque sociis *Florent.* Civibus et Mercatoribus, pro expeditione negotii Regni *Sicilie Edm.* nato nostro concessi. Ac idem Dominus Papa indemnitati ipsius Episcopi et Ecclesiæ suæ *Heref.* prospicere volens in hac parte, mandaverit eidem Episcopo, quod decimas et obventiones redemptionum votorum in *Hibernia*, et in Episcopatibus *Wygorn.* *Hereford* et *Coventr.* Civitat. et Dioc. recipiat et retineat donec sibi et Ecclesiæ suæ prædictæ usque ad summam prædictorum quatuor millium *Marcarum* plene fuerit satisfactum: Nos mandatum Domini Papæ pro exoneratione dicti Episcopi & Ecclesiæ suæ in hac parte gratum habentes, Vobis duximus significandum, quod placet nobis, quod eidem Episcopo de prædictis decima & obventionibus usque ad summam prædictam juxta mandatum Apostolicum plenarie satisfiat. In cujus, &c. Teste Rege apud *Wodestock* 13 die *Februarii*.

The



The Popes Bull for this purpose was hereunto subjoyned.

**A**LXANDER Episcopus servus servorum Dei, Venerabili fratri Episcopo *Hereford.* salutem & Apostolicam benedictionem. Licet nos tibi per alias nostras sub certa forma demus Literas in mandatis, ut decimam omnium Ecclesiasticorum proventuum tam Archiepiscopalem & Episcopalem, quam etiam Cathedralium & aliarum Ecclesiarum, ac Monasteriorum exemptorum & non exemptorum, charissimo in Christo filio nostro illustri Regi *Anglie*, usque ad certum tempus ab Apostolica sede possessam pro subsidio *Terra Sancta*, necnon redemptiones votorum cruce signatorum, postquam per deputatos ad hoc a sede Apostolica a vobis huiusmodi fuerint absoluti, & legata indistincte, ac obventiones ex quacunque causa huiusmodi provenientes subsidio in *Hibernia & Wigornia, Hereford. & Coventr.* Civitatibus & Dioc. per te vel per alium seu alios integre colligere, ac in aliquibus tuis locis deponere, atque ad opus ipsius Regis conservare procures. Quia tamen te et Ecclesiam tuam indempnes conservare volumus, super summa quatuor millium Marcarum sterlingorum quam de nostro et fratrum nostrorum mandato, pro expediendis quibusdam negotiis predicti Regis, a *Spilieto et Eymero Comiti* eorumque sociis *Florent.* Civibus et Mercatoribus mutuo recepisti, te ipsis propter hoc & predictam Ecclesiam obligando, prout in instrumento publico super hoc confecto plenius dicitur contineri, fraternitati tue retinendi tamdiu ea omnia quae de predictis decima, redemptionibus, legatis & obventionibus earundem *Hibern. Civitatum & Dioc.* percipere te continger, donec tibi ac praefatae Ecclesiae de predicta quatuor millia Marcarum summa, damnis, expensis, quae propter hoc incurres, ac etiam interesse pro parte Regis predicti fuerit plenarie satisfactum. Necnon & contradictores super hoc per censuram Ecclesiasticam, appellatione postposita, compescendi plenam & liberam concedimus auctoritate praesentium potestatem. Non obstante si personis aliquibus a sede Apostolica sit indultum, quod interdici, suspendi, vel excommunicari non possint per Literas Apostolicas, plenam et expressam aut de verbo ad verbum non facientes de indulto huiusmodi mentionem. Dat. *Neapoli 7 Kal. Maii*, Pontificatus nostri anno primo.

Class. 40 H. 3.  
ms. 16. d. 10.

No wonder then if the continuer of *Matthew Paris* renders us this account of this Bishops employment this year, instead of preaching Gods word, and discharging his Episcopal duty, which he neither minded nor prosecuted.

Episcopus *Herefordensis*, non considerans Reipublicae utilitatem, sed quae sua esse possent, investigans, de licentia Papae & Regis, decimam sibi collegit in finibus *Hibernia & partium conterminarum*: Videlicet non minimam pecuniae quantitatem, quam pretium sui laboris reputavit, et suae praemium praedicationis, fecitque ipsam sibi tam districte colligi, ut pudor prohibuerat modum extorquendi recitare. Et quia fraus metu carere non consuevit, meticolosus armatis, & armatus vallatus incessit.

Mat. Paris Hist. Angl. p. 907.  
Episcopus Herefordensis sibi colligit decimam.

How diligently the Dismes, profits of Benefices, dispensations of Vows, pretended to be granted for relief of the Holy Land, were collected, though diverted to other ends by the Popes and Kings commands, for obtaining the Kingdom of *Sicily* for *Edmund* the Kings son, and satisfying the Popes Usurers and Agents such sums as the Pope prescribed, with some other matters and proceedings concerning it, will appear by these ensuing Records.

**R**EX Omnibus, &c. salutem. Cum negotium gratiae Crucis, & etiam decimarum proventuum Ecclesiasticorum beneficiorum nobis a Domino Papa concessa, de consilio nostro dilecto nobis in Christo Abbati de *Flexis* sit specialiter commissum: Vobis mandamus, quatenus cum ex parte ipsius Abbatis super expeditione negotii memorati fueritis requisiti, consilium & juvamen vestrum adeo efficaciter praestatis eidem, quod diligentiam vestram nobis sentiamus fructuosam, & quod eam merito debeamus commendare. In cuius, &c. Teste Rege apud *Winson*, 30 die Junii.

Pat. 40 H. 3.  
m. 7. intus.  
De negotio Crucis.

REX

Pat. 40 H. 3.  
m. incus.  
Quia redditus  
fuerunt brevia.

**R**EX Dilectis sibi Magistris *Burn. de Sin.* Domini Papæ Subd. & Capellano & *W. de Litchfield*, Canonico Sancti Pauli London. & *W. de Plumpton*, ejusdem Domini Subd. & Capellano Clerico suo salutem. Mandavimus vobis quatenus omni occasione remota tradatis dilecto nobis *Phil. Lovell*, Thesaurario nostro 1300. Marcas de pecunia Crucis & de decima quæ est in vestra custodia per visum fratris *I de Kanc.* de ordine Minorum. Volumus enim & Mandamus, quod idem Thesaurarius noster præfaram pecuniam vobis postpositis omnibus aliis negotiis sine dilatione restituat de primis denar. quos recipiat, ad Scaccarium nostrum de instanti termino Sancti Mich. futuro. Et promittimus vobis super hoc penitus indemnes conservare. Teste Rege apud *Westm.* 8. die Septembris. In præsentia Regis. Per *Richardum Com. Glouc. & Herif. & Johm. Mansell, Henr. de Bathon. & Magistrum Johm. Mansell.*

Ibidem.

**R**EX Eisdem salutem. Cum Dominus Papa nobis mandaverit, quod faciamus solvi *Mayneto Spina, Petro Bonetcase, & Rusticillo Cambi*, vel eorum alicui sociis *Spilari* duo millia marcarum *Retlingorh*, *Carlino vero Giffet*, & *Jacobo Devanzari*, vel eorum alteri sociis ejusdem *Refuati*, totidem ac *Aldebrando Aldebradum, & Raymundo Bonacensi*, aut alteri eorum Soc. *Roland* prædicti tantundem, suo nomine de pecunia sive de Decima proventus Ecclesiasticorum nobis ab Apostolica sede concessa, vel redemptionibus votorum Concessuatoz, seu ex alia quacunque causa. Et *Raymundo Barbui, & Henricus Hermi*, Cives & Mercatores nostri *Sen.* pro se & Sociis suis quibus eadem Decima, & nos pro facto Regni *Sicil.* sumus in quibusdam aliis summis obligati se opponant, vobis de voluntate prædictarum societatum mandamus, quatenus præfatis Societatibus, pro evitandis eorum clamoribus, æquales solutiones faciatis de prædicta pecunia, donec prædicta sex Millia de quibus mandabit nobis Dominus Papa fuerint persoluta, et aliis Mercatoribus nostris alia sex Millia de pecunia memorata. Teste ut supra. In præsentia Regis emanarunt ista duo paria Literarum; & per *R. Com. Glouc. Johannem Mansell, Henr. de Bathon. & Magistrum Johannem Mansell*, & ista duo paria Literarum tradita fuerunt *Philippo Lovell.*

These Papal Exactors, levying this Disme upon Poor Hospitals, the King upon complaint, respited the collecting of it from them, till further advice therein, by this Writ.

Claus. 40 H. 3.  
m. 5. dorſ.  
Pro Hospit. de  
Saundon.

**Q**uia Rex exactionem decimæ Regi à sede Apostolica concessæ, de bonis pauperum Hospitalium Regni *Anglia* posuit in respectum donec aliter inde providerit; Mandatum est Priori Sancti *Andrea North.* Commissar. Magistri *Roland* Negotii Crucis Executoris, quod Exactionem quam facit Magistro & fratribus Hospitalis Sanctæ *Maria Magdalana de Saundon*, de Decima prædicta, prædictum Hospitale contingente, ponant in respectum usque ad quindenam Sancti *Michaelis* instantem, ut Rex tunc super hoc consilium habeat. Teste Rege apud *Woodst.* 20. die Augusti.

The King and *Rustand* being jealous that *Robert de Winton*, one of *Rustands* deputies, would cheat them of the Disme collected, superseded his Commission by this Writ.

Claus. 40 H. 3.  
m. 7. dorſ.  
De Decima.

**R**EX Episcopo *Cicestren* salutem. Licet Magister *Robertus de Winton*, qui se gerit pro Commissar. Magistri *Rustandi* negotii Crucis executoris, ex parte nostra & per dilectos nobis in Christo Magistrum *Willielmum de Litchf.* & Magistrum *Nicholaum de Plumpton*, Commissar. prædicti Magistri *Rostandi* in negotio prædicto sufficienter esset monitus, ut nisi de pecunia Crucis quam idem *Robertus* tempore suæ Commissionis collegerat, & de actis & aliis hujusmodi negotium tangentiis primo poneret rationem, cum præfatis Magistris *Willielmo & Nicholao*, Commissioni quam ab eodem Magistro *Rostando*, super prædicto Negotio Crucis se habere prætendit, penitus superfederet, Idem tamen *Robertus* spretis monitionibus prædictis se transtulit ad Episcopatum vestrum, & ibidem magnam pecuniam *Terre sanctæ* subsidio deputatam, dicitur collegisse. Quia vero pecunia per eum collecta & penes ipsum deposita videtur fortunæ & periculo subiacere, Vobis mandamus, quod nullatenus sustineatis quod præfatus Magister *Robertus* de cætero in Episcopatu vestro se intro-

mittat

mittat de negotio prædicto, & pecuniam per ipsum in Diocesi vestra collectam ubicunque in eodem Diocesi reposita fuerit salvo custodiri procuretis, Ita quod prædictus *Robertus* de cætero ad eam manus non apponat, & quod nobis seu Collectoribus Decimæ supradictæ inde possit integrè & sub securitate responderi. Teste Rege apud *Glouc.* 20. die *Julii*.

Et mandatum est Vic. *Sutht.* quod domos & omnes possessiones quas prædictus *Robertus* habet apud *Wintoniam*, & alibi in Balliva sua capiat in manum Regis, & eas salvo custodiat donec Rex aliud inde præceperit. Teste Rege apud *Glouc.* 21. die *Julii*.

Et mandatum est Vic. *Suffex.* quod si ipsum *Robertum* in Balliva sua contingeret inveniri, eum arrestari faciat donec a Rege aliud super hoc habuerit mandatum. Teste ut supra.

The King issued these Letters to promote this Disme in *Gascoign, Jersey, Jersey, Oleron and Wales.*

**R**EX Archiepiscopis, Abbatibus & Prioribus, & Omnibus aliis Ecclesiis Prælatibus, Comitibus, Baronibus, Militibus, & omnibus aliis Ballivis & fidelibus suis *Walscon.* & Insularum de *Geres, Gerner, & Oleron*, salutem. Mittimus ad partes vestras dilectum Clericum nostrum Magistrum *Gilbertum Millers*, executorem negotii Crucis, super collectione Decimæ nobis a Domino Papæ concessæ in subsidium *Terra sanctæ*. Universitatem vestram rogantes et exorantes in fide et dilectione quibus nobis tenemini, quatenus ob amorem Crucis, cuius negotium principaliter attenditur in hac parte, et nostræ prosecutionis instantia, præfato Magistro et Collegis suis expeditionem et promotionem, istius negotii efficaciter assistentis Consilium et jubamen vestrum, ita curialiter & diligenter impendentes eadem, quod exinde mereatur vestræ promptitudinis devotio commendari. In cujus &c. Teste Rege apud *Westm.* 6. die *Novembris*.

Pat. 40 H. 3.  
m. 12. dorf.  
De negotio  
Crucis.

**R**EX Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Vicecomitibus Ballivis, & aliis fidelibus suis per *Walliam* constitutis salutem. Cum negotium nostrum tam de Collectæ Decimæ proventuum Ecclesiasticorum totius *Wallie*, quam de omni alia pecunia *Terra sanctæ* debita, & nobis pro executione voti nostri ab Apostolica sede concessa, commissum sit de Concilio nostro Religioso viro Abbati de *Flexley*, vos attentè rogamus & affectuose requirimus & mandamus, quatenus sitis ei in auxilium ad colligendum & levandum huiusmodi pecunias in *Wallia*, ad opus nostrum, maxime contra illos qui non permittunt se per Censuram Ecclesiasticam justiciari, præstantes eidem consilium, auxilium et securum conductum per terras et Ballivas vestras cum ab eo fueritis requisiti. Tantum super hoc facientes, quod fidem & devotionem vestram debeamus proinde merito commendare. Teste meipso apud *Westmonasterium* 21. die *Octobris*, Anno Regni nostri 40.

Pat. 40 H. 3.  
m. 2. dorf.  
De Decima.

**R**EX Dilectis sibi in Christo Magistris *Bernardo de Sen.* Domini Papæ subdiacono & Capellano, *W. de Litchfield*, Canonico Sancti *Pauli London.* & *N. de Plumpton* ejusdem Domini Papæ Subdiacono & Capellano Clerico suo salutem. Mandamus vobis attentè rogando quatenus secundum formam Commissionis vobis factæ à discreto viro Magistro *Rustando*, Domini Papæ Subdiacono et Capellano, negotii Crucis executore, exactissimam recipientes rationem a Collectoribus Decimæ et pecuniæ Crucis singularum Diocesum nobis a sede Apostolica concessæ, detis nobis distinde et aperte scire proximo festo beati *Edwardi*, quantum ascendit huiusmodi pecunia et decima in quolibet Episcopatu, et qualiter inde responderunt, et quomodo super hoc se habuerint prædicti Collectores. Teste Rege apud *Westm.* 29. die *Augusti*. Anno Regni 40.

Pat. 40 H. 3.  
m. 5. dorf.

**R**EX Magistris *Willo. de Ros.* & *Alexo de Sabaud.* Commiss. Venerabilis patris *P. Herford.* Episcopi in *Wygorn, Covent.* & *Herford.* Civitatibus & Diocibus super negotio Crucis, salutem. Mandamus vobis in fide et dilectione qui-

Pat. 40 H. 3.  
m. 6. dorf.  
De negotio  
Crucis.



quibus nobis tenemini firmiter injungentes quod ad mandatum prefati Episcopi nulli parcendo compellatis. *Templar. Hospit. et Cisterciens.* predictarum Civitatum et Diocesium ad solutionem decimarum parochialium Ecclesiarum, quas in proprios usus tenent tanquam prebende personarum et exactioni decimarum ceterorum bonorum eorumdem Religiosorum superseatis omnino, donec inde a predicto Episcopo receperitis aliud in mandatis. In cujus, &c. Teste Rege apud *L. de bir.* 4. die *Augusti.*

Sub eadem forma Mandatum est Magistro *Laur. de Samkac.* Commissar. predicti Episcopi in *Hibernia* super negotio Crucis. Teste ut supra.

Pat. 40 H. 3.  
m. 10. dorso.  
De duobus  
Millibus Mar-  
carum ad ex-  
pensas Abbatis  
Westm. & al-  
as Nunciatorum  
Regia.

**R**EX Omnibus &c. Sciatis nos mutuo recepisse à *Maynito Spyns, Hugonia Marci, Carlino Gumberti,* & sociis suis Civibus & Mercatoribus *Florent.* 2000. Marcas sterlingorum ad expensas Abbatis *Westm.* & quorundam aliorum Nunciatorum nostrorum quos nuper ad Curiam, *Romanam* misimus, et ad quendam debitam in eadem Curia nomine nostro solvenda. Quae quidem duo Millia Marcarum, eisdem Mercatoribus solvi mandavimus per Abbatem de *Fantibus* & Collegam suum Collectores decimarum nobis concessae in provincia *Eborum,* de eadem decima. Ita quod facta eisdem Mercatoribus solutione eorumdem duorum Millium Marcarum per Abbatem predictum & Collegam suum, praesentes literae nobis sine dilatione restituantur ab eo tempore in nullo postmodum valiturae. Quod si predictus Abbas & Collega suis predicta duo Millia Marcarum predictis Mercatoribus infra octavas Sancti *Johannis Baptistae.* Anno &c. 40. non reddiderint, volumus quod iidem Mercatores predicta duo Millia Marcarum recipiant de exitibus Archiepiscopatu, Episcopatu, Abbatatu, & Prioratu primo vacaturorum in Regno nostro & ad manus nostras devenientium, & exitus predictos eisdem Mercatoribus obligamus, Ita quod nihil inde in usus alios convertamus, nec inde aliter ordinare vel eos aliis obligare valeamus, donec eisdem Mercatoribus de dilectis MM. Marcarum inde plenius fuerit satisfactum. In cujus &c. *Per Regem & Consilium suum.*

Pat. 40 H. 3.  
m. 10. dorso.  
De negotio  
Crucis.

**R**EX Archiepiscopis, Episcopis, Abbatibus, Prioribus, Vicecomitibus, & omnibus Ballivis, &c. Cum dilectus nobis Magister *Rostaldus,* Domini Papae Subdiaconus & Capellanus negotii Crucis Executor, à sede Apostolica deputatus, de consensu & voluntate nostra commiserit dilectis nobis Magistro *Bernardo de Ses,* Magistro *Willielmo Leychesford,* & Magistro *Nicholas de Plumpton,* vices suas tam super decima nobis concessa, quam super negotio Crucis. Vobis mandamus rogantes quatenus eisdem Magistro *Bernardo,* Magistro *Willielmo,* & Magistro *Nicholas,* in hiis quae decimam predictam & negotium Crucis contingunt amore nostri auxiliantes sitis & consulentes quoties ab eis fueritis requisiti, pro quo vobis grates facere debeamus speciales. Teste meipso apud *Westmonasterium* 12. die *Junii.*

Pat. 40 H. 3.  
m. 13. dorso.  
De negotio  
Crucis.

**R**EX Omnibus &c. Sciatis quod compositionem *Marild.* quae fuit Uxor *Hervici Bode,* & *Henricum,* & *Johannes* filii ipsius *Hervici,* Executores Testamenti ipsius *Hervici,* fecerunt cum dilecto nobis Magistro *Rostaldo,* Subdiacono & Capellano Domino Papae negotio Crucis Executore, super indistincte Legat, nobis à Domino Papa concessis per xl. Marcas ad opus negotii quod Assumpsimus, ratum habemus & acceptum. In cujus &c.

Pat. 40 H. 3.  
m. 40.  
Pro Domo Mi-  
litarum Templi.

**R**EX Militibus & liberis hominibus & omnibus aliis tenent. de Domo Militum Templi in *Anglia,* salutem. Qui flebili eventui Christianitatis *Terra sancta* quam Christus suo sanguine consecravit, pie non compateretur, merito non esset cenendus Christianus. Cum igitur inter universas et singulas domos Religiosas totius Orbis, predicta domus Templi fortius gravetur et gradus damificetur propter defensionem *Terra sancta,* et dolenti capiti singula membra compati teneantur; universos et singulos hos durimus exorandos, quatenus de necessitate virtutem faciens, ad id gratis concedentes, ad quod si necesse foret compelli deberetis, ita efficeret auxilium prefatae Domui facere concedatis, quod tam apud Deum quam homines possitis inde merito commendari, (although those

those who thus grossly cheated them of their money designed onely for the business of Sicily, and the Popes and Kings coffers, deserved no commendation from God or men) et a nobis favorem et gratiam promereri debeatis. Ad quod eo fortius tenemini quo per libertates domus prædictæ, potius defensi estis et specialiter muniti. Teste Rege apud Sanctum Albanum, 25. die Februarii.

Sub hac forma processerunt 22. paria Literarum.

The King fearing least *Russand* and the Popes agents, imployed in collecting the Dismes and monies granted him for relief of the *Holy Land*, should dispose thereof to the Popes Merchants at their pleasure; without his privy, issued this prohibition and Mandate to them.

**R**EX Magistro *Russando* Subdiacono & Capellano Domini Papæ, & fratri *Johanni de Kanc.* ordinis fratris Minorum, executoribus negotii Crucis à Domino Papa deputatis, salutem. Quia de intentione et voluntate Domini Papæ, super pecunia negotii Crucis nondum nobis plenius constat, et per Nuncios nostros quos ad Curiam Romanam prædem misimus inde in hævi credemus certiorari, vobis mandamus firmiter injungentes, ac districtius prohibentes, ne de pecunia Crucis undecunque proveniente collecta vel colligenda, seu etiam de Decima beneficiorum Ecclesiasticorum alicui Mercatori vel alii aliquo modo aliquid libere. tis, set totam illam pecuniam undecunque provenientem, in aliquo tuto loco reponi fac. per visum dilectorum et fidelium nostrorum *Philippi Luvet.* Thesaurarii nostri, et *Edmundi de Westmonasterio*, donec de intentione et voluntate dicti Domini Papæ super eadem pecunia nobis plenius innotescat. Et hoc sicut protectione et defensione nostra gaudere velitis nullatenus omittatis. In cujus, &c. Teste Rege apud *Merton.* 25. die Aprilis.

Pat. 40 H. 3.  
m. 13. intus.  
De negotio  
Crucis.

Per Johannem Priorem de Novo Berge.

**R**EX Omnibus &c. salutem. Cum dilectus nobis Magister *Robertus de Totten.* deputatis sit, à Magistro *Russando*, Subdiacono Domini Papæ & Capellano, negotio Crucis executor ad colligendum legata et obventiones nobis in Subsidio *Terra sanctæ* concessas in Diocesis, *Sarr. Baskon. & Wellen. & Exon.* Vobis mandamus quod eidem Magistro ad hoc auxiliantes sitis & consulentes cum ab eo fueritis requisiti, non inferentes ei, vel inferri permittentes injuriam, molestiam, dampnum aut gravamen. In cujus, &c. Teste ut supra.

Ibidem.  
m. 13. intus.

The King this year fearing some designs against him from *Rome*, issued this memorable Writ to the Barons and Bayliffs of *Dover*, and to the Wardens of the Cinque-ports, not to permit any Clerk to passe out of their respective Ports beyond the Seas, unlesse he would first take an Oath, that if he went to the Court of *Rome*, he should demand nor require nothing against the Kings Crown and Dignity, nor the Popes grant or ordinance concerning the Realm of *Sicily*.

**M**andatum est Baronibus & Ballivis Regis *Dover.* Quod non permittant aliquem Clericum per Portum *Dover.* transiret. nisi prius juret, quod si Curiam Romanam adierit, nihil impetrabit contra Regem super facto Regni *Siciliæ* nec super ordinatione inde facta per Dominum Papam, nec etiam super aliis contra Coronam vel dignitatem Regis *Angliæ.* Teste Rege apud *Woodstock.* 15. die Februarii,

Claus. 40 H. 3.  
m. 15. dorso.  
Ne Clerici ex-  
cant Regnum.

Eodem modo mandatum est, *Rogero de Cobham.* Custodi quinque Portuum, ne permittat aliquem Clericum trasfr. per aliquem prædictorum quinque Portuum nisi; &c. Teste ut supra.

Upon what Obligations and Conditions the Pope granted the Kingdom of *Sicily* to *Edmund* the Kings son, and what Oath he exacted from him, appears by this Patent, authorizing *Edmund* to make such Obligations and Oath to the Bishop of *Bononia*, the Popes Legate, on the Popes behalf, in the Kings and *Edmunds* name, as were required.

Pat. 40 H. 3.  
m. 20. dorso.

**R**EX Universis presentes Literas inspecturis, salutem: Cum Sanctissimus Pater & Dominus *Alexander* Papa quartus *Edmundo* nato nostro Regi *Sicil.* Regnum *Sicil.* & totam terram quæ est citra Farum usque ad confinia terrarum *Ecclie Romanæ*, cum omnibus juribus, honoribus, districtibus, & pertinentiis suis, excepta Civitate *Benevent.* cum ipsius juribus & pertinentiis universis de fratrum suorum consilio & assensu in Feod. duxerit concedend. sub quibusdam conditionibus, quæ in Apostolico privilegio confecto, super concessione hujusmodi continentur. Inter quas duæ conditiones habentur, ad quarum alteram implendam juramento, ad reliqua vero promissione interposita *Edmundum* Primogenitum nostrum, memoratus Dominus obligari nos dicto *Edmundo* promittendi Venerabili Patri fratri *Jacobo Bonon.* Episcopo, ipsius Domini Papæ Nuncio, et obligandi se ipsi Domino Papæ et *Romanæ Ecclesie* et juramentum præstandi pro prædictis conditionibus adimplendis per has Patentes Literas plenam auctoritatem concedimus et liberam potestatem. In cujus rei testimonium præsentem paginam fecimus nostri sigilli munimine roborari. Dat. apud *Winds.* Anno Domini 1255. Indictione 13. pridie Calend. Decembris, Regni autem nostri Anno 40.

Per ipsum Regem, Episcopum *Heref. Com. Glouc.*  
fratres Domini Regis, *Johannem Mansel,* &  
alios de Consilio Domini Regis.

*Edmund* to ingratiate himself with the Cardinals at *Rome* to promote his affairs in *Sicily*, granted one of them power to give an annual pension out of the Escheats thereof, amounting to one hundred ounces of Gold, to a *Florentine* Knight, before he had possession thereof, being cheated by these *Roman Harpies* on all hands, to his grand dishonor.

Pat. 40 H. 3.  
m. 21. dorso.

**E**DMUNDUS Dei gratia Rex *Sicilia*, universis presentes Literas inspecturis, salutem. Noveritis quod nos de assensu & voluntate Domini *H.* Regis *Anglia* illustris Patris nostri, dedimus & damus venerabili Patri Domino *J.* titulo Sancti *Laurentii* in *Lucina* Presbytero Cardinali, potestatem & speciale mandatum providendi vice nostra dilecto Militi nostro *Bartholomæo de Florentino* de excaetis in Regno *Sicilia* usque ad centum uncias auri annui redditas, tenendas & habendas eidem *Barthol.* quoad vixerit, Dominicis ejusdem Regni duntaxat exceptis. In cujus rei testimonium, quia sigillum nostrum ad manus non habuimus, sigillo prædicti Domini Regis Patris nostri has Literas fecimus communiri. Dat. *London.* in Octab. Epiphaniæ 1255.

The King by his Letters Patents this year constituted two distinct Proctors in the Court of *Rome*, concerning the affaires of the Kingdom of *Sicily*, and other occasions there to be transacted.

Pat. 40 H. 3.  
m. 20. rectus.

**S**anctissimo in Christo Patri Domino *Alex.* Dei gratia Summo Pontifici, *Henr.* eadem gratia Rex *Anglia*, &c. salutem, cum omni reverentia & honore. Noverit Sancta Paternitas vestra, quod nos constituimus, facimus & ordinamus *Robertum de Bayo* Vassallum nostrum, Procuratorem nostrum in Curia *Romanæ*, ad impetrandum & contradicendum, gratias & indulgentias petendum, tam pro nobis quam pro *Edmundo* inclito Rege *Sicilia* nato nostro in nostra potestate existente, ratum habitori, & firmum quicquid per ipsam nostram & prædicti Regis nomine in Curia vestra, super præmissis factum fuerit vel etiam procuratum. Nolumus tamen, quod per præsens mandatum intelligatur, mandatum factum Magistro *Finato* aliquatenus revocatum. In cujus, &c. Teste Rege apud *Winds.* 18 die *Novembris*, Anno, &c. 40. & Anno Domini 1255.

Per. P. *Hereford.* Episcopum,  
Sanctissimo,



**S**anctissimo, &c. ut supra. Noverit Sancta Paternitas vestra, quod nos constitui-  
mus, facimus & ordinamus Magistrum *Finatum* Procuratorem nostrum in Curia  
*Romana*, ad impetrandum & contradicendum, gratias etiam & indulgentias peten-  
dum; ratum habituri, & firmum quicquid per ipsum nomine nostro in Curia vestra;  
super præmissis factum fuerit vel etiam procuratum. Nolumus tamen per præsens  
mandatum intelligi, mandatum factum *Roberto de Baro* aliquatenus revocatum. In  
cujus, &c. Teste Rege apud *Winds.* Anno Regni nostri 40.

Pat. 40 H. 3.  
m. 20. infra.

Per P. Hereford. Episcopum.

The King having borrowed 4000. pounds *Turon.* of the Bishop of *Bononia*, ex-  
pended in obtaining the Kingdom of *Sicily* for his Son *Edmund*, sent this Writ to  
the Abbot, Prior and Convent of *Westminster* to pay it out of the Croyfado monies,  
according to the Popes command, or to give bond to secure *Rustand* the Popes  
Agent, if he payd it, which he promised duly to satisfie, and likewise writ to the Pope  
to allow the payment thereof.

**R**EX Priori & Conventui *Westm.* salutem. Cum de pecunia Crucis nobis à sede  
Apostolica concessa teneamur Episcopo *Bonon.* in 4.000. libris *Turonens.* quas  
idem Episcopus posuit pro facto Regni *Sicilia* concessi *Edmundo* filio nostro, & de  
quibus eidem Episcopo solvendis de prædicta pecunia Crucis speciale Mandatum  
Domini Papæ recepimus, et nos prætextu ejusdem mandati man-  
daverimus Magistro *R.* executori negotii Crucis, quod eidem Episcopo de pecunia Crucis habere faceret usque ad prædicta quatuor  
millia librarum *Turonens.* Idemque Magister *R.* pecuniam illam ei-  
dem Episcopo solvere hæsitavit, et quod mandatum Apostolicum su-  
per hoc non receperat, & nos rogaverit, quod per aliquos viros religiosos Regni  
nostri securitatem de indemnitatem sua in hac parte conservanda sibi faceremus ex-  
hiberi, nosque dispendium non modicum incurrere poterimus, nisi eidem Episcopo  
celerius satisfiat de prædictis quatuor mill. libr. *Turon.* præsertim cum dictus Episcopus  
jam sit in procinctu itineris proficiscendi ad Curiam *Romanam*, pro arduis ne-  
gotiis nostris: de devotione vestra præ cæteris viris religiosi Regni nostri pleniorum  
fiduciam reportantes, vobis in fide & dilectione quibus nobis tenemini, & sicut nos &  
honorem nostrum diligitis, mandamus rogantes, quatenus dictam cautionem  
una cum Abbate vestro cui id mandavimus, per obligationem quam  
idem Magister *R.* a vobis requisierit, sine ulla dilatione præstetis,  
& nos per Literas Parentes vel alio modo prout providendum duxeritis, indemnitati  
vestræ super præmissis providebimus. Teste Rege apud *Clarendon*, vicesimo nono  
die *Decembris*.

Claus. 40 H. 3.  
m. 19. dorso.

Eodem modo mandatum est Abbati *Westm.*

Et mandatum est Magistro *Rustando*, quod facta solutione prædicto Episcopo de  
prædictis quatuor mill. libr. *Turon.* Literam Papalem de solutione illa Regi directam  
quam idem Episcopus penes se habet cap. ab eodem Episcopo, ut *R.* inde possit re-  
spondere. Et hoc non omitat. Teste ut supra.

**S**anctissimo, &c. Summo Pontifici, *H.* eadem gratia Rex *Anglia*, salutem, &  
devota pedum oscula beatorum. Cum vir laudandæ prudentiæ Magister *Rustan-*  
*dus* Capellanus vester, ad mandatum nostrum Venerabili Patri *Bonon.* Episcopo, de  
quatuor millibus librarum *Turonens.* satisfecerit pro quibus dicto Episcopo solvendis  
vestras nobis speciales locas miseratis. Sanctitatem vestram devota affectione roga-  
mus, quatenus solutionem prædictam gratam & ratam habentes ejusdem Magistri  
*Rustandi* petitionem super hoc beatitudini vestræ directam secundum tenorem petiti-  
onis ipsius exauditionis gratiam admittatis. Teste, &c.

Pat. 40 H. 3.  
m. 20. dorso.

By which it is evident, that the Pope had a greater interest and share in this Disme  
then the King, who could dispose of none of it but by his and *Rustands* consents.

He likewise issued this Mandate to the Sheriff of *Kent*, to provide a speedy passage  
at *Dover* for *Rustand* the Popes Agent, and to defray the charges of it, which should  
be allowed him.

Claus. 40 H. 3.  
m. 9. intus.  
De passagio  
Magistri Ru-  
standi.

**M** Andatum est Vic. *Kanc.* quod Magistro *Rustando* Domini Papæ Subdiacono & Capellano, revertenti ad Curiam *Romanam* faciat habere festinum passagium suum in Portu *Dover.* Et cum Rex sciverit cultum quod ad passagium illud posuerit, faciet ei allocari. Teste Rege apud *Westm.* 8 die *Junii.*

How egregiously Pope *Alexander* and his Cardinals exacted upon, abused and cheated King *Henry* in the businesse of *Sicily*, which he pretended freely to bestow on him and his son, putting hard and impossible conditions on them, and that after sundry great sums of money received from him, demanding no lesse then 135 thousand 500 and 40 marks to be fully satisfied him, after the Popes forces routed, before he should send any more forces to gain it; and how the King notwithstanding all these abuses and discouragements, was resolved to prosecute this unfortunate affair, against the advice of his Counsil and Nobles, these Letters of his to the Pope and some of his Cardinals, registred in the Clause Rolls, will evidence to the world.

Claus. 40 H. 3.  
m. 13. dorso.

**S** Anctissimo in Christo Patri, &c. Nuper per religiosum virum fratrem *Johannem de Dya*, Pœnitentiarium & Capellanum vestrum, Sanctitati vestræ scripsimus, nos tractare super Capitaneo transmittendo, cum pecunia & militiæ competenti. Ceterum clementiæ vestræ adhuc significare studemus, quod super præmissis vigilantiam & sollicitudinem adhibemus. Ceterum Proceres & Majores Consilii nostri, super casu qui post gratiam nobis factam de Regno *Sicilia* contigit per prodicionem Marchionis de *Herebroke*, mirabiliter stupefacti, vix negotium audent assumere in hoc statu, præsertim cum inter ceteras Conditiones in privilegio vestro contentas illa contineatur expresse: Quod non eamus vel mittamus donec vobis et Ecclesiæ *Romana* de 135 millibus 500 et 40 *Marcarum* plene fuerit satisfactum. Unde cum occasione negotii supradicti Mercatoribus *Senen.* & *Florentin.* in nonnullis pecuniarum summis quas Venerabile Pater Sanctæ *Maria* in vialata Diac. Card. Apostolicæ sedis Legatus, de manu *Hereford.* Episcopi, Procur. & Nuncii nostri recepit, sumus sub pœnis gravissimis obligati, quas incessanter solvi facimus juxta vestri tenorem mandati, super ordinatione Capitanei destinandi nondum potuimus complere tractatum, cujus consummatio non modicum desiderat pecuniæ interuentum. Non enim credimus, quod hodie Princeps aliquis regnat in terris qui ita subito tantam pecuniam possit habere ad manum: Dicunt ergo illi apud quos laboramus ut vadent, frustra illuc ibimus, in hancum istud negotium assumemus quousque prænominata summa plene fuerit persoluta. Ecce quod huic negotio celeriter succurrere cupientes juxta verum beneplacitum et mandatum, huic vero prædictum periculum formidantes, cujusdam perplexitatis laqueis intricamur, inter grandes et graves angustias constituti. Veruntamen ad Apostolicæ clementiæ benevolentiam considerationis oculum retorquentes, magis elegimus vestræ pietatis providentiam nos et nostra exponere liberaliter et libenter, quam in tanto periculo negotium deserere indefensum: Sperantes vos nolle beneficiis vestris nos decipi, sed jubari. Hinc est clementissime Pater, quod licet inspecto statu negotii per aliquorum injuriam et nequitiam, sine culpa nostra non modicum deformatæ conditiones sub quibus Regnum *Sicilia*, et nato nostro concessum, non solum difficiles sed fere impossibiles ab aliquibus censeantur, volentes tamen in sinceritate cordis, et favoris promptitudine accingi ad obsequium *Jesu Christi*, de sedis Apostolicæ benignitate confisi, quæ non consuevit irritum facere quod semel ratum esse decreverit, juxta formam ordinationis vestræ negotium et omnia quæ ipsum contingunt, complebimus, per  
Generabilem

Venerabilem Patrem Bonon. Episcopum, quem ad hoc specialiter destinatis, privilegia nostra et filiorum nostrorum sub sigillo nostro et Bulla aurea transmittentes, circa Capitaneum destinandum, cum militia competenti iugiter insistendo: Unde Sanitati vestre humiliter supplicamus, quatenus attendatis quam multipliciter sumus gravati nisi pietatis vestre dextra nos sublevare dignetur. Nam sicut scitis, occasione istius negotii Perceptoribus Senen. et Florentin. infra Kalend. Junii tenemur persolvere 60. millia Marcarum ab 10. millibus quas nunc vobis et fratribus vestris solvere nos oportet: Item in apparatu Capitanei transmittendi opus est magna pecunia; unde si placet vos ipsi videre potestis, quam difficile infra festum Sancti Michaelis proximo venturum mittere prout decet, & summam solvere quæ in vestro privilegio continetur. Hoc autem totum statum nostrum vestre Beatitudini duximus committendum, ut sicut placet prout vestra possibilitas potest pati, ordinare curetis; nam omnes vires nostras prompti sumus congerere, et etiam experiri circa prosecutionem negotii memorati, vestris beneplacitis semel humiles et devoti, & jam Nuncios solempnes vidissetis, nisi captio charissimi nostri Com. Sabald. nos impedivisset cum unum de fratribus suis ad Sanctitatis vestre presentiam mittere vellemus: quando hoc impedimentum occurrit, petitiones vero quasdam quæ præfatum tangunt negotium vestre beatitudini recommendamus, supplicantes, ut illas ad exauditionis gratiam admittatis. Teste Rege apud Norwic. 27 die Martii.

The continuer of *Matthew Paris* renders us this account of the Kings Letters to the Pope, containing some clauses not extant in the precedent.

Diebus sub eisdem, Dominus Rex pessimo fretus consilio, tantam pecuniam a Papalibus negotiatoribus mutuo accepit, ut filium suum *Edmundum* in Regnum *Sicilia* promoveret, ut seipsum in summæ paupertatis vinculo irretiret. Papa autem, qui nec falli debuit, nec fallere, Regis fidem adhibuit assertionibus, quas liquido scire potuit, si vellet, fuisse penitus umbratiles et fallaces. Dedit enim intelligi in mandatis ipsi Papæ Dominus Rex, quod *Anglia* pecuniæ puteus extitit inerschatus, quem nullus poterat exsiccare. Item, quod nunquam in *Anglia* Rex tam dilectus, tam preciosus, sicut ipse, prædixisset: cum tamen Papa per multos sibi familiares, qui tunc *Rome* fuerant, contrarium poterat didicisse: (Therefore Popes no doubt may erre and be deceived, as well as deceive others.) *Muræ* igitur pecuniæ Regem obligantes cum poenis, ad plusquam centum quotidie libras ascenderunt; ita ut immineret tam Clero quam populo *Anglico* desolatio cum ruina.

His Letters to the Cardinals are thus recorded in the Clauſe Rolls.

Mat. Paris Hist. Angl. p. 908. Multiplicantur in dies oppressiones Ecclesiarum.

Venerabili Patri R. Sancti *Angeli* Diacono Cardinali, &c. Sinceritatis vestre promptitudo quam clara probant operum testimonia in nostris negotiis promovendis, nos sollicitant & invitant, ut in agendis nostris ad vestre discretionis prudentiam recurramus, per quam in hiis quæ nobis incumbunt, consilium & auxilium confidenter habere speramus. Eapropter Paternitati vestre tenore presentium volumus fieri manifestum, Quod super negotio Regni *Sicilia* nuper in adventu Venerabilis Patris Bonon. Episcopi, ad nos propter hoc destinati, cum Proceribus & Majoribus totius Regni nostri tractatum habuimus diligentem. Quas conditiones sub quibus ipsum Regnum *Edmund.* filio nostro et suis hæredibus est concessum, gravissimas reputabant, illas potissime per quas infra festum Sancti Michaelis proximo venturum ire teneremur, vel mittere Capitaneum cum militia competenti, et 135. millia Marcarum 540. et unam, propter damna et interesse nihilominus solvere infra eundem

Clauſ. 40 H. 3. m. 13. dorſo,



eundem terminum, sub pœna annullationis totius negotiis, nobis in super remanentibus excommunicatis, et toto Regno nostro supposito Ecclesiastico interdicto. Has utique conditiones et pœnam durissimas judicabant, cum præter dictam summam, sicut Nuncii nostri referent, ad aliam summam non modicam teneamur. Quis enim Princeps infra tam breve temporis spacium cum pecunia, quam eundo vel mittendo noliter desiderat apparatus, posset ita repente habere ad manum tam immensas pecuniarum quantitates? Formidantes igitur pericula quæ incumbunt, nobis dissuadebant omnino, ut nequaquam subsiceremus tanto discrimini statum nostrum. Nos vero sperantes in illo qui est in se sperantium fortitudo, dictum negotium per Procuratores & Nuncios inceptum, & quantum in se fuerat consummatum, confisi quod sedes Apostolica nullum opprimit, sed potius oppressos relevare intendit, ad plenum complevimus, sicut per privilegia nostra & filiorum nostrorum quæ per dictum Bonon. Episcopum, Domino Papæ & fratribus destinamus vobis, fiet plenissima certitudo. Cæterum dicto tractatu pendente, super venit rumor terribilis de jactura et damnis Ecclesiæ Romanæ et nobis illatis, per prodicionem Marchionum de Herebroke, qui se mentiebantur fideles Ecclesiæ et devotos: super quo Dominus Papa nobis mandavit, ut dicto negotio tam dampnabiliter deformato festino subsidio succurrentes, statim competentem militiam mitteremus. Quotissimi et funesto rumore ad nos perlato, qui prius propter difficultatem conditionum de negotio diffidebant, modo desperant in tantum, quod vir aliqui in soliditate constantiæ et voluntate prosequendi nobiscum illud negotium remanserunt. Nos autem in Regem Cœli & Ducem Syderum considerationis oculos dirigentes, qui cum possit imperare mari & ventis, tempestates istas sedare poterit; & quod turbatum est in tranquillum, quod nubilosum convertere in serenum; Nolumus desistere ab inceptis, fortiores sumentes animum in adversis, confestim super Capitaneo mittendo cum decenti militia conferentes, cui tractatui adhuc incessanter insistimus, sicut dilecti Nuncii nostri latores præsentium plenius vobis dicent. Sanè, quod sine turbatione animi recensere non possumus nec debemus; Nonnulli Episcopi Regni nostri per quos nos et Ecclesiam in tantæ necessitatis articulo constitutam sperabamus juvari, afflictionem superaddentes afflictioni, retardationem subsidii ad prosecutionem hujus negotii deputati, temere molientes quasi ad subversionem intentionis nostræ et vestræ totaliter aspirarent, per discretum virum Magistrum Rustandum diligentem et fidelem executozem officii sibi injuncti Canonicè moniti, decimam proventuum suorum, sine qua quod intendimus perficere non valemus, hactenus reddere recusarunt; sed nunc speramus, quod obedient vestris in hac parte mandatis, sicut eidem Magistro Rustando firmiter promiserunt: Hinc est igitur, quod inter hujusmodi angustias constituti, ad vestræ circuminspectionis prudentiam recurrimus confidenter, rogantes vestram mansuetudinem ut si tacito Capitaneum non mittimus sicut necessitas exposcit negotii, nos excusatos habentes, apud Dominum Papam et fratres super hoc excusare velitis. Scientes quod quilibet in hoc statu hoc negotium assumere, illa potissima ratione quia inter cæteras Conditiones illa habetur expressè, quod non eamus, nec mittamus aliquem donec de totali summa prædicta Domino Papæ et Ecclesiæ plene fuerit satisfactum, nec de isto impedimento Dominus Papa cum nobis nuper mandavit, ut statim deberemus mittere, fecit aliquam mentionem, nec tamen propter hoc omittimus quin super mittendo solliciti laboremus, & vos de quo plenè confidimus dignemini laborare, ut illa conditio quæ quasi inclinationem negotii continere videtur in melius reformetur. Ad hoc igitur laborantes fideliter nobis per latorem præsentium, quem super hoc & quibusdam aliis ad vos specialiter duximus destinandum, celeriter rescribatis vestræ beneplacitum

beneplacitum voluntatis. Scituri quod pro portio filiorum nostrorum est vestrorum exaltatio amicorum. Teste, &c.

Eodem modo scribitur Venerabili Patri J. Dei gratia Titulo Sancti *Laurentii* in *Lucina* Presbytero Cardinali.

Eodem modo Venerabili Patri Domino *Hugoni* Titulo Sanctæ *Sabina* Presbytero Cardinali.

Eodem modo Domino *Willielmo* Sancti *Eustach.* Diac. Card.

Eodem modo Magistro *Jordano* Domino Papæ Notar.

Eodem modo scribitur Venerabili Patri *Ottobon.* Sancti *Andree* Diac. Cardinali. Hoc adjecto :

Cum Nepotes vestri filiis nostris linea consanguinitatis sint conjuncti, confirmationem vere donationis scilicet recordationis *Innocentii* Papæ, super bonis quæ fuerunt quondam *Petri de Vineæ*, in forma quam delectus vester & noster *Rustandus* nobis exposuit vobis per latorem præsentium destinamus. Teste ut supra.

**R**EX *Willielmo Bonquer*, salutem. De circumspectionis vestræ prudentia confidentes magna & ardua negotia vobis duximus committenda, sperantes ut per vestræ discretionis industriam nostra intentio felicem sortiatur eventum. Ea propter fidelitati vestræ significamus, quod nostræ intentionis existit & voti, ut talis in Regem *Aleman.* eligatur qui Ecclesiæ *Romana* devotus & nobis dilectus existat, & maxime cum *Gallici*, sicut nostis, in præjudicium nostri aspirent, qui si quod ab eis assequantur quod optant, negotium Regni *Sicilia*, quod ex corde prosequimur, ut tenemur, gravem possit incurrere lationem, unde huic periculo obviare volentes, Domino Papæ duximus supplicandum, quod unum de tribus Cardinalibus, scilicet Dominum J. Titulo Sancti *Laurentii* in *Lucina* Presbyterum Cardinal. vel Dominum *Hugonem* Titulo Sanctæ *Sabina* Presbyterum Cardinal. aut Dominum *Ottobonem* Sancti *Andr.* Diacon. Cardinal. in *Aleman.* destinare dignetur, ut per illius providentiam quem mitteret, istud negotium feliciter ordinetur. Ad hæc vestra sciat discretio, quod cum teneamus Ecclesiæ *Romana* infra festum Sancti *Michaelis* proximo venturum solvere 135. millia *Marc.* quingentas et unam, et nihilominus illuc ire infra eundem terminum, vel mittere Capitaneum cum militia competenti juxta tanti negotii qualitatem. Et propter casum qui de novo accidit legato in Regno *Apul.* & propter etiam captionem Com. *Saban.* infra tam brevem terminum neutrum complere possimus, Domino Papæ supplicamus humiliter & devotè quatenus dilectum nostrum Magistrum *Jordanum* Notarium suum, super prorogandis hujusmodi terminis ad nos mittat, & super hoc cum summa sollicitudine laboretis, exponentes Domino Papæ & fratribus qualiter infra festum beati *Johannis Baptista* proximo venturum, occasione istius negotii 24. millia *Marcarum* fere solvantur, scilicet 40. millia *Marcarum* et unam *Mercatoribus Senen.* J. M. C. C. locis *Spiliati*, pro quibus omnibus est Decima obligata. Item fere 30. millia *Mercatoribus* qui habent *Monasteria* obligata, præter damna et expensas quæ biennium ascendunt ad quinque millia *Marcarum* et ultra. Propter quod eis probabiliter suadere potestis, ut pro residuo satis possunt & debent terminos prorogare, maxime cum interim nihilominus totis viribus studemus, ut dicto negotio tam in pecunia quam militia celeriter succurramus, vel traderis cum Domino Papa ut super decima nobis concessa *Mercatores* mutuent pecuniam, cum qua possit memoratum negotium sustentari; nam isto anno per Dei gratiam et industriam Magistri *Rustandi* erit ab obligationibus *Mercatorum Senen.* penitus liberata.

Scribitur etiam Domino Papæ super dicto negotio.

Scribitur etiam Magistro *Jordano* Domini Papæ Notar. super eodem. Et transcripta brevium poterunt inveniri in bursa rubea.

By these Writs and Letters it is most apparent, what vast sums of money the Pope and Court of Rome drayned from the King, Kingdom, Clergy, and Religious persons of England this year, by intollerable forgeries, extortions, and impious frauds, only to wrest the Kingdom of Sicily out of *Manfreds* hands, in which design God blasted both the Popes forces, and Kings rapines, to their perpetual infamy.

\* Hist. Angl.  
p. 910.  
Anni conclusio.

I shall close up this year, and Chapter too, with the words of \* *Mat. Paris*: *Transit igitur annus ille Ecclesie et Prelatis ultimae servitutis genitibus, Regni Anglie praedatibus, Terra Sanctae sterilibus, et potius nocibus.*

## BOOK IV. CHAP. III.

*Comprising sundry Evidences out of Law-books, Histories, and Records, manifesting our Kings Sovereign Ecclesiastical as well as Temporal Authority, over all Ecclesiastical Persons, Courts, Causes in England and Ireland; The Popes and his Instruments intollerable Extortions, Oppressions, Innovations, Enchroachments both upon the Kings Prerogative, and Subjects Liberties, Properties, and their respective Oppositions, Complaints against them: Together with our Popish Prelates, and Ecclesiastical Synods, Courts, illegal Usurpations upon the Kings Temporal Rights, Courts, Crown, Dignity, and Peoples Priviledges, with the several Prohibitions, Mandates issued to restrain them; And some other Ecclesiastical affaires, transactions between the King, Pope, and Court of Rome, of most concernment, from the end of the 40<sup>th</sup> year of King Henry the 3<sup>d</sup>, till the expiration of his Reign, Anno Domini 1272.*

I Have presented you in the precedent Chapters with many memorable Records, Writs, Prohibitions, restraining the Popes and Prelates Usurpations upon the Rights, Crown, Courts of King Henry the 3<sup>d</sup>, and his Subjects Liberties, till the 40. year of his Reign; about which time, or soon after, *Henry de Bracton*, a famous Judge under him, learned both in the Civil, Canon, and Common Laws of the Realm, published five most excellent Books, *De Legibus & Consuetudinibus Anglia*, wherein he asserts the Kings Supremacy over all persons whatsoever, as having no Peer at all, much less any Superior, within his Realm, styling him *Dei Vicarius* several times in sundry places, already transcribed in my Second Book, chap. 2. p. 30, 31, 32. concerning King *Lucius*, which I shall not here repeat. Which passages of his will well explain those clauses in him, which seem to patronize the Popes Supremacy, viz.

\* Bracton l. 1. de  
Rerum Divisione,  
cap. 8. sect.  
2. f. 5. b.

\* *Apud homines vero est differentia personarum, quia hominum quidem sunt praecellentes & Prelati, & alii principantur. Dominus Papa videlicet, in rebus spiritualibus quae pertinent ad Sacerdotium; & sub eo Archiepiscopi, Episcopi, & alii Prelati inferiores. Item in temporalibus sunt Imperatores, Reges et Principes, in hiis quae pertinent ad Regnum; & sub eis Duces, Comites, Barones, Magnates, sive Vassallos & Milites: & etiam liberi & villani, & diversa potestates sub Rege constitutae. \* Ad Papam et ad Sacerdotium quidem pertinent, ea quae spiritualia sunt; ad Regem vero et ad Regnum, ea quae sunt temporalia, juxta illud, Caelum caeli Domino, terram autem dedit filiis hominum. Et unde ad Papam nihil pertinet, ut de temporalibus disponat vel ordinet, non magis quam Reges vel Principes de spiritualibus, ne quis eorum*

\* Lib. 5. de Ex-  
ceptionibus, cap.  
19. sect. 2. f.  
417. b.



eorum faciem immittat in messem alienam. Et sicut Papa potest ordinare in spiritualibus, quoad ordines et dignitates, ita potest Rex in temporalibus in hereditatibus dandis vel heredibus constituendis secundum consuetudinem Regni sui. Which passages as they absolutely refute the Popes Temporal Supremacy and Jurisdiction in England, upon pretext of K. Johns Charter, or the grant of Peter-pence, so they admit the Popes Supremacy only in Spiritual things, to wit, in consecrating, depriving Bishops, Priests, administering Sacraments, inflicting Ecclesiastical censures, & exercising their Ministerial function, but not in the supreme Ecclesiastical Government of the Church or Clergy of England, vested only in the King, not Pope, as Gods Vicar, to whom all the Archbishops, Bishops and Prelates of the Realm were then immediately subject, as to their Sovereign Lord and Patron, not so unto the Pope, who (notwithstanding his encroachments on the Crown in King Johns Reign, which were regained only by degrees in those bad times by his successors) could make no Archbishop, Bishop in England or Ireland, nor call Synods, nor enact Laws or Canons to bind the Church or Clergy of England or Ireland, without the Kings Royal assent, who by his Writs of Prohibition controlled both the Popes, his Legates, Delegates, and Archbishops, Bishops, yea Synods Jurisdictions and extravagant proceedings beyond their legal bounds, as Bracton himself informs us in his Treatise of Jurisdictions and Prohibitions, pertinent to my Theam, wherein you may most clearly discern a combination between the Pope, Bishops, and Ecclesiastical Courts, especially by Bulls and Delegations from the Pope, totally to subvert the Jurisdiction of the Kings Temporal Courts in that age, and to engross them into their own hands, to the prejudice of the King, his Crown and Dignity, and subversion of the antient Laws, Customs, Rights, Privileges of the Kingdom, and Kings Officers, Subjects, and their diligence, vigilancy, courage to prevent it, by several Writs and forms of Prohibitions, thus digested into a perspicuous method and recorded to posterity by Judge Bracton.

1. Est etiam jurisdictio quædam ordinaria, quædam delegata quæ pertinet ad sacerdotium & forum Ecclesiasticum, sicut in causis spiritualibus & spiritualitati annexis. Est etiam alia jurisdictio ordinaria vel delegata quæ pertinet ad Coronam & dignitatem Regis ad Regnum, in causis & placitis rerum & temporalium in foro seculari, & unde videndum cujus iudicium & forum actor adire debeat. Et verum est quod siue Laicum siue Clericum velit quis convenire, debet adire iudicem & sequi forum rei, & iudicium habebit illum apud quem reus habet domicilium, siue domicilium habuerit sub jurisditione unius vel duorum. 2. Et licet generaliter verum sit quod actor forum rei sequi debeat, fallit tamen in casibus propter diversitatem jurisditionum & causarum de rebus spiritualibus & temporalibus, & earum sequela, sicut in causa matrimoniali, & rebus permissis ob causam matrimonii, quæ in foro Ecclesiastico terminari debent, quia cujus juris, i. jurisditionis est principale, ejusdem juris erit accessorium. Et eodem modo sicut in foro seculari agatur de aliquo placito quod pertinet ad Coronam & dignitatem Regis, & fides fuerit opposita in contractu, non propter hoc pertinebit cognitio super principali ad iudicem Ecclesiasticum. 3. Item fallit in causa testamentaria & aliis pluribus causis Ecclesiasticis. Item ratione criminis convenitur quis ubi deliquit, ut si quis crimen commiserit in terra aliena, quia ubi deliquit ibi subiceat juri, sicut videri poterit de *Assangthes*, per exemplum. Item ratione contractus quia conveniendus ubi contraxit. Item ratione rei petite, ut si Clericus petat versus Clericum & Laicum debitum quod non sit de Testamento vel de Matrimonio, sequi debet forum laicale, & eodem modo si petat Laicum feudum, sub Domino feodi erit actio, sicut petitio hereditatis per breve de recto erit tractanda coram Domino feodi, vel coram Vicecomite si Dominus negligens fuerit, quia ratione negligentie proprii iudicis v. delicti Domini, transferatur loquela ad Comitatum, & sic coram Rege & suis Justiciariis, multis & variis de causis. 4. Item si quis unum iudicem de voluntate sua elegerit, ad alterius audientiam recurrere non debet voluntate propria, cum talis per consensum effectus sit suus iudex, quamvis generaliter verum sit, quod sententia non à suo iudice lata non teneat. Et hoc verum est nisi hoc faciat Regia prohibitio, quia jurisditionem Regis non potest quis mutare per renunciationem in præiudicium Regiæ dignitatis, secundum quod inferius dicitur: quamvis expediat aliquando actori convenire reum sub iudice de cujus factus est jurisdictio-

\* See here p. 30, 31, 32. & Book 1. c. 5. p. 100.

Bracton l. 4. cap. 2. f. 401, 402, 403.

one per consensum, magis quam sub eo cui subest domicilij ratione, quia si proprius iudex fuerit negligens, alius iudex (licet non suus) poterit esse diligentior, dum tamen coercionem habeat quod possit iudicium suum demandare executioni. Et unde cum diversæ sint hinc inde jurisdictiones, & diversi iudices, & diversæ causæ, debet quilibet ipsorum imprimis æstimare an sua sit jurisdictio, ne scilicet videatur ponere in messem alienam. 5. Quia Clericus in nullo conveniendus est coram iudice seculari quod pertineat ad forum Ecclesiasticum, sicut in causis spiritualibus vel spiritualitati annexis, ut si pro peccatis vel transgressionibus fuerit penitentia iniungenda, & quo casu iudex Ecclesiasticus habet cognitionem, quia non pertinet ad Regem injungere penitentias, nec ad iudicem secularem, nec etiam ad eos pertinet cognoscere de iis quæ sunt spiritualibus annexa, sicut de decimis & aliis Ecclesiæ proventionibus. Item nec de Catallis quæ sunt de Testamento vel Matrimonio. Item nec de pecunia, promissa ob causam Matrimonii, quæ est quasi sequela Matrimonii, ut superius dictum est, & huiusmodi, quia iudex Ecclesiasticus in iis omnibus habet jus revocandi donum, & quamvis in omnibus aliis actionibus sive placitis ad forum seculare pertinentibus videatur quod Clericus sequi debeat forum seculare, & iis agere & respondere ratione rei vel contractus, ubi agitur realiter vel personaliter, sicut in actione injuriarum vel criminis dum tamen civiliter agatur, secundum quod videre poterit tota die, quod si Clericus conveniendus, quia Laicum scilicet non habet, summonitionem suscipere noluerit, nec plegios invenire, mandabitur. Episcopo vel ordinario loci, quod faciat talem venire coram Rege vel Justitiariis suis ad respondendum et satisfaciendum de quocunque placito ad intentionem petentis vel querentis; quambis sunt, qui dicunt, quod de nullo placito tenentur respondere, nec ratione rei, contractus, vel delicti coram iudice seculari; et salva pace eorum, videtur, quod sit in omnibus actionibus et placitis Civilibus, et Criminalibus, præterquam in executione iudicii in causa Criminali ubi Laicus condemnandus esset, ad amissionem vite vel membrorum; & quo casu, quamvis iudex secularis habet cognitionem & cognoscat de crimine, tamen non habet potestatem exequendi iudicium, sicut in causis Civilibus, non enim possit degradare Clericum, magis quam ad ordines promoveri. Et ideo propter ejus defectum habet ordinarius executionem iudicii, licet aliter observetur quod in causa criminali, ubi poena Capitalis infligenda est, habet ordinarius utramque, videlicet cognitionem, & \* iudicii executionem. 6. Vice versa, non est Laicus conveniendus coram iudice Ecclesiastico de aliquo quod pertineat ad Coronam et Regiam dignitatem, et ad Regnum, quod in foro seculari terminari potest et debeat, sicut nec de Laico feodo vel eis pertinentis, ratione supradicta, ut si iura pertineant sicut advocatio, jus pascendi, eundi, agendi, et huiusmodi. Item nec de debitis, nec catallis nisi sunt de Testamento, vel matrimonio huiusmodi, quia Rex jus habet revocandi donum propter suum privilegium, quambis ipse qui convenitur coram iudice Ecclesiastico de placitis quæ pertinent ad Coronam et dignitatem Regiam, per se effectus sit per consensum de alterius foro et jurisdictione. 7. Poterit enim quis renunciare iis quæ pro se introducta sunt, sed tamen non in præiudicium alienum, sicut in præiudicium Regiæ dignitatis, quia iniuste non trahitur ad alienum forum ex quo renunciando privilegio suo hoc voluit, iniuste tamen propter privilegium ipsius Regis. Et unde si quis se obligaverit per scripturam ad respondendum in foro verito, non obstante privilegio (i.) Regiæ prohibitionem obisgat et non Regem. Et unde si ille idem postmodum prohibitionem impetraverit quod iudices non procedant, et contra factum suum multipliciter delinquit; delinquit enim per hoc quod placita quæ pertinent ad Coronam et dignitatem Regis trahit ad alienum forum: Delinquit \* enim ex hoc quod venit contra factum suum proprium, et unde cum iudices et partes comparuerint, iudices puniuntur,

*Nota.*

\* To wit, as to degradation, not execution; for the Ordinarie in cases of Heresie cannot burn an Heretick but only condemn him to be burnt by the Sheriff or civil Magistrate, by the Kings Writ de Hæretico comburendo, which he may deny to grant, and then the Bishop or Ordinarie cannot burn him, much lesse hang or behead a Priest for felony or Treason.

\* etiam.

niuntur, eo quod post prohibitionem processerunt, et si convincantur, *Exco*mmunicentur, *Exco*mmunicentur, poena pecuniaria graviter puniantur, et ille eodem modo de quo queritur qui hoc procurabit, sed non propter querelam querentis et injuriam ei factam, sed propter injuriam factam ipsi Regi; non est enim ei aliqua injuria facta propter consensum, quia trahi voluit ad alienum forum, & quia sic voluit, puniatur ut primi, & quia venit contra factum suum, & per impetrationem suam jam rediit ad forum debitum, ut ibi respondeat de placito principali, etiam sine alio brevi, & iudices, & ille de quo queritur quantum ad placitum prohibitionis recedant versus eum sine die, & ipse in misericordia versus eos pro falso clameo.

Dictum est qualiter per consensum sit de alterius jurisdictione. Nunc enim dicendum si contra voluntatem trahatur in placitum coram iudice Ecclesiastico de placitis quæ pertinent ad Coronam et dignitatem Regis, unde cum quis ita tractus fuerit coram iudice Ecclesiastico contra voluntatem suam qui æstimare noluerit, an sua sit jurisdictio, sed jurisdictionem Regis sibi usurpaverit, et delinquant tam Iudices qui placitum tenent, quam ille qui sequitur, ad querelam illius qui sic ad non suum iudicem trahitur, fiat breve Domini Regis iudicibus ne procedant, et ei qui sequitur ne sequatur, in hac forma. Et si iudicassent, iudicium eque non possent, quia *Uiccomes* nihil faceret ad mandatum ipsorum. 2. Rex talibus Iudicibus salutem, Prohibemus vobis ne placitum teneatis in Curia Christianitatis inter *A.* petentem, & *B.* teneantem de tanta terra cum pertinentiis, vel de Laico feodo ipsius *B.* in tali Villa, vel aliter, de Catallis vel debitis quæ non sunt ex Testamento vel Matrimonio, & unde prædictus *B.* queritur, quod prædictus *A.* eum injustè trahit in placitum coram vobis, quia placita de Laico feodo & de debitis & Catallis quæ non sunt de Testamento & Matrimonio, spectant ad Coronam et dignitatem nostram. Et huiusmodi prohibitio locum habet cum scribitur iudicibus qui ordinariam habent jurisdictionem, si autem delegatam, ut si delegati fuerint a Domino Papa, vel a suo ordinario, tunc sic. 3. Rex talibus Iudicibus salutem, Prohibemus vobis ne teneatis placitum in Curia Christianitatis de Laico feodo, *A.* in tali Villa, & unde idem *A.* queritur quod *B.* de *N.* trahit eum in placitum coram vobis in Curia Christianitatis auctoritate Literarum Domini Papæ, de Laico feodo suo vel debitis et Catallis, &c. ut supra. Et idem dici poterit de advocacionibus Ecclesiarum vel de aliis placitis, quæ pertinent ad Coronam et dignitatem Domini Regis; et tunc sic, ne teneatis placitum in Curia Christianitatis de advocacione Ecclesiæ, de tali loco, unde talis queritur &c. ut supra, quia placita de advocacionibus Ecclesiarum spectant ad Coronam et dignitatem nostram. *C.* &c. Et sic fiet de omni iure quod pertinere potest ad Laicum feodum, de quo Rex habere debet cognitionem. Et eodem modo scribatur parti adversæ ne sequatur, in hac forma. 4. Rex tali salutem, Prohibemus tibi ne sequaris placitum in Curia Christianitatis, de Laico feodo tali in Villa, vel de debitis, Catallis vel advocacione Ecclesiæ, & huiusmodi, & unde prædictus talis queritur, quod tu trahis eum in placitum talibus Iudicibus, videlicet delegatis, auctoritate literarum Domini Papæ, vel auctoritate literarum alicujus alterius Ordinarii, vel auctoritate literarum alterius subdelegati a Iudicibus, a Domino Papa delegatis, quia huiusmodi placita, ut supra, & ita quod huiusmodi brevibus semper conveniant brevibus ad iudices transmissis.

Bracton de legibus & Consuetudinibus Angliæ, l. 5. c. 3. & 4. f. 402, 403.

Sunt etiam alia genera prohibitionum quam plura & diversa, quarum quedam sunt de advocacionibus Ecclesiarum, ubi non agitur directè inter patronos, ut hic, sed indirectè; ut si inter Rectores qui tenent Ecclesias de advocacione & donatione diversorum Patronorum, inter se contendant de decimis, oblationibus, & obventionibus Ecclesiarum. Et ita quod si petens obtineret, posset patronus iacturam suæ advocacionis incurrere, fit iudicibus ne procedat prohibitio in hac forma, si de tota advocacione fiat contentio. 2. Rex talibus salutem, Indicavit nobis *A.* quod cum *B.* talis Clericus, viz. tenet Ecclesiam de tali loco de advocacione sua *C.* talis Clericus, viz. Clamans eam de advocacione *D.* trahi eum in placitum coram vobis

Bracton l. 5. c. 4. f. 404, &c.



in Curia Christianitatis **authoritate** literarum Domini Papæ. Quia vero manifestum est, quod præfatus *A.* iacturam advocacionis suæ incurreret si prædictus *C.* in causa ista obtineret, **vobis prohibemus ne in causa illa procedatis, donec discussum fuerit in Curia nostra, ad quem illorum, scilicet *A.* vel *B.* pertineat ejusdem Ecclesiæ advocatio, quia placitum de advocacione, &c. ut supra.** Teste &c. Est & alia prohibitio de eodem ubi agitur indirectè de parte sicut de toto, ut si agant rectores de medietate alicujus Ecclesiæ, vel de tertia parte inter se de Ecclesia quæ divisa fuit ab antiquo inter patronos, & de advocacione ratione diversorum feodorum, & tunc fiat prohibitio in forma supradicta. Si autem contentio fuerit inter rectores de aliquibus decimis quæ æstimari possunt usque ad quartam, quintam, vel sextam partem advocacionis, & ultra quam partem non extenditur prohibitio ut videtur, tunc fiat judicibus prohibitio in hac forma. 3. Rex talibus judicibus salutem. Indicavit nobis *A.* quod cum *B.* teneat de advocacione sua sextam partem Ecclesiæ de *M.* talis Abbas clamans prædictam sextam partem de advocacione *B.* trahit eum in placitum coram vobis in Curia Christianitatis; quia verò manifestum est quod prædictus *A.* iacturam advocacionis prædictæ sextæ partis illius Ecclesiæ incurreret si prædictus Abbas in causa illa obtineret, **vobis prohibemus, ne in causa illa procedatis donec discussum fuerit ad quem illorum pertineat prædictæ sextæ partis advocatio, quia placitum, &c. ut supra.** Et fiat Clerico prohibitio qui sequitur in forma quæ consona sit prohibitioni factæ Judicibus. Poterit aliquando sine præjudicio alicujus de consensu patronorum ad breve quod dicitur indicavit, si contingat quod decimæ petantur in foro Ecclesiastico, quæ sunt de alterius advocacione live in toto, live pro parte majore fieri, inquisitio in Curia Domini Regis, tanquam de advocacione propter æstimationem decimatum, ubi Ecclesia enormiter læsa est, ut si Ecclesia recenter spoliata fuerit, in hac forma, utrum viz. talis præsentatus à tali patrono, recenter fuerit in seysina de talibus decimis tanquam spectantibus ad Ecclesiam suam, quam tenet de præsentatione talis patroni sui, vel, si talis alia persona inde fuit in seysina tali tempore, ut de decimis spectantibus ad Ecclesiam suam talem quam tenet, de advocacione talis patroni sui. 4. Est & aliud genus prohibitionis, ut cum inter patronos contentio fuerit aliquando de jure præsentationis, & quilibet eorum Clericum suum præsentaverit, & pendente præsentatione unus obtinuerit ad cujus præsentationem Clericus admissus fuerit, si Clericus qui ab aliquo alio patrono præsentatus fuerit Clericum ita admissum coram judicibus Ecclesiasticis implacitaverit ratione præsentationis ejus qui amisit, fiat eis prohibitio talis in hac forma. 5. Rex tali Priori & judicibus suis salutem. Ostendit nobis *A.* quod cum ipse ad Ecclesiam talem vacantem aliquando præsentasset, *B. C.* gerens se patronum illius Ecclesiæ ad eandem Ecclesiam præsentavit Clericum suum, scilicet *D.* & cum idem *A.* seysinam præsentandi, in Curia nostra, &c. recuperasset versus ipsum *C.* & *B.* Clericus ad præsentationem suam ad mandatum nostrum sic admissus, idem *D.* trahit eum in placitum in Curia Christianitatis coram vobis, ratione præsentationis de se factæ **authoritate Literarum Domini Papæ, et quia ea quæ in Curia nostra rite acta sunt irritari non debent; Vobis prohibemus ne in causa illa procedatis ad irritanda ea quæ in Curia nostra rite acta sunt.** Teste, &c. Item alia forma de eodem & quasi per breve de Indicavit. 6. Rex tali Priori & conjudicibus suis salutem. Ostendit nobis *A.* Prior, de *N.* quod cum nuper in Curia nostra coram Justic, nostris, &c. recuperasset versus *B.* Priorem de tali loco Advocacionem Capellæ de *M.* ut pertinentem ad matricem Ecclesiam ipsius *A.* Prioris per recognitionem magnæ Assisæ inde ibi inter eosdem in proprios usus per ordinarium loci, cui per considerationem Curie nostræ Mandavimus processum illius sequelæ, ut quod suum esset inde exquereretur, *C.* Clericus de *N.* trahit ipsum *A.* priorem de tali loco in placitum coram vobis, petens Capellam illam ut persona ejusdem, ex advocacione & donacione prædicti *B.* prioris de tali loco, qui advocacionem illam in Curia nostra amisit, per recognitionem magnæ assisæ, & tanquam inde spoliatus de sicut nunquam fuit in eadem institutus, ut prædictus *A.* Prior de tali loco dicit. Et quia prædictus *B.* Prior de tali loco (de cujus advocacione dictus *C.* petit Capellam illam) nihil juris habet in illa, sicut recognitum est per assisam, **et ea quæ in Curia nostra rite acta sunt non debent in foro Ecclesiastico ab aliquo infirmari:** Vobis mandamus, quod si ad mandatum dicti Ordinarii vobis constiterit, quod prædictus *C.* Clericus nunquam

quam fuit in eadem Capella institutus tempore quo prædictus *A.* Prior de tali loco, nec ante recuperavit in Curia nostra prædictam advocationem, **Vobis prohibemus quod in causa illa quæ est coram vobis (ut dicitur) non procedatis, quia hoc esset manifeste contra Coronam et dignitatem nostram.** Teste, &c. Item, quod ea quæ in Curia Domini Regis ritè acta sunt irritari non debent, & ubi consensus est in aliquem Clericum eo quod hæres alicujus fuerit infra ætatem, si Clerici primo præsentati velint institutum implacitare, tunc fiat prohibitio in hac forma. 7. Rex talibus iudicibus salutem. Prohibemus vobis ne teneatis placitum in Curia Christianitatis Ecclesiæ de *N.* de cujus advocatione nuper placitum fuit in Curia nostra coram Justic. &c. inter *A.* querentem, & *B.* Custodem *C.* filii & hæredis *A.* impediens, ratione juris quod idem *B.* dicebat eundem *C.* habere in prædicta advocatione, & unde inter eosdem *A.* & *B.* convenit in Curia nostra coram Justic. nostris, quod uterque illorum consensit in *E.* cancellarium talem, eo quod iudicium procedere non potuit, quia prædictus *C.* (de quo dicitur quod jus habet in prædicta advocatione) ad Chartas antecessoris sui vel huiusmodi respondere non potest, cum sit infra ætatem. Et quia si placitum quod est coram vobis in Curia Christianitatis procederet, idem *C.* dum infra ætatem fuerit iacturam advocationis suæ posset incurrere, **et placita de advocationibus Ecclesiarum pertinent ad Coronam et dignitatem nostram.** Teste, &c. Est & aliud genus prohibitionis ratione rerum temporalium, quæ ad ipsum Regem pertinere possunt ratione custodiæ Archiepiscopatum, et Episcopatum vacantium, et quæ occasionem inducunt prohibendi, sicut pro Sancto *Edmundo* Archiepiscopo *Cantuar.* & sit prohibitio in hac forma. 8. Rex Priori & Conventui *Roffen.* salutem. Ex relatione quorundem nuper didicimus quod cum Venerabilis Pater \**E. Cantuar.* Archiepiscopus habeat Custodiam Episcopatus *Roffen.* nunc vacantis cum omnibus exilibus & proficiis ad dictum Episcopatum spectantibus, vos trahitis in placitum in Curia Christianitatis eundem Archiepiscopum, **authoritate literarum Domini Papæ, super quibusdam exennis quæ præstanda sunt de Maneris nostris, et eodem modo consuetudo quo alii annui redditus reddi solent Episcopo si viveret, eo quod idem Archiepiscopus ea sibi reddi postulat ratione Custodiæ ejusdem Episcopatus tempore vacationis.** Et quoniam si vos in causa illa obtineretis, manifestum esset nobis inde damnum incurreret si contingeret aliquando Archiepiscopum *Cantuar.* simul cum Episcopatu *Roffen.* vacare, & utrumque in manu nostra existere, **vobis prohibemus ne placitum illud sequamini in Curia Christianitatis quia hoc esset contra Coronam et dignitatem nostram, et ad damnum nostrum et præjudicium libertatis nostræ quam habemus de Episcopatibus vacantibus in Regno nostro.** Teste &c. Et fiat aliud breve in eadem forma iudicibus ne procedant. Est & aliud genus prohibitionis ubi quis Clericus præsentatus ad Ecclesiam per Dominum Regem propter insufficientiam recusatus fuerit, & alius idoneus institutus, si velit inquietare institutum, & tunc fiat prohibitio in hac forma. 9. Rex talibus iudicibus salutem. Satis meminimus nos jam pridem præsentasse Venerabili Patri, *E. Cantuar.* Archiepiscopo *A.* de *N.* ad Ecclesiam talem tunc vacantem, quem quidem cum idem Archiepiscopus minus idoneum invenisset, ipsum ad eandem admittere recusavit, & cum idem Archiepiscopus à nobis licentiam obtineret de idonea persona eidem Ecclesiæ providenda, illam *B.* de *N.* viro provideo, & honesto & laudabilis conversationis contulit, cujus collationi & ordinationi de eadem factæ Regium adhibuimus assensum & favorem. Et cum idem *A.* jam pristinæ præsentationi ad dictam Ecclesiam de persona sua per nos factæ adhæreat, & de qua nihil consequi potuit propter suam insufficientiam, **trahit ipsum, B. in placitum de eadem Ecclesia coram vobis, Authoritate literarum Domini Papæ, et quoniam injustum est et contra dignitatem nostram quod idem A. cui fuit propter insufficientiam institutio denegata, ipsum B. implacitet & inquietet qui per ipsum Archiepiscopum sicut persona idonea ad eandem admissus, & Canonice institutus nostro interveniente assensu & favore, Vobis prohibemus, quod de cætero placitum illud non teneatis.** Teste &c. Et fiat breve in consimili forma Clerico ne procedat. Est & aliud genus prohibitionis, cum ipse Rex vel aliquis antecessor suus ratione alicujus vacationis alicujus Episcopatus, Abbatia

\* See here p. 829.

batiz vel Prioratus, et in manu sua existentis presentaverit Clericum, & qui ad presentationem suam fuerit institutus, & Episcopus vel Abbas, vel Prior substitutus veniat contra presentationem Regis vel patris sui, tunc fiat Prohibitio in hac forma. 10. Rex talibus Judicibus salutem. Monstravit nobis *A.* de *N.* quod cum teneat advocationem talis Ecclesie de donatione *I.* Regis Patris nostri, quam ei contulit ratione talis Prioratus vacantis & in manu sua existentis, Prior illius loci jam infirmare nititur institutionem illius *A.* de predicta Ecclesia, quam sic ad presentationem dicti Patris nostri Canonice est adeptus, & gravans & inquietans eum multipliciter, trahit eum coram vobis in Curiam Christianitatis Auctoritate literarum Domini Papae, de eadem Ecclesia. Et quoniam hoc est manifeste in opprobrium et prejudicium Regiae dignitatis si predictus Prior in causa illa obtineat, vobis prohibemus, ne in causa illa procedatis, cum vobis et universis de Regno nostro notorium sit et esse debet, quod Ecclesie vacantes et pertinentes ad Collationem Episcoporum, Abbatum et Priorum sede non vacante dum viverent, pertinere debent ad nos ratione custodiarum, tempore vacationis. Teste &c. Et quod dictum est de Episcopis, Abbatibus, Prioratibus, dici poterit de Baronibus, & aliis dum fuerint in Custodia Domini Regis.

*Bracton l. 5. c. 5* Est etiam inter alias prohibitiones quedam prohibitio, ubi videlicet Clericus implicaverit Ballivum Domini Regis in Curia Christianitatis, aliqua de causa, eo forte quod idem Ballivus eum arrestavit pro aliqua transgressionem, et pro pace Regis, et de quo petita fuit Curia Christianitatis per Episcopum, et forma prohibitionis talis est. 2. Rex talibus Judicibus salutem. Monstravit nobis talis Vic. Major, praepositus talis Villae vel Ballivus quilibet, quod cum *A.* Clericum tanquam Malefactorem & reatum, de Roberia, & societate latronum, vel inventum tali loco in Conventu & societate latronum, & certa suspitione notatum, pro officii debito, & pro pace nostra per legem terrarum secundum Regni nostri consuetudinem nuper arrestari fecisset, quoniam etiam postmodum tali Episcopo qui ipsum petiit sibi liberari, tanquam Clericum a Carcere & Custodia nostra fecimus liberari. Idem *A.* Clericus praefatum Ballivum nostrum, occasione praedicta trahit in placitum, coram vobis auctoritate literarum Domini Papae, et quoniam hoc est manifeste contra Coronam et dignitatem nostram, et etiam contra pacem nostram quod aliquis Ballivus noster occasione Ministerii sui, vel pro aliquo quod ad conservationem pacis nostrae pertineat, vel pro Iustitia facienda, trahatur in placitum in Curia Christianitatis, cum eorum facta nostra reputemus in hac parte, vobis prohibemus &c. ut supra. Teste &c. Et consimile breve fiat Clerico qui sequitur, & qui potius capi debeat & in prisonam mitti.

*Bracton de legibus Anglorum l. 5. c. 6. p. 406.*

Est etiam breve prohibitionis in casu ubi quis tenere se dicebat, per legem Angliae, & cum disseyfuitus esset & tulisset breve de nova disseyfina ad seyfinam recuperandam, obiectum esset ei quod recuperare non potuit, eo quod pueri ratione quorum ad vitam suam tenere debeat, cum Curia Christianitatis illos probare velit ad legitimos, quod facere non debuit, secuta fuit prohibitio in hac forma. Rex tali Episcopo salutem. Ostensum est nobis ex parte *A.* quod cum *B.* nuper in Curia nostra &c. nuper arramaverit Assi. No. dissi. versus eundem *A.* de tenemento in tali Villa, quod idem *B.* dicebat se tenuisse per Legem Angliae, & idem *A.* per considerationem ejusdem Curiae nostrae idem recessisset sine die versus eundem *B.* eo quod pueri quos habuerat de Uxore sua tali, cujus hereditas tenementum illud fuerat, & ratione quorum puerorum idem *B.* clamavit tenere illud tenementum ad vitam suam per Legem Angliae, secundum regni nostri consuetudinem, \* nati fuerint ante matrimonium contractum inter ipsum *B.* & talem uxorem suam, sicut in eadem Curia nostra recognitum fuit per confessionem ipsius *B.* & etiam contra eum praesumptum, eo quod idem *B.* prius fuit in Curia nostra cum praefata tali quam nunc dicit uxorem & cum in probatione esset in Curia nostra idem *B.* venit cum ea sicut serviens, & non ut maritus, nec aliqua facta fuit mentio in brevi per quod ipsa placitaret quod virum haberet: praedictus *B.* postea ad deceptionem Curiae nostrae, et ad infirmandum iudicium in Curia nostra factum, trahit ipsum *A.* in placitum coram vobis in Curia Christianitatis, Auctoritate Literarum Domini Papae,

\* See here p. 819, 821.



Pape, ad predictos pueros legitimandos, ut sic per aliam viam rehabere posset tenementum quodammodo, et quod pueri sui sic succedere valeant in bonis paternis et maternis. Et cum non possunt iudices aliqui de legitimitate cognoscere quoad hereditatem et successionem habendam, nisi fuerit loquela prius in Curia nostra incepta per breve, et ibi bastardia objecta, et postea ad Curiam Christianitatis transmissa; vobis prohibemus quod in placito illo ulterius non procedatis, nos enim cum predicti pueri ad nos venerint in predicta Curia nostra de predicto tenemento, eis iustitiam exhibeamus, secundum consuetudinem regni nostri, ubi si eis bastardia objecta fuerit, mandabimus ordinario loci ut de ipsorum legitimatione cognoscat, si ad ipsum fuerit in hac parte cognitio demandanda. Est enim Prohibitio hinc consimilis & magis aperta de quodam *Waltero Muschet*, quod non valet cognitio de legitimitate quoad successionem, nisi sic fuerit a Curia Regis demandata, & est prohibitio talis. 2. Rex talibus iudicibus salutem. Ostensum est nobis ex parte *A.* quod cum Curia nostra coram iusticiariis nostris proximo itinerantibus in tali Com. arramavit quandam Assisam mortis antecessoris versus *B.* de quadam terra in *N.* idem *B.* timens sibi posse opponi notam Bastardie in eadem assisa, & ante predictum adventum iusticiariorum; & antequam ei Bastardia opponatur in Curia nostra in eadem Assisa, & antequam fuerit per nos ordinario loci inquisitio de legitimitate probanda secundum Regni nostri consuetudinem demandata, litteras Domini Pape ad vos directas impetrabit ut de legitimitate sua cognoscatis, et ad probationem illius testes admittatis, ut per hoc remaneat hereditas et successio contra consuetudinem Regni nostri quae huc usque obtinuit, ut approbata, et a sede Apostolica confirmata, quod in causa successionis & hereditatis petitione debet prius placitum moveri in Curia nostra. Et cum ibi objecta fuerit Bastardia, tunc deinde transmitti debet Recordum loquela & cognitio Bastardie ad Curiam Christianitatis, ut ibi ad mandatum nostrum de legitimitate inquiratur, quod quidem non est in hac parte observatum. Et cum hoc sit manifeste contra consuetudinem Regni nostri, quod habita vel habenda inter alios contentione de iure successionis debeat ad inquisitionem de legitimatione procedere antequam a nobis hoc fuerit vobis demandatum, vobis prohibemus, &c. ut supra. 3. Est etiam alterius modi prohibitio, cum petens tenenti Bastardiam objecerit, & ordinario loci fuerit inquisitio demandata in persona heredis ad inquisitionem procedere. Rex tali Ordinario salutem. Ostendit nobis *A.* filius & heres *B.* quod cum *C.* in Curia nostra coram Justic. *B.* tantum terrae, &c. per Assisam mortis antecessoris inde ibi inter eos summonitam; & idem *B.* objecerit eidem *C.* Bastardiam in eadem Curia, & cognitio vobis esset demandata & pendente inquisitione illa idem *B.* diem clausit extremum, vos prefatum *A.* filium & heredem predicti *B.* vocari fecistis in iudicium predicta occasione, ut in persona heredis defuncti. procedat inquisitio sine alio mandato; Et quia si contingat quod altera partium inter quas agitur in Curia nostra decedat, tota loquela illa cadit & remanet, nec super eodem procedere poterit contra heredem defuncti, nisi per breve nostrum de novo contra ipsum perpetratum, vobis mandamus quod in cognitione predictae causae contra prefatum *A.* de cetero non procedatis, donec a nobis aliud inde habueritis mandatum. Teste.

\* See here p. 473, 472, 473.

Quibus fieri debet Prohibitio videndum; & sciendum quod tam ei qui tenet placitum, quam ei qui sequitur, sive plures, sicut iudices delegati sive subdelegati, sive unus, sicut ordinarius quicumque, si unus qui sequitur sive plures, licet prima facie videatur quod sufficere debeat si tantum iudici fiat prohibitio, quia si Iudex procedere noluerit, non valebit, quamvis, querens sequi velit, quia non ibi erit iudicium quasi deficiente iudice; si autem pari tantum & ipse sequi voluerit, nullum erit iudicium ratione supradicta, quia non vellet si iudex tenere vale, si non erit iudicium, Melius tamen erit quod omnibus fiat generaliter ne iudices vel querens impune posset procedere. Sed quid si iudices delegati alios sibi subdelegaverint, & qui cognoverunt de causa, videndum quibus fieri debeat prohibitio, utrum viz. principalibus vel subdelegatis, & tunc refert utrum ita subdelegaverint, viz. ad certum diem, vel sic quod sibi reservaverint principalia iudiciorum, videlicet principium, medium & finem, scilicet contestationem & dispensationem super contestationibus, & diffinitio-

Bracton l. 5. c. 6  
7. f. 405.

vam sententiam, & quo casu videtur quod locum habere debet prohibitio cum sic sibi aliquid reservaverint, & ipsi auctoritatem subdelegatis prastiterint, cum ipse facere videtur cujus Auctoritate sit, si autem se ad totam causam excusaverint & nihil sibi reservaverint, tunc refert utrum hoc fecerint ante prohibitionem vel post. Si autem ante prohibitionem, non credentes aliquam intervenire posse prohibitionem, tunc sufficit si prohibitio fiat subdelegatis. Si vero post prohibitionem, tunc prastumi possit, quod hoc fecerit per fraudem. Et ideo tenebit prohibitio facta in personis eorum, quasi nulla facta subdelegatione.

Bracton de legibus & consuetudinibus Angliæ. l. 5. c. 8, 9.

Proposita exceptione contra jurisdictionem (ut prædictum est) & cum illam admittere recusaverint, superveniat prohibitio, & facta examinatione an eorum sit jurisdictio vel non, decreverit supersedendum, tunc remaneat querentis prosecutio: Si autem dubitaverint utrum supersedendum sit vel non, solent judices aliquando justiciarios consulere, utrum procedere possent, vel necesse haberent supersedere, & utrum ad eos pertinet cognitio, vel non pertinet, & quo casu sit eorum consultationibus per judices multis modis responsum, secundum quod prohibitio locum habere debet vel non habere, & sit breve hujusmodi de responsione facienda sub nomine Justiciarium. 2. Viris Venerabilibus, vel dilectis sibi in Christo tali & conjudicibus suis salutem. Literas vestras suscepi continentes, quod cum quædam causa quæ vertitur coram vobis inter *A. Priorem* & *Conventum* talem, & *B. talem Clericum*, vel *Laicum*, facta vobis editione (ut dicitis) super nova Garbateræ ipsius *B.* prædictis *A. Priori* & *Conventui* quondam in perpetuam Eleemosynam collata, Auctoritate literarum Domini Papæ examini vestro sit commissa, et cum ex earundem Auctoritate Literarum in eadem causa jam inceperitis procedere: Idem *B.* de Laico feodo suo in Curia Christianitatis procedere, vobis Literas Domini Regis prohibitorias porrexerat, unde à nobis Consilium requiritis, vel petitis. utrum in causa illa procedendum sit vel supersedendum? ad quod vobis vel constitutioni vestræ duximus respondendum, vel aliter sic. Desiderio igitur vestro in hac parte satisfacere cupientes, vel volentes Consultationi vestræ in hac parte sic duximus respondendum, quod si prædictus *A. Prior* & *Conventus* novam garbam illam, aliquo tempore perceperunt, & inde in possessione pacifica fuerint per aliquod tempus & inde spoliati injustè, super restitutione illius novæ Garbæ si vobis hoc confliterit in veritate, in foro Ecclesiastico securè potestis procedere non obstante Regia prohibitione. Si autem in possessione inde non fuerint, nec inde recenter spoliati injustè, tunc magis expedit vobis supersedere quàm procedere, quia si procederitis, hoc esset in præjudicium Regiæ dignitatis. Fiat quandoque responsio consultationibus sub nomine Regis, quandoque sub nomine Justiciar. brevius tamen & rectius poterit Consultationibus responderi examinata judicum consultatione hoc modo. Talibus Judicibus salutem. Inspectis Literis vestris quas nobis transmisistis, & plenius intellectis (sine præjudicio melioris sententiæ) consultationi vestræ duximus respondendum, quod si res ita se habet sicut in consultatione vestra nobis exposuistis, videtur nobis, quod in causa ista benè potestis procedere non obstante Regia prohibitione. Est etiam alius modus Consultationis & responsionis per *M. de B.* quod prohibitio locum non habet inter Ecclesiasticas personas, ut si viri Religiosi teneantur alicui Clerico in annuo redditu per Chartam & sub protestatione Sacramenti, si Clericus velit agere in foro Ecclesiastico. 3. Tali *N.* & Conjudicibus suis talibus salutem. Literas consultationis vestras benignè suscepi, & qua decuit diligentia inspexi, & quibus inspectis & intellectis, vobis & consultationi vestræ sic duximus respondendum; quod cum juri Canonico sit contrarium quod si Clericus Clericum & maxime viros Religiosos convenerit coram iudice Ecclesiastico, quod iidem Religiosi quasi religionis suæ immemores, & de Ecclesia (salva pace eorum) malè scientes ut negotii processum impendant, & iudicium Ecclesiasticum subterfugiant, & maxime super annuo redditu per eorum Chartam, & juramento obligati, ad prohibitionem Regiam maliciose recurrant, advertat discretio vestra quod in casu proposito non obstat Regia prohibitio, & procedatis securè, ne subterfugendi detur perniciofa occasio: quia si ipsi conveniantur in seculari iudicio, se ibi tuerentur fori privilegio, quia forte dicerent quod Clerici essent, & ideo quod non tenerentur respondere in foro seculari ratione ordinis Clericalis & personæ suæ, & sic videtur quod causa secularis & res trahitur ad forum Ecclesiasticum propter privilegium personæ Ecclesiasticæ quod esse non deberet (ut videtur) quia si illud privilegium haberet pro se ne

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responderet in foro seculari, meritò illud contrà se haberet, ne ei in eodem foro responderetur. Nec etiam valere deberet (ut videtur) illud quod superius dictum est quod propter recentem spoliatiōē mutari debet iurisdīctio de re temporali non magis de reddito quàm de Laico Feodo ubi remedium habere posset in foro seculari per Assisum novæ disseysinæ, vel huiusmodi secundum quod redditus fuerit talis vel talis.

Ut autem Consultationibus Judicum melius possit responderi, videre non est inutile, ubi & quando locum habere debeat Prohibitio, & de quibus rebus, & quando non: Et si non in toto, in parte tamen per exceptionem. Et sciendum, quod locum habet Prohibitio ne iudicium procedat in foro Ecclesiastico quandoque ratione personarum & rei de qua agitur, **ut ubi cognitio mere pertinet ad Coronam et dignitatem Regiam**, ut si Laicus Laicum implacitaverit coram Iudice Ecclesiastico de aliquo Laico feodo, vel de aliquo quod ad Laicum feodum pertineat, quia Jurisdictionem Regiam in hac parte mutare non poterit aliquod privilegium sicut privilegium crucesignatorum, vel alicujus alterius, etiam etsi Rex hoc vellet, dissimulat tamen hoc quandoque, **quamvis hoc sit contra privilegium Coronæ et dignitatis suæ**. Item, Jurisdictionem suam non mutat fidei interpositio, Sacramentum præstitum, nec spontanea renunciatio partium quamvis sibi ipsis in hac parte præjudicent per consensum. Et illud idem dicendum erit de debitis & catallis quæ non sunt de Testamento vel Matrimonio, vel eorum sequela. Item locum habet Prohibitio ratione personarum vel rei, ut si Clericus Laicum vel Laicus Clericum in foro Ecclesiastico traxerit de aliquo prædictorum. Item ratione rei tantum, ut si de aliquo prædictorum Clericus in foro Ecclesiastico Clericum traxerit in placitum, quia si Iudex Ecclesiasticus inter tales judicaverit, iudicium suum executioni mandare non poterit quia non est Vicecom. nec alius Minister qui in executione facienda ei obtemperet. Et si ipse exequi voluerit, locum habebit contra ipsum Assisa novæ disseysinæ, & contra eum qui sequitur de Laico feodo, dico ad differentiam liberæ elemosynæ quæ magis propriè dicitur libera cum sit quasi Deo dedicata, sicut terra data Ecclesiæ nomine dotis tempore dedicationis, quæ magis privilegiata est, & cujus cognitio ad forum spectat Ecclesiasticum, quam sit pura & libera elemosyna data Ecclesiis & viris religiosiis, & de qua iurisdīctio & cognitio pertinet ad forumulare. Item locum habet Prohibitio ratione rei, sicut de Laico feodo, quod alicui descendit ex causa successionis. Ut si Iudex Ecclesiasticus cognoscere vellet de successionem ad querelam Clerici vel Laici, locum habet Prohibitio ratione rei. 2. Item, & eodem modo venditionis de aliqua re seculari, de qua cognitio pertinet ad forumulare. 3. Item, & eodem modo locum habet Prohibitio ratione delicti, ut si Clericus delinquat contra Clericum vel Laicum, vel Laicus contra Laicum in re temporali; ratione delicti vel facti, pertinet cognitio ad forumulare, tam in actione injuriarum quàm criminis, dum tamen civiliter agatur, & in quibus casibus omnibus Iudex secularis habet cognitionem & coercionem, & Iudex Ecclesiasticus non nisi per dissimulationem. Si autem criminaliter agatur & super crimine Iudex Ecclesiasticus non habebit Jurisdictionem, licet habere debeat iudicii executionem. In causa enim sanguinis judicare non potest nec debet, ne committat irregularitatem; pertinet igitur (ut videtur) ad Iudicem secularem cognitio, & ad Iudicem Ecclesiasticum iudicii executio, quia Iudex secularis degradare non potest, non magis quam ad ordines promovere, sicut superius dictum est in parte.

Quando & in quibus locum non habeat Prohibitio dicendum. Et sciendum, quod locum non habebit Prohibitio in Curia Christianitatis de aliquo spirituali, vel spiritualitati annexo, sive agatur inter Clericos, sive inter Clericum & Laicum, vel ubi agatur ex causa Testamentaria vel Matrimoniali, vel de aliquo de quo sit pœnitentia injungenda pro peccato. Item locum non habebit Prohibitio si in Curia Christianitatis agatur de aliquo tenemento, **quod si sacrum, et per Pontifices Deo dedicatum**, sicut sunt Abbatiz, Prioratus, & Monasteria & horum Cœmeteria. Item quasi sacra, quia spiritualitati annexa, sicut sunt terræ datæ Ecclesiis tempore dedicationis, cum ædificiis in eadem contentis & in pertinentiis eorum: Unde si Ecclesia vel Monasterium de huiusmodi terra in dotem data, vel de ejus pertinentiis sicut de communia pasturæ, & huiusmodi fuerit spoliata, si in foro Ecclesiastico de restitutione agatur, locum non habebit Prohibitio, quod quidem non est intelligendum de libera elemosyna quamvis sit pura. Nota quod non jacet Prohibitio in dote Ecclesiæ, jacet tamen in libera & pura elemosyna. Et de hac materia habetis de term. Pasch. Anno.

Bracton l. 3. c. 2  
9. l. 406.

Bracton l. 3. c. 2  
10, & 11. fol.  
407, 408, 409;



Regis *H. 15.* in Com. *Somers.* de *Richardo* persona de *Hidsford.* Et ad hoc facit expresse, quod habetis de term. *S. Hilar.* Anno Regis *H. 8.* in Com. *Bedf.* de *Gylberto* persona de *Dunham.* Item nec locum habebit Prohibitio si in foro Ecclesiastico agatur & hoc ratione personarum, sicut de catallis Clericorum eis violenter ablati, ut de term. *S. Hilar.* Anno Regis *H. 8.* in Com. *Cornub.* de *Emerino de le Lind.* Item locum non habebit Prohibitio si de decimis agatur, vel si erratum fuerit in forma Prohibitionis, ut si fiat Prohibitio de debitis, ubi fieri debet de catallis, vel e contrario; ut de term. *S. Hilar.* Anno Regis *H. 6.* in Com. *Warr.* de quodam præcentore *Lyncoln.* sed contra de decimis, quod locum habet Prohibitio si decimæ pantantur, vel earum partium si vendantur ex venditione, ut de term. *S. Mich.* Anno Regis *H. 9.* incipiente 10. in Com. *Ebor.* de *Richardo* persona de *Mapeldon.* Sed hoc solvitur sic, quod in primo casu conventus fuit primus & principalis debitor, ubi locum non tenuit Prohibitio, & in secundo casu conventi fuerint fidejussores & implacitati cum ipse principalis debitor solvendo esset, & ubi post Prohibitionem judicatum fuit in foro seculari, quod persona se caperet ad principalem debitorem, qui solvendo fuit, & fidejussores inde quieti. Et unde videtur, quod si principalis debitor solvendo non esset, quod persona agere posset in foro Ecclesiastico contra fidejussores non obstante Prohibitione. Item locum non habebit Prohibitio in causa Testamentaria vel Matrimoniali, quia hujusmodi genera placitorum specialiter excipiuntur, cum sint spiritualia vel spiritualibus annexa. Item, nec de aliquibus quæ sunt eis accessoria, vel annexa; accessaria dico, sicut est obligatio fidejussionis ut in venditione decimarum, de qua superius dictum. Item de promissionibus factis de pecunia danda ob causam Matrimonii in initio contractus nomine maritaggi. Secus autem si tenementum promittatur. Et quod hujusmodi pecunia peti possit non obstante Prohibitione, inveniri poterit de termino *S. Mich.* Anno Regis *H. 14.* incipiente 15. in Com. *Suff.* de *Hugone de Monte Causa.* Ad idem facit, quod habetis de termino *S. Trinitatis* Anno Regis *H. 15.* in Com. *Oxon.* & unde Prior de *Bercestre* fuit Judex. Et semper vivendum erit propter quid aliquid factum sit vel permittatur. 2. Item ratione accessionis in causa Testamentaria non habet locum Prohibitio, si pecunia legetur & petatur, ut debitum in foro Ecclesiastico ex causa Testamentaria. Item nec locum habebit Prohibitio, si testator pecuniam sibi debitam legaverit, dum tamen debitum in vita testatoris recognitum sit & probatum, quia hujusmodi pecunia inter bona testatoris connumeratur, & pertinet ad executores. Si autem petatur debitum per executores, de quo debitores in vita testatoris confessi non fuerint nec convicti, vel nec post mortem gratis recognoverint, hujusmodi debitum inter bona testatoris non connumeratur, etsi ab executoribus vel ab hærede in foro Ecclesiastico petantur, locum habebit Prohibitio, & in foro seculari oportebit agere; hujusmodi enim actiones hæreditariæ sunt & pertinent ad hæredes, & ideo legari non possunt, & sicut dantur hæredibus contra debitores non executoribus, ita dantur actiones creditoribus contra hæredes & non contra executores. 3. Et quod actiones legari non possunt nec Judices Ecclesiastici inde recognoscere, nec executores petere debitum quod in vita testatoris non est recognitum, probatur de termino *S. Hilar.* Anno Regis *H. 6.* in Com. *North.* de *Radulpho* persona de *Irclynbourghe,* & quod actiones legari non possunt nec inter bona testatoris connumerantur, maxime de antiquo debito, probatur de termino *Pasche* Anno Regis *H. 15.* in Com. *Essex* de *Gervasio de Aldermanbury.* Ad idem facit, quod habetis de termino *Pasche* Anno Regis *H. 16.* in Com. *South.* de *Engelardo de Cygoing.* 4. Item nec locum habet Prohibitio in causa Testamentaria, si catalla legentur & inde agatur in foro Ecclesiastico. Item nec si in Civitatibus & Burgis legentur domus vel ædificia quæ habuit testator de perquisito, cum sint quasi catalla testatoris. Secus tamen est in quibusdam locis si proveniant ex descensu antecessoris, in quibusdam locis sicut in Civitate *London.* ubi locum habet Prohibitio si inde agatur. Item locum non habet Prohibitio, si legetur usus fructus alicujus terræ, ut si testator aliquam terram tenuerit ad terminum annorum & usum fructum legaverit, quia usus fructus inter catalla connumeratur, tenemento in suo statu duratur sicut Laicum feodum. Sed cum terra ad terminum ita alicui data fuerit, refert utrum testatori tantum, vel testatori & hæredibus suis. Si autem testatori tantum, tunc poterit testator in vita dare & in morte legare sine præjudicio hæredum. Si autem sibi & hæredibus suis non sic nisi in vita dederit, ubi hæredes tenentur ad Warrantiam, & eodem modo si legaverit expresse, si autem nullam mentionem inde fecerit, tunc transit usus fructus ad hæredes. 5. Item locum non habet Prohibitio,

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ubi quis de facto & consensu suo proprio effectus est alterius Jurisdictionis, scilicet quantum ad seipsum, **sed non quantum ad Regem** ad quem pertinet jurisdictio secundum quod superius dictum est, & ibi iudicium de renunciatione, quod non potest quis in praejudicium alterius renunciare, factum tamen fuit contrarium, ut in Rotulo de term. Pasch. Anno Regis H. 16. in Com. Devon. de Thoma de Buryll, Alfrido in Costons, quod renunciatio aliis praejudicat quam renuncianti. Item & eodem modo non habebit locum Prohibitio, si quis effectus fuerit de alterius jurisdictione de facto suo proprio per Appellationem, ut si implacitatus fueri coram Iudice Ecclesiastico, & non suo, appellaverit ad alium Iudicem non suum, si ad Prohibitionem Regiam convolverit ratione rei secularis qua petitur, quantum ad personam suam audiri non debet, licet non quantum **ad personam Regis**, ut supradictum est, quia quos semel approbavit eos post reprobare non potest. 6. Item locum non habebit Prohibitio de recenti spoliacione, ut si Clericus Clericum spoliaverit de decimis vel aliis de quibus cognitio pertinet ad forum Ecclesiasticum, quia de huiusmodi restitutione non generatur praejudicium patronis, quantum ad jus advocacionis. 7. Item nec locum habet Prohibitio in causa restitutionis cum Ecclesia recenter spoliata fuerit de aliqua libertate quae ei concessa fuerit tempore dedicationis, sicut habendi rationabile Estoverum in bosco patroni, sicut ad housbote & heybote, & ad arandum & huiusmodi. Item habendi communia Pasturae ratione terrae datae Ecclesiae in dotem: recenter dicitur, quia si non est recenter, aliter erit. Item nec locum habebit Prohibitio, ubi quis negligens & juris sui contemptor tardius sibi prospexerit quam deberet, quia tunc primo tulit Prohibitionem cum proventum esset ad sententiam diffinitivam ferendam, vel fortè cum lata esset sententia, quia ex tunc non esset qui sequeretur placitum, quia prius fuit placitum, vel Iudex qui placitum teneret, quod post Prohibitionem non fuit secutum, quod quidem querens propriae poterit imputare negligentiae, quod si tempestivè fecisset non esset ei implacitandum, & quod iudicibus non sit negligentia querentis imputanda, habetis de termino Sancti Hilar. Anno Regis H. 10. in Com. North: de Richardo Oliver.

Sunt revera Iudices qui cum citatus comparuerit de re ad cognitionem suam non pertinente, ut Prohibitionem evadere possint, facta editione sine scriptis **et Denegato ei beneficio deliberationis, faciunt ei tres commonitiones quolibet post aliam, primo die litis**, & ubi satisfecerit eorum voluntati innodant eum vinculo excommunicationis, & pendente prohibitione, cum talis in huiusmodi excommunicatione persisterit per 40. dies, ut prohibitionibus prosecutionem evadant, ad impetrationem eorumdem iudicum significavit ordinarius Regi, quod talis in excommunicatione extitit per tantum tempus, & procurat captionem per hoc breve. 2. *Excellentissimo Domino suo H. Dei Gratia, &c. talis N. permissione divina Exon. Episcopus salutem in eo qui dat salutem Regibus. Serenitati Regiae presentibus intimamus, quod A. de N. propter ipsum contumaciam manifestam excommunicationis vinculo innodatus per 40. dies & amplius in excommunicatione perseveravit, Ecclesiastica negligit parere Censura, Claves Ecclesiae contemnendo. Quia vero Regia Majestas eorum solertiam reprimere consuevit qui Ecclesiasticis praeceptis obediunt negligunt, & mandatis Celatissimis infra, brachium invocamus, rogantes attentius quatenus Dei & honoris Ecclesiae intuitu, quod minus valet Ecclesia in hac parte dignetur Regia supplere majestas.* Conserve vos altissimus. Si autem sit qui conqueratur Domino Regi quod ordinarius iudex, vel delegatus maliciose procuraverit captionem, quo minus sequi possit suam prohibitionem, statim fiat breve Vicecom. de non capiendo talem in hac forma. 3. *Rex Vic salutem. Ostendit nobis, A. quod cum B. persona de tali loco implacitasset eum Curia Christianitatis, coram Archidiacono tali & officiali tali, de quodam prato vel aliquod tale quod est Laicum secundum ipsius A. & idem A. tulisset eidem Archidiacono & Officiali suo breve nostrum de prohibitione ne placitum illud teneret, & eidem B. persona aliud breve nostrum ne illud sequeretur, & postmodum resistere voluerit, tulisset breve nostrum de attachiando eos, ipse Archidiaconus & Officialis & persona ut processum prohibitionis nostra quam idem A. secutus est fraudulenter impedirent suggererunt tali Episcopo, quod idem A. excommunicatus fuit, & per 40. dies & amplius in excommunicatione illa contumaciter perseveravit, ad quorum fraudulentam suggestionem idem Episcopus impetravit à nobis Breve nostrum de capiendo ipsum A. praedicta occasione. Et quia non debet fraus sua alicui patrocinari nec valere, tibi praecipimus, quod ipsum A. occasione Brevis nostri, quod tibi venit de capiendo eum non capias, quo magis impediatur in causa sua prosecutione, & si occasione praedicta capius fueris.*

Bracton l. 3. c. 11. f. 408.

fuert ipsum sine dilatione faciam deliberari. Et si prædictus Archidiaconus, Officialis, & persona Laicum feodum habuerint in Balliva sua, & idem A. fecerit se securum de clamore suo prosequendo, tunc illos ponat per Vadium & saluos Plegios, quod sint coram nobis tali loco tali die, inde responsuri, & habeas ibi, &c. Teste, &c. 4. Cum autem quis meritis suis ex gentibus iuste excommunicatus fuerit, & ad mandatum Ordinarii captus & imprisonatus, non erit per Dominum Regem, nec per alium deliberandus antequam Deo & Ecclesie satisfecerit competenter. Sed si cum hoc fecerit vel cautionem præstiterit de parendo juri & satisfaciendo competenter, & Ordinarius ulterius ipsum malitiosè in prisa detineri fecerit, ex tunc pertinebit ad Regem deliberatio propter malitiam dum tamen procedat satisfactio, vel sufficiens † cautio de satisfaciendo (ut prædictum est) quod prius fieri non deberet, nisi tunc demum cum ipse Rex Literas Ordinario de satisfactioe reciperet, & in hoc casu fiat Breve Vic. in hac forma. 5. Rex Vic. salutem. Offensum est nobis ex parte A. de N. qui meritis suis exigentibus, vel propter manifestam contumaciam suam excommunicatus fuerit, & ad præceptum nostrum captus & in prisa nostra detentus, eo quod per 40. dies & amplius in excommunicatione illa contumaciter perseveravit; Donec Deo & Ecclesie satisfecerit competenter, paratus sit Deo & Ecclesie satisfacere, talis Ordinarius facit eum malitiosè in prisa detineri ad gravamen & dampnum ipsius A. non modicum. Et quoniam in hac parte \* propter malitiam ipsius Ordinarii ad nos pertinet deliberatio, Tibi præcipimus, quod si idem A. eidem Ordinarii tali sufficientem fecerit securitatem de parendo juri & satisfaciendo competenter Deo & Ecclesie, tunc illum A. sine dilatione facias deliberari. Et si Ordinarius hoc recusaverit, tunc tu ipse vice nostra capta securitate (ut prædictum est) illum sine dilatione deliberari facias. Cum autem ad Prohibitionem Judices supersedere noluerint, nec ille qui prosequitur a prosecutione desistere, attachientur omnes, quod sint coram Rege, vel Justic. suis de Banco, vel Itinerantibus, per tale Breve ad respondendum, quare, &c.

\* Without any Oath to that purpose, since exacted against Law.

† See Register, pars 2. f. 65, 66. Fitz. Nat. Brev. l. 63, 64.

\* Nota.

Bracton l. 5. c. 12. fol. 409.

Rex Vic. salutem. Si A. fecerit se securum de clamore suo prosequendo, tunc pone per Vadium & saluos Plegios B. talem Ordinarium, quod sit coram nobis vel Justic. nostris apud Westm. vel coram Justic. nostris ad primam Assisam, &c. ostensurus, quare teneat placitum in Curia Christianitatis de Laico feodo ipsius A. in tali Villa contra Prohibitionem nostram, vel de advocatione talis Ecclesie, vel de debitu & catallis, quæ non sunt de Testamento vel Matrimonio, & hujusmodi pone per Vadium & saluos Plegios. Et quod tunc sit ibi ostensurus quare secutus est idem placitum in eadem Curia Christianitatis, contra prohibitionem nostram, & habeas ibi nomina Plegiorum, & hoc Breve. Teste, &c. Et ita fiunt Brevia de Attachiameto quæ convenient cum Brevibus de Prohibitione. Si autem fieri debeat Attachiameto de Judicibus Delegatis, vel Subdelegatis, tunc fiat breve in hac forma. 2. Rex Vic. salutem. Si A. fecerit se securum de clamore suo prosequendo, tunc pone per Vadium & saluos Plegios B. C. D. (nominibus propriis expressè, videlicet B. Episcopum, vel Abbatem, vel Priorem talem, Archidiaconum talem, & D. Officalem talem) quod sint coram nobis, vel Justic. nostris, &c. ut supra, ostensuri, quare tenuerunt placitum in Curia Christianitatis de Laico feodo & hujusmodi, &c. ut supra, Auctoritate Literarum Domini Papæ, et hujusmodi contra Prohibitionem nostram. Pone etiam per Vadium & saluos Plegios, quod tunc sit ibi ostensurus, quare secutus est idem placitum in Curia Christianitatis, contra Prohibitionem nostram. Et habeas ibi, &c. ut supra. Et ita fiat Attachiameto si Judices & ille qui sequitur manentes fuerint in eodem Com. si autem in diversis, tunc fiant Brevia diversa singulis Vic. per se. 3. Si autem ad diem non venerint, tunc aut Vicecomes mandat, quod attachiati sunt, in quo casu attachientur per meliores Plegios, & quod distringantur per omnes terras, &c. quod sint ad alium diem, & observetur ordo attachiametorum sicut observatur in aliis actionibus personalibus. Si autem mandaverit Vicecomes, quod Clerici sint, & Plegios invenire noluerint, nec Laicum feodum habuerint per quod possint distringi, tunc mandetur Ordinarius & Episcopo, quod faciant eos venire sicut alibi in actionibus personalibus observatur regulariter. Verum est, quod Judex Clericus cognitionem non habet de Laico feodo alicujus. Sed quid dicitur de tenementis quæ sunt in Civitatibus & Villis, quæ legari possint sicut Catalla sive Tenementa sicut de perquisito, vel hæreditas descendens, an locum habeat Prohibitio? Videtur quod non, quia de voluntate testatoris qui legare potest hujusmodi, de jure communi effecta sunt hujusmodi tenementa quasi catalla testatoris, & ideo non habet locum Prohibitio. Item de hoc, quod dicitur de Laico feodo talis oportet, quod ille qui queritur doceat Laicum tenementum illud esse suum. Et unde



si quis teneatur alicui Domino suo ad redditum aliquem, tenens prohibitionem non habebit, quia redditus erit ipsius Domini non tenentis. Si autem de huiusmodi, non fiat prohibitio, cum sint quasi catalla vel pecunia promissa ob causam matrimonii, non habet locum prohibitio, cum illud quod principale est trahat ad se debitum, & catalla quasi accessoria testamento vel matrimonio. Item, si fiat prohibitio ut de laico feodo, non valet de jure, nec quantum ad petentem redditum, nec quantum ad tenentem tenementum de quo provenit, quia laicum & feodum verum est in Catallam & causam testatoris, ut cum legaretur ex tali causa obtinuerit. Item, incipit tale tenementum esse Laicum feodum & non ante, quod non erit de decimis, cum semel efficiantur Laicum feodum, nunquam reincipient esse decimæ, & hæc vera sunt secundum Bialtos, sed contra de termino *S. Mich.* Anno Regis *H.* filii Regis *J.* secundum, incipiente tertio in Com. *Kanc de Matilda filia Simonis*, quæ attachiata fuit, quia secuta fuit placitum, & Abbas Sancti *Augustini*, & Prior Sanctæ *Trinitatis Cantuariensis*, & Prior Sancti *Gregorii* Judices, qui tenuerint placita de quadam domo quam Matilda petiit, ex causa testamentaria *London.* Et unde *Simon* filius *Simonis* questus fuit, quod laico feodo suo ibi defenderunt omnes, & ad iudicatum fuerunt leges sed remissa, cum ad petitionem legati, & Judices securitatem præstiterunt quod ulterius non procedant, sed quale remedium habebit legatarius in foro laicali. Et sciendum quod semper locum habet prohibitio quousque discussum fuerit, in Curia Regis utrum Legata fuerit vel non? Et tunc primo procedant Judices de licentia, quia ipsi non possunt æstimare ab initio.

Cum autem partes comparuerint in iudicio, tam querens, quam ille de quo queritur, & Judices, vel quidam illorum, proponat querens intentionem suam in hunc modum. Ego *A.* conqueror de *B.* quod me iniuste vexavit & gravavit trahendo me in placitum in Curia Christianitatis de laico feodo meo, scilicet tali, & exprimat qualitatem terræ, vel huiusmodi, vel alterius tenementi, vel si de debitis & Catallis, quæ non sunt, &c. tunc exprimat cuiusmodi debita, & cuiusmodi catalla, de quibus implicatus fuerit, & quod hoc fecerit, contra prohibitionem, & unde damnum ad valentiam, &c. 2. Item, ad intentionem suam confirmandam & iuvandam proferat æditionem ei factam in iudicio & in scriptis redactam, si possit quod porrexit ei prohibitionem Domini Regis tali loco, tali die in pleno Consistorio tali, & ipsi nihilominus processerunt ad prosecutionem ipsius de quo queritur, ita quod amiserunt probationes testium & huiusmodi, vel quia ipse querens noluit obtemperare iudicatis, excommunicaverit eum non obstante prohibitione sua, & inde statim producat sectam sufficientem, duos ad minus, vel tres, vel plures, si possit. Et si de veritate dubitetur, examinentur diligenter, de die, & loco, & aliis Circumstantiis secundum quod observatur de testibus producendis, qui si in examinatione facienda inventi fuerint discordes, perinde erit ac si nullam sectam produxerit, & unde ad simplicem vocem querentis non habent Judices necesse, nec pars de qua queritur, defendere se per legem. Sed quoniam deficere possit probatio licet jus non deficiat, cum tales fuerint absoluti forte pro defectu probationis, dicatur eis, quod quicquid actum fuerit, non procedant de aliquo placito quod pertinet ad Coronam & dignitatem Regiam. Si autem in omnibus inveniuntur concordēs, audire debent Justitias responsiones Iudicum & partes. Respondere itaque poterunt multis modis, vel quod locum habere non potuit prohibitio, quia res quæ acta est, merè spiritualis est, vel spiritualitati annexa, & hoc docere possunt per æditionem factam, ut causa fuerit, testamentaria vel matrimonialis, in quo casu in nullo præsumptum est contra Regiam dignitatem, & sic absolvi poterunt ab observatione iudicii. Si vero per æditionem vel confessionem constiterit, quod res de qua actum fuerit, merè fuit temporalis, ita quod cognitio pertinet ad Regem, bene poterunt defendere contra querentem & sectam suam, quod nunquam prosecuti fuerint post prohibitionem, si quam inde habuerint, vel quod nullam habuerint omnino prohibitionem. 3. Et quo casu vadiet legem quilibet se 12 manu, qua vadiata & plegiis inventis de lege facienda, dabitur eis dies ad legem faciendam, ad quam si voluerint, possunt se effoniare, & habebunt alium diem per Effoniatōres suos. Et si ad diem sibi datum non venerint, nec se effoniarint, pro convictis habebuntur, iudicium habebunt, & damna querenti restituent. Cum autem comparuerint & producant compurgatores suos, quamvis familiares & amicos, secundum quod secta producta fuerit de familiaribus & amicis, facilius enim admittuntur purgatores alicujus ad legem & defensionem propriam quam recognitores ad recognitionem, & non est necesse quod omnes  
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Bracton de legibus & Consuetudinibus Angl. l. 5. c. 13. p. 409. 410.

sint ejusdem ordinis, conditionis, vel dignitatis cujus est ille qui legem vadiat, sufficit enim si fideles sint & bonæ opinionis, ut si Episcopus, Abbas vel Prior ad legem teneatur, non oportebit, quod omnes compurgatores sint Episcopi, Abbates, vel Priores, nec si Clerici sint ordinati, Milites, vel conjugati dum tamen alio modo sint idonei, ut prædictum est. 4. Formantur autem verba legis secundam formam Recordi seu in omnibus aliis legibus faciendis observatur, in qua si quis eorum defecerit, si laicus fuerit, pro convicto habeatur de eo quod imponitur, et **Gaulæ committatur, sicut præsumptor contra Regiam dignitatem, ac si crimen læsæ Majestatis commisisset.** Si autem Clericus aliquando, cum eo mitius agitur de gratia, ob reverentiam ordinis Clericalis. Si autem convicti, damna restituent querent, adhibita tamen taxatione aliquando debita secundum quod Justit. viderint justum. 5. Refert (secundum quosdam) quis prius se purgaverit, Index, vel ille de quo queritur. Dicunt, quidam quod si Index se purgaverit prius unus vel plures, quod ille qui secutus est non propter hoc liberabitur, & quod quilibet in hoc casu defendat causam propriam, licet videatur prima facie, quod non est qui sequatur, cum non sit qui teneat placitum (quod non est verum secundum quosdam) sed vice versa, si ille qui sequi debeat se purgaverit, Judices pro hoc liberantur, cum non sit qui teneat placitum, cum non sit qui sequatur, quod non est ipso casu, ubi quis sequi poterit de facto suo & voluntate, licet Index in probatione defecerit, ille qui sequitur non est propter hoc condemnatus, nec eodem modo si unus ex pluribus Judicibus quia quilibet in hoc casu defendat causam suam propriam secundum quod legitur *F. ad legem Julianam* de adulterinis lege ult. Denunciasse C. Quare ubi dicitur quod expectabit mulier sententiam de adulterio prolatam, qui si absolutus fuerit, mulier per eum vincet, nec ultra accusari possit. Si autem condemnatus fuerit, mulier non est condemnanda, sed aget causam suam, & fortassis obtinere vel gratia, vel justitia poterit vel legis auxilio. Quid enim si adulter ab inimicis oppressus sit, aut similibus argumentis testibusque subornatis, apud præsidem gravatis, quia aut voluit, aut non potuit mulier provocare judicem religiosum. Mulier verò fertitata, quod quidem (ut videtur) melius esset observare in omnibus casibus supradictis, ut si unus iudex se purgaverit, quod hoc prodesse debet conjudicibus suis & parti. Si autem in purgatione defecerit, quod hoc aliis non noceat, quin se defendere possint, & causam suam. 6. *Item*, respondere possunt Judices secundum quod superius in parte dictum est, quod quamvis res de qua agitur temporalis sit & cognitio pertineat ad forum seculare, ipse querens expressè renunciavit privilegio fori in scriptura & Regiæ prohibitioni, & quod conveniri possit ubicunque Creditor vellet, & in quocunque foro. Et ideo quod ipse querens audiri non debet propter renunciationem ex quo gratis trahi voluit, ad forum vetitum & Judicem non suum. Et cum Judices super hoc & creditor, instrumentum protulerunt de renunciatione quod querens dedicere non possit, statim & ante omnia in iudicio seculari compellatur ipse querens, quod reddat illud, quod debet, vel faciat quod convenit, & sic in misericordia pro injusta retentione versus suum creditorem etiam sine alio brevi sicut supradictum est, propter dolum & malitiam suam, quia per se reversus est ad iudicium regium cui prius renunciavit in ipsius Regis præjudicium. Et iis ita peractis tunc demum procedatur in causa prohibitionis, & si convictum sit, quod aliquando gratis processit in foro Ecclesiastico, tunc prosecutione & renunciatione concurrentibus aggravetur pœna propter multiplicem injuriam, & debitor in causa prohibitionis puniatur propter renunciationem, cum pœna præcedenti propter injustam detentionem, & propter fraudem inveniendò contra factum suum proprium. **Judices vero puniantur, quia tenuerunt placitum in præjudicium Domini Regis, et similiter Creditor quia debitozem traxit ad forum vetitum. Et secundum quod dicitur, quod laicus non poterit renunciare foro seculari in præjudicium Regiæ dignitatis,** eodem modo videtur quod nec Clericus si vellet in causa criminali vel alia cujus cognitio pertineat ad Ecclesiasticam dignitatem & ordinem Clericalem; & est eadem ferè ratio habita inde: Index vero Ecclesiasticus si iudicaverit de laico feodo non poterit sententiam demandare executioni, quia si illam demandaverit Vicecomiti exequendam, non erit ei parendus. Si autem illam legem per ipsum vel suos exequatur, locus erit novæ desseyfinæ. Eodem modo videtur quod si laicus cognoverit in causa criminali de Clerico uti sequatur degradatio, si iudicium faciat contra Clericum, sive se gratis posuerit in inquisitionem sive non, quod

non

non valebit quod actum est; quia Episcopus nunquam ad mandatum iudicis secularis sine se procedet ad degradationem. Igitur alia conbatione opus erit in foro Ecclesiastico ut ipse cognoscat et iudicet, qui poterit iudicium demandare executioni. Igitur quodcumque petatur Clericus in tali actione ab Episcopo, erit illi deliberandus quia non habebit Rex personam de eo quem iudicare non poterit. In causis vero civilibus ubi non agitur ad degradationem, videtur quod Clerici se tueri non possunt, quin respondeant in foro seculari, in placitis quæ pertinent ad Coronam et dignitatem Regis, quia Rex poterit iudicium demandare executioni sine præiudicio Ecclesiasticæ dignitatis, maxime si voluerit quod Clerici in huiusmodi actionibus civilibus in foro seculari respondeatur, quod huiusmodi placita pertinent ad dignitatem et Coronam regiam ratione rei et ratione dilecti.

Superius dictum est qualiter revocatur iurisdicção, cum quis tractus fuerit in placitum ad iudicium veritum & ad iudicem non suum, scilicet ad forum Ecclesiasticum in placitis & actionibus quarum cognitio pertinet ad Coronam & regiam dignitatem, per exceptionem oppositam contra iurisdictionem. Nunc autem dicendum est qualiter excipiendum est contra iurisdictionem alicujus iudicis, qui se facit iudicem de placitis & actionibus quæ pertinent ad Coronam & regiam dignitatem, cum quis tractus fuerit in placitum coram eo. Et sciendum quod imprimis ad hoc quod rata sint iudicia, \* videre oportet, an iusticiarius Warrantam habeat a Rege, quod iudicare posset, quia si Warrantum non habuerit, non valebit quod coram eo actum fuit, quasi coram non suo iudice, quia primo legi debet breve originale, et postmodum breve per quod iustic. constitutus est. Et si nullum omnino habuerit, vel si habuerit, non tamen ad manum, non erit ei parendum, nisi forte ita sit quod breve Originale de iusticiaria sua faciat mentionem, Item, nec est ei parendum si contra iurisdictionem suam excipitur, quod fuit ab eo subdelegatus qui iudicem dare non posset, \* ut si iusticiarius sub se iusticiarium fecerit ad totam causam, non magis quam si procurator faceret procuratorem. Item, nec erit ei obtemperandum cum contra eum excipitur licet Warrantum ostendat, non per ipsum qui se delegavit translata fuerit iurisdicção & cognitio ad alium, quia si quis diversis temporibus duos dederit iudices, posteriorem dando videtur prohibuisse Priori. Item, nec est ei parendum si excipitur licet legatus fuerit, & Warrantum habuerit, si sub prætextu unius placiti velit cognoscere de aliis ad quæ non extenditur sua iurisdicção, vel si cum habeat iurisdictionem ad unum placitum, fides mandati excedat & iurisdictionem extendat, ad alia quæ sequuntur Assisam post captionem Assise, cum sit functus officio suo sicut ad certificationem, cum generalem non habeat iurisdictionem sibi delegatam, sicut habent iustic. Itinerantes in Comitatu ad omnia placita, vel sicut iustic. Capitales. Item, excipitur contra iurisdictionem inferioris iusticiarii ubi præfertur iurisdictioni iusticiarii, ut si quis implacitatus fuerit de una & eadem re ab una vel dictio iurisdictioni, ut si quis implacitatus fuerit de una & eadem re ab una vel inferiori Curia, sicut in Curia Domini Regis, Curia Baronis, vel alterius alicujus inferioris, quo casu majus auditorium præferri debet minori. Et si in majori Curia ostenderit tenens, quod de eadem re in minori Curia implacitatus fuerit, prohibebitur ex parte Regis quod de placito illo in inferiori Curia non procedatur, & quamvis processum fuerit, quandoque si prohibito intervenerit, si non, omnia quæ acta sunt in minori Curia revocabuntur. Item, datur exceptio contra iurisdictionem propter privilegium implacitati, ut si quis respondere non debeat de aliquo placito nisi coram ipso Rege vel Capitali iustic. suo, quale habent Hospitalarii Templarii & plures alii. Item, datur exceptio contra iurisdictionem propter privilegium proveniens ex concessa libertate, ut si universitas vel communitas Civitatis alicujus, sicut London. respondere non teneatur de aliquo placito extra Civitatem, quale habent Barones Civitatis London. qui de nullo respondebunt extra Civitatem, nisi tantum de tenuris & contractibus forinsecis. Item, exceptio datur contra iurisdictionem propter libertatem alicujus universitatis, quæ de nullo placito respondebit, nisi certo loco, qualem habet Barones de Quinque portibus qui non respondebunt de aliquo nisi apud *Shypwey*. Item, datur exceptio contra iurisdictionem propter unitatem alicujus universitatis, scilicet ne trahantur extra Com. ad faciendam Assisam

Bracton l. 5. c. 14. §. 417.

\* And doth not the same Law and reason hold in all Ecclesiastical Courts, Consistories, Visitations, Synods, which ought to be derived only from the King, as Supream head and Governour of the Church as well as Realm of England. Sec. 1 E. 2. c. 2. 1 Eliz. c. 1. \* If one Justice cannot substitute another, nor one Proctor another, how can one Ecclesiastical Judge delegate and subdelegate another?



sisam novæ disseysinæ, & mortis antecessoris. Item datur exceptio contra jurisdictionem sicut in Curia Baron. qui placitum de recto tenere nolunt vel non possunt, vel si jurisdictionem remiserint in Curia sua; & eam velint postmodum repetere.

Bracton l. 5. c.  
15. fol. 412.

2 In fine Notandum de jurisdictione Majorum & minorum, et imprimis, sicut Dominus Papa in spiritualibus super omnibus habeat ordinariam jurisdictionem, ita habet Rex in Regno suo ordinariam in temporalibus, et pares non habet neque superiores, et sunt qui sub eis ordinariam habent in multis, sed non ita meram sicut Papa vel Rex. Et pares esse poterunt illi qui inferiores sunt in jurisdictione sua multis rationibus, sed par in parem non habebit jurisdictionem non magis quam Imperium, & multo fortius nec in superiorem. 3. Item sicut a Papa poterit quis habere jurisdictionem delegatam in spiritualibus, ita poterit quis a Rege in temporalibus, sicut Justic. Majores vel minores, vel alii qui sunt quasi Justic. viz. quibus Rex concessit libertates aliquas quæ pertinent ad coronam & libertatem suam; & ideo quamvis in temporalibus sicut in spiritualibus ita poterit quis a Rege in temporalibus sicut Justic. Majores vel Minores vel alii qui sunt quasi Justic. viz. quibus Rex concessit libertates aliquas quæ pertinent ad Coronam & libertatem suam, & ideo quamvis in temporalibus sicut in spiritualibus debet Rex æstimare vel Justic. sui, an sua sit jurisdictio an non, ut sciri possit utrum summonitus venire debeat an non; Tamen si Juder Ecclesiasticus falcem ponens in messem alienam aliquid præsumpserit contra Coronam et dignitatem Regiam, sicut de Laico feodo vel de Catallis cum prohibitionem a Rege susceperit, superledere debet in omni casu, saltem donec confiteretur in Curia Regia, ad quem pertinet jurisdictionis; quia si Juder Ecclesiasticus æstimare posset an sua esset jurisdictio, in omni casu indifferenter procederet non obstante Regia prohibitione. Debet igitur vel omnino superledere, vel cum attachiatus fuerit, venire vel mittere quod examinato placito in Curia Regia de Consilio Curie superledeat, vel procedat, quod si non fuerit, poena debita puniatur, ut supra. Therefore the Kings temporal Courts, and jurisdiction within his Realm, were paramount the Popes and Prelates Ecclesiastical, since they could thus prohibit, controle, stay their Judgements, Prozesse, Suites, limit, judge, determine their jurisdictions, and attach their Persons if they exceeded them, whereas they could neither stay, censure, nor controle the Kings or his Temporal Courts proceedings or Judgements in such cases.

Bracton de legibus Angliæ.  
l. 5. c. 16.

Mutatur quandoque jurisdictio de jurisdictione in jurisdictionem mutatis rerum nominibus, ut si de Laico Catallo fiat spirituale, ut cum res fuerint decimate, fiunt de Laico Catallo res spirituales, & sic mutatur jurisdictio secularis in spirituale. Item è converso cum decimæ venditæ fuerint, & ad alium traslatæ, reincipiunt iterum esse Laicum Catallum. Eodem modo dici poterit de Laico feodo quod mutato nomine in causa testamentaria sit Laicum feodum exequuto Testamento. Eodem modo fieri deberet (ut videtur) de rebus datis vel promissis ob causam Matrimonii principaliter, & illud idem de rebus que accidunt de Matrimonio, ut si pecunia promissa fuerit ob causam Matrimonii. Et quia ejusdem juris, id est jurisdictionis esse deberet accessorium, cujus juris fuerit principale, & quamvis prædictorum pertineat cognitio ad judicem & forum Ecclesiasticum, tamen ad prohibitionem Regiam erit superledendum, sed revera locum habet prohibitio, quia si in Burgo domus vel prædium legatum fuerit, in foro seculari terminabitur negotium, sicut de assignatione fieri oportet. Et si Legatarius fuerit in seysina, habebit exceptionem contra hæredem & Assisam novæ disseysinæ si fuerit ejectus, si autem extra seysinam, tunc habebit Actionem in foro seculari per modum donationis versus omnes. Item videndum est, an privatorum consensus commutare possit Regiam jurisdictionem in contractibus privatis; ut si quis sic consentiat ad alterius jurisdictionem ad veritum examen convolvendo non obstante prohibitione, & verum est quod non, quia imponi non potest necessitas Regi quod suam jurisdictionem amittet, secundum quod superius dictum est in parte. Item nec mutari poterit per modum donationis sive per Conventionem privatorum licet ipse qui modum imposuerit sibi & suis præjudicet: ut si privata persona Bastardo dederit, & suis hæredibus, vel cui dare vel assignare voluerit, & si hæredes non habuerit

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reversura esset terra ad donatorem, sed quia donator modum adjecit, quia dare possit & assignare, valebit donatio & assignatio, quæ alias non valerent. Eodem modo videtur quod adjicere possit quod, Bastardus legare possit, sed per hujusmodi modum adjunctum non mutatur Jurisdictio Regis, sed in Curia Regis terminabitur negotium si legatarius fuerit extra feysinam, & per tale breve. Præcipe &c. Et quæ ad talem reverti debent per modum donationis quem talis ei fecit, quod illam dare potuit, legare & assignare, quia eadem ratione qua bastardus per modum donationis dare potest & assignare licet hæredes non habuerit, eadem ratione poterit legare, & ita quod res data nec ad se nec ad hæredes suos reverti possit, quia nulla ex hoc fit eis injuria, quia donator hoc voluit, & nihilominus tenentur hæredes factum illud Warrantizare legatario licet hæredes Bastardi defecerint. Et quod dicitur de Bastardo, idem observari poterit de legitimo, quia poterit in persona omnium lex imponi & modus sive donatorius liber sit vel servus, legitimus vel bastardus, quia oportet utrumque, tam donatorem quam donatorium facere quod convenit, ex quo utique ab initio voluit. 3. Item mutat aliquando jurisdictionem contractus & aliquando delictum. Ut si Clericus contraxerit aliquo modo cum Laico, conveniendus est ubi contraxerit, & aliquando ubi deliquit, dum tamen civiliter agatur, non ad pœnam corporalem infligendam, nisi degradatio vel alia capitis diminutio imponatur. Item mutat aliquando Jurisdictionem privilegium ordinis Clericalis, ut si Clericus Clericum convenerit in actione injuriæ, vel de rebus spiritualibus, sicut decimis, vel rebus mobilibus, vel hujusmodi Clericorum, sicut de catallis & debitis ubi ad vetitum examen convolare non debent. Si autem de Laico feodo agatur, aliud erit nisi fuerit dedicatum & Deo sacratum, & efficiatur res sacra; quod quidem dicti non poterit de re in liberam & perpetuam Eleemosynam datam.

The Bishops being much troubled at the Kings prohibitions issued to their Courts against their manifold encroachments on his Crown, Courts, Officers, Subjects, and with this Treatise of *Bracton*, then compiled in justification of them; the King then extremely wanting monyes, earnestly pressed the *Cistercian* Abbots and Bishops to supply his necessities, to satisfy the Popes unreasonable forced demands and his Merchants obligations: And although the *Cistercians* resolutely refused to grant him any ayd, yet the Bishops to avoid the Kings further displeasure, who would multiply his Prohibitions if they denyed him a supply, and being likewise more fearful of displeasing the Pope, they endeavoured to make use of his necessities, to advance their Pontifical Miters above his Crown, their Canons paramount the Laws, customs of the Realm, and all temporal Courts Jurisdictions whatsoever, granting him an ayde, in hope to obtaine his Royal assent to no lesse then so. Articles, which they prepared and put in writing not only as grievances, but high encroachments on the Churches liberties, thus related by *Matthew Paris*.

In Epiphania autem Domini, Dominus Rex minime considerans pluviarum inundationes, ventorum vehementiam, fluminum impetus, laborum inquietudinem, fecit convocari Abbates *Cisterciensis* ordinis, ut *Londoniam* convenirent, præceptum Regium audirent. Venerunt igitur vexati mirabiliter: quia sic oportuit, omni spe misericordie destituti. Qui cum venissent coram Rege, rogante instanter & urgenter auxilium pecuniare non modicum, responderunt omnes, quasi uno ore & spiritu, quod nec voluerunt, nec potuerunt, sine sui capituli generali provisione & consensu, vel saltem communi assensu omnium Abbatum *Angliae* ordinis *Cisterciensis*, qui tunc temporis presentes non fuerant. Et cum sine die qua convenire omnes possent, recessissent, præcepit Rex cum magno radcore, ut nullam Abbatibus *Cisterciensibus* gratiam faceret. Et sic tacite permisit Vicecomitibus, Forresteriis, & aliis Regis satellitibus & exactoribus, (qui tamen sine Regio favore & præcepto ad hoc poni fuerant) omnes Abbates ordinis *Cisterciensis*, vicinos damnificare, & causis extogitatis irretire.

Circa idem tempus Prælati *Angliae* miserabiliter enervati & meticulosi, constantiam *Cisterciensium* minime consequentes (qui Regi pecuniam inestimabilem exigenti in faciem resisterunt) concesserunt Regi quadraginta duo millia *Marcarum*, in enormem Ecclesie et Regni læsionem et jacturam irreparabilem, & concessa fuisset pecunia vel Domino Regi, vel ipsi, ad mancipandum Regnum *Apuliae*, *Edmundo* filio Regis. Sed illius Regni adquisitio diatim cepit incrementum desperationis. Rex autem qui parum hoc munus accepta-

Mat. Paris Hist. p. 913.  
Abbates Ordinis Cisterciensis convocantur Regio Edicto.

Mat. Paris Hist. p. 917.  
Prælati Angliæ promittunt Regi conditionaliter magnam pecuniam summam.

vit promisit se citissime Ecclesie oppressione temperando ad statum debitæ libertatis revocare. Unde formati sunt Articuli circiter quinquaginta, quos Prælati in scripta redegerunt, ut apto tempore coram Rege & magnatibus & Prælati lecti, effectum debitum sortirentur. Qui Articuli, vel Capitula, similia fuerunt illis, pro quibus beatus Thomas Archiepiscopus *Cantuariensis Martyr* dimicabit victor gloriolus. Articuli autem tantum continent literæ, quantum duo nocturna vel tria. Quare in libro *Addamentorum*.

These Articles it seems were drawn up in a Convocation summoned this year by Archbishop Boniface, as Matthew Paris thus stories.

Mat Paris Hist.  
Angl p 920.  
Archiepiscopus  
Cant. convocavit  
Prælatos suæ  
Provinciæ.

Diebus sub eisdem, Archiepiscopus *Cantuariensis Bonifacius* convocavit Episcopos & Archidiaconos provinciæ suæ, ut invocata devotè spiritus sancti gratia, Ecclesiæ jam vacillantis *Anglicana*, quæ nobis oppressionibus modernis annis solito gravioribus et intolerabilioribus opprimitur, statui subvenirent, communiter contradantes. Rex enim consiliis imo sibi-  
lis adulatozorum, et Regni inimicorum incurvatus, permisit quadam enormis consuetudines, tanquam spinosos frutices in horto voluptatis fructifero succrescere, et fructiferas arbores suffocare. Sperabatur igitur certissime, ut in hac Convocatione eidem Archiepiscopo daretur desuper opponere se murum pro domo Domini, ut certamen iniret contra rebelles Ecclesiæ, beati Thomæ Martyris vestigia sequendo pedetentim.

The King (it seems) understanding the Archbishops and Bishops designs intended to be prosecuted in this Council against his Crown, Dignity, Courts, Judges, Prohibitions, Laws and Customs of the Realm, prohibited him and them to meet therein under pain of forfeiting their temporalities, by these ensuing Prohibitions issued to him and them.

Claus. 41 H. 3.  
m. 6. dorso.  
De convocati-  
one revocanda.

**R**EX H. Lincol. Episcopo salutem. Cum pro Exercitu nostro cum quo tendimus ad partes Cestræ, contra Wallenses inimicos nostros, vos & omnes alios Prælatos & Magnates Regni nostri fecerimus summoneri, ad eundem nobiscum cum toto servitio suo, nobis debito, pro defensione terræ nostræ contra prædictos Wallenses. Et Archiepiscopus Cantuar. quandam Convocationem Episcoporum fieri fecerit London. in Octabis Assumptionis beate Mariæ, ut audivimus. Quæ quidem Convocatio aut alii tractatus, vel Concilia, nobis existentibus et agentibus in exercitu nostro fieri non debent, eo quod singuli tam Prælati, quam alii in propriis personis venire debeant ad defensionem Coronæ et Regni nostri, et per absentiam eorumdè grave nobis et terræ nostræ periculum posset imminere, inhibuimus districte præfato Archiepiscopo, ne dictam Convocationem faciat, sed Convocationem illam dum fuerimus in exercitu nostro penitus revocet, et suspendat, unde sub debito fidelitatis qua nobis tenemini et forisfactura omnium terrarum et tenementorum quæ in Regno nostro tenetis, vobis districte prohibemus, ne ad Convocationem huiusmodi dum fuerimus in exercitu nostro, accedere præsumatis, sed ad nos versus Walliam pro defensione nostra et terræ nostræ contra prædictos Wallenses, sine moræ dispendio veniatis, servitium vestrum nobis debitum personaliter impensuri, ne pro defectu vestri exheredationem perpetuam patiamur. Teste meipso apud Wodest. 19. die Julii.

Eodem modo mandatum est aliis Episcopis *Cantuar.* provinciæ in *Anglia* existentibus.

Et mandatum est Officialibus Episcoporum ejusdem provinciæ agentium in partibus transmarinis, quod ad Convocationem prædictam non accedant, sed sub amissione omnium terrarum domini suorum mittant Regi servitia quæ domini sui Regi debent.



The Archbishop and Bishops notwithstanding these Writs, met and proceeded in their Convocation in a very contemptuous and presumptuous manner, as these 50. Articles then drawn up and tendered to the King, and their Treasonable Papal Decrees in pursuit of them, will most evidently demonstrate, thus registred by *Matthew Paris* in his *Addimenta*, for their eternal honour.

*Articuli pro quibus Episcopi Angliæ fuerant pugnaturi.*

**I**mprimis, quod vacantibus Ecclesiis Cathedralibus seu Conventualibus, Conventus talliantur, terræ relinquuntur incultæ: vastantur nemora, parci & vivaria, corrunt ædificia, diripiuntur bona, depauperantur villani & maletractantur: ita quod mendicare coguntur Prælati succedentes, per tempora diuturna: quod est contra Domini Regis Chartam, & etiam Ecclesiasticam libertatem. Et in tantum jam crevit malicia, quod Escaetores non ad bona Abbatum & Priorum usui decedentium deputata, manus extendunt, verumetiam ad blada instaurata, & alia quibus Conventus sustentari debet: ita quod occasione talis Custodiæ, quandoque religiosi debitis gravibus onerati, & alias multipliciter depauperati, resurgere non possunt, nec ad statum debitum pervenire temporibus diuturnis.

Addimenta  
Matthæi Paris.  
p. 199, 200,  
201, &c.

2. Item, cum Ecclesiæ Cathedrali seu Monasterio Ecclesiasticum beneficium sit annexum, si curam habeant animarum, illud octupant Custodes gardarum, decimas & obventiones, & alios proventus inde percipientes; contra Deum & omnia jura: cum talia beneficia non pertineant, ad baroniam, et ratione Laicalium bonorum tantum ad Dominum Regem custodem devolvuntur.

3. Item, Cum electiones in Ecclesiis Cathedralibus seu Conventualibus debeant esse libere, tot et tales preces Regales interveniunt, quibus electores perterriti, sæpius divinæ humanam præferunt voluntatem. Eodem modo fit de Ecclesiis vel Præbendis, ad opus Regalium Clericorum, cum eas vacare contingit.

4. Item, Celebratis electionibus, & præsentatis Domino Regi electis, interdum differunt adhibere consensum electo, vel electioni, absque causa rationabili se opposcentes, ut sic electi per timorem cedere, vel electores precibus Regis et voluntati acquiescere compellantur, ex quibus multa pericula, tam spiritualia quam temporalia, contingunt Ecclesiis.

5. Item, cum aliquando in casu à jure non concessio, ad Prælatum superiorem devolvitur potestas ordinandi de Ecclesia Cathedrali vel Collegiata vacante, Dominus Rex privilegium Christi concessum de licentia eligendi, ab electoribus ante electionem celebrandam, ab eo petenda, ad hujusmodi ordinationem nititur extendere, in suæ salutis dispendium, et scandalum plurimorum, et etiam contra \* Patris sui Chartam super electionibus concessam.

\* See here p.  
336, 337.

6. Item, in Ecclesiis Parochialibus & Præbendalibus curam animarum habentibus, intrudit Clericos per Laicam potestatem; Ordinariis penitus irrequisitis: & sæpius institutos, ab Ordinariis destituit & ejicit. Destitutos etiam ab eisdem, licet degradatos, restituit, tam in Monasteriis, quam Parochialibus Ecclesiis, & sic restitutos armatâ manu defendit.

7. Item, Prælatos trahit ad forum suum ut ibi respondeant, quare subditos suos excommunicaverint vel denunciaverint excommunicatos: sicut quare non admiserit Clericum idoneum præsentatum, ad aliquam Ecclesiam etiam Parochialem.

8. Item, si quis Laicus vel etiam Clericus, sibi vel suis Justiciariis de Clerico conqueratur super aliqua violentia vel alia injuria, de debitis etiam vel aliis personalibus actionibus, si Clericus Laicum feodum habeat, per illud distringitur ad comparandum in foro suo super talibus responsurus. Quod si tale feodum non habeat, distringitur Episcopus per Baroniam suam, quod Clericum ipsum ad hoc faciendum illuc venire faciat. Idem etiam facit de religiosiis interdum.

9. Item, Cum Prælati Ecclesiastici inquirere volunt de peccatis subditoꝝ, \* prohibentur Laici, ne de veritate dicenda, aut de credulitate, aliquod Juramentum exponant, aut Prælati super hujusmodi obediunt: propter quod multoꝝ excessus et peccata mortalia incorrecta et impunita relinquuntur, et sic præstatut audacia delinquendi, et peccati facultas.

\* Here p. 699, 704, 705, 706.

10. Item, cum quis excommunicatus pro offensa vel contumacia, post 40. dies ad mandatum Ecclesiæ secundum consuetudinem, per breve Domini Regis capitur, & postea sine assensu sui Prælatis, ad cujus instantiam capitur, & absque aliqua satisfactione, contra jus et consuetudinem Regni ac Ecclesiæ libertatem, per breve Domini Regis liberatur.

11. Item, Vicecomites tales excommunicatos ad mandatum Domini Regis non capiunt, et si capiant, liberant sine mandato Regis et satisfactione.

\* Their Excommunications were so unjust, illegal, execrable, frequent, that all these abhorred and slighted them.

12. Item, \* Dominus Rex, Justiciarii et Ballivi sui passim et indifferenter excommunicatis communicant, tam in divinis quam in judiciis. Et etiam Dominus Rex excommunicatos et claves Ecclesiæ contemnentes, ad mandatum suum captos, facit liberari, ad causam si quam habent in Curia Laicali personaliter persequendam: Nec admittitur exceptio excommunicationis contra eos etiam probata, per Literas Ordinatioꝝ.

13. Item, Dominus Rex mandat Literis suis, quod non vitentur excommunicati, licet per Ordinarios publice denuncientur excommunicati.

14. Item, cum Clericus super aliquo crimine, furto, vel homicidio, vel aliqua alia feloniam, per Laicorum diffamationem aut latronum Appellationem irretitus existat, pro quo detentus sit in carcere Laicali, cum ab Ecclesia & suo Prælate requiritur, ipsum liberum habere non potest. Nec reddunt captos Clericos libere judicandos, sed ut eos habeant coram Justiciariis Domini Regis proꝝimo in Comitatu itinerantibus, per intervallum aliquando sex vel quinque annoꝝ, licet ab eis judicari non possit.

15. Item, Clerici sic capti plerumque in habitu clericali inventi, antequam ab Ordinariis Ecclesiasticis repetantur seu repeti possint, suspenduntur, & quandoque capita eorum raduntur ut Clerici non appareant, & sicut Laici judicentur. Quandoque cum repetuntur, differtur eorum liberatio ad tempus, & interim suspenduntur de nocte vel hora prandii, ne ad notitiam Ordinarioꝝ valeant pervenire.

16. Item, \* Justiciarii & Vicecomites per Patriam itinerantes, & inquirentes de criminosis Patriæ, si Laici Clericos de crimine homicidii, rapinæ, vel latrocinii, vel aliquo alio defamant ( licet non fugitivum, non crimine repertum ) statim Clericos incarcerant & detinent. Et si non inveniuntur in Comitatu, & per quatuor Comitatus vocati non veniant, forbanant eisdem sicut Laicos, nec prodest eis ordo clericalis.

17. Item, quod si idem Clericus irretitus, super objectis sibi criminibus coram Judice suo Ecclesiastico Canonice se purgaverit, nihilominus Laica potestas ad bona sua mobilia et immobilia manum extendit.

18. Item, si Clericus criminofus pro objecto & probato contra ipsum facinore degradatus existat, Laica potestas bona sua mobilia et immobilia occupat et invadit, & sic contingit Clericum pro eodem delicto, bis in id ipsum puniri.

19. Item, cum contingit Clericum pro delicto Forestæ defamari, per inquisitionem viridarioꝝ & Forestarioꝝ super captione venationis, vocatur coram Justiciariis: et licet ab Ordinariis repetatur, nisi prius carceri Laicali mancipetur, suo Ordinario non liberatur, & post liberationem factam Episcopo, per Inquisitionem factam per Laicos, pena pecuniaria condemnatur.

20. Item, similiter condemnantur absentes & ignorantes, ad simplicem vocem viridarioꝝ

viridarium & Forestariorum, cum ad inquisitionem per Laicos factam non debeant condemnari Clerici, vel aliquo modo Judicari: & tam isti quam illi compelluntur solvere merciamenta, per possessiones Laicales si quas habent. Sin autem (non) distringuntur Episcopi per Baronias suas, ut dictos Clericos compellant de suis beneficiis solvere condemnationem.

21. Item, per eandem distinctionem, attachiantur & coguntur Clerici in actionibus personalibus, & in hiis quæ ex contractibus oriuntur in foro seculari: & etiam delictis respondere querelantibus.

22. Item, cum aliquis ad immunitatem Ecclesiæ fugitivus existat, per Laicos custodes Cœmeterium vel Sclarium Ecclesiæ circumdatur & vallatur, quod vir potest fugitivus in alimentis ab Ecclesiâ sustentari. Aliquando fugitivus eripitur violenter, aliquando postquam secundum Regni consuetudinem terram abjuraverit, ut infra 40. dies exulet se, à publica strata politis insidiis extrahitur, suspenditur, & damnabiliter quandoque interficitur.

23. Item, cum a Regia dignitate et libera voluntate concessa sit Episcopis, libera Testamenti factio, licet hoc a jure habeant et consuetudine, et \*sacrilegium sit quod semel est Ecclesiæ concessum, illud infringere vel turbare, ultimæque voluntate nihil debeat esse liberius: Dominus tamen Rex non permittit executores Testamentorum eorundem Episcoporum, de bonis ipsorum administrare, quousque causa cognita ipsius facinoris, gratiam mereantur super hiis obtinere.

\* Nota

24. Item, cum quis tenens Laicum feodum de Domino Rege, decedat, Ballivi Regis omnia bona defuncti sibi habent, nec permittunt ejus executores de eis disponere, donec inquisitum fuerit a Scaccario, utrum aliquid debeat Regi. Et hoc juri dissonum est, & Chartæ contrarium, quâ caveatur, quod licet Ballivis sic facere, cum Literas Domini Regis de summonitione talis debiti patentes ostendunt, & sic possunt attachiare catalla aliqua ad honorem ipsius debiti, per visum legalium hominum, donec illud debitum persolvatur in aliis catallis: libera administratione, executoribus omnino dimissa.

25. Item, mortuo Laico intestato, Dominus Rex & ceteri Domini feodorum, bona defuncti sibi applicantes, non permittunt de ipsis debita solvi: nec residuum in usum liberorum et proximorum suorum, et alios pios usus, per loci Ordinarium quorum interest, aliqua converti.

26. Item, Ecclesiastico Judici cognoscenti super decimis vel capellis, prærigitur Regia Prohibitio: Judici videlicet, ne procedat: actori similiter, ne prosequatur. Ea tamen ratione, quod si eviscerentur decimæ vel capella, diminueretur jus patronatus illius qui est patronus Ecclesiæ, qui est in possessione capellæ petitiæ, vel decimarum, et fieret Regi præjudicium ad quem spectat juris patronatus cognitio, & sic impedit ne cognoscat Judex Ecclesiasticus de decimis: licet Rex & Justiciarii sui de hiis cognoscere non possint, per quod justitia perit.

27. Similiter fit idem, si cognoscat Judex Ecclesiasticus de aliis ad forum Ecclesiasticum spectantibus. Verbi gratia, si inter Laicos in contractibus interveniat fidei datio, vel infringat iurjurandum quis, juramentum vel fidem, et Judex velit cognoscere de tali peccato mortali (saltem ad poenitentiam injungendam) prærigitur Regia Prohibitio, et \*salus animarum impeditur, in damnationem plurimorum, ea occasione, quod ratione catallorum præstitum fuerat iurjurandum.

\* It was only their filthy lucre and usurpation under this pretext.

28. Item, si Ecclesia petat ceragium vel herietum, vel alia quæ ad Ecclesiam vel ad usus Ecclesiarum deputata, ut petatur pecunia ad Ecclesiam cooperiendam, vel Cœmeterium claudendum, & Parochiani ad hujusmodi præstanda extiterint rebelles, si conveniantur coram loci Ordinariis, statim prærigitur Regia Prohibitio, et sic impeditur cultus Ecclesiæ, et honor eidem diutius impensus. Idem fit, si convicti de adulterio vel alio crimine puniantur \*pecuniari-  
ter, vel aliis in causis merè spiritualibus fuerint in expensis condemnati: et sic vi-

\* Nota.

lipenditur



\* Their injustice, illegality and frequency made them contemptible.

\* See here p. 819, 830.

lipenditur Ecclesiastica censura damnabiliter, et quasi a \* nemine timetur.

29. Item, si quis commiserit sacrilegium res Ecclesiasticas invadendo, vel Ecclesias libertatibus suis spoliando, vel perturbando, vel etiam violaverit libertates in Chartis libertatum contentas, & propter hoc inciderit in sententiam excommunicationis, vel sit excommunicandus, & Judex Ecclesiasticus secundum formam juris velit contra tales transgressores procedere, impeditur propter Prohibitionem Regiam ne procedat: eâ assignatâ ratione, \* quod delicta Laicorum, et specialiter Ballivorum Regis, ad ipsum pertinent corrigenda. Idem hic in omnibus casibus, in quibus ratione ejusdem delicti, diversâ debentur emendâ: quarum una in foro Ecclesiâ, et alia in foro Regio debet injungi.

30. Item, in quibus omnibus casibus & similibus, si Judex Ecclesiasticus contra Prohibitionem Regiam procedat, attachiatur: comparens eorum Justiciariis, compellitur Judex exhibere acta sua, ut per ea decernant utrum negotium pertineat ad forum Ecclesiasticum vel seculare. Et si videatur eis quod pertineat ad forum Regium, querelatur Judex, qui si confiteatur se post Prohibitionem processisse, ameriatur: si neget, indicitur ei purgatio per Judicem secularem, ad testimonium duorum vilissimorum ribaldorum. Et si purgare se noluerit, incarceratur donec Justiciariis Sacramentum præstiterit corporale, quod non processit contra Prohibitionem: et si facere noluerit, in carcere retinetur. Similiter actor, si sequatur.

31. Item, si contingat Prælatos vel Clericos attachiari, quia dicuntur in causis etiam spiritualibus contra Regiam Prohibitionem processisse, licet Judicio Laicorum conquerens de mandato vincatur, in nullo tamen providetur iudicibus vel partibus attachiatis, pro laboribus & expensis, nec in aliquo punitur protervitas, vel malitia conquerentis: sed vice versa, si Judices vel Clerici ibidem fuerint convicti, secundum eorum opinionem sine aliquo remedio carceri mancipantur, et ad beneplacitum Regis et Justiciariorum quoadusque ameriati fuerint detinentur. Unde fit, quod tam Ordinarii quam Delegati, ut vitent tales vexationes & expensas hujusmodi, deferunt Prohibitionem, & sic perit justitia & sic remanent peccata impunita, cum Prælati Ecclesiastici jurisdictionem suam exercere non audeant, nec Rex velit contra Ballivos suos in talibus casibus procedere. Nec de jure possit, tum ratione rerum nostrarum spiritualium, ut sunt decimæ & capellæ, tum ratione personarum, ut sunt Clerici & religiosi, tum ratione delictorum, ut sunt sacrilegia, & excommunicationes, & interdicta.

32. Item, cum *Judeus* in Ecclesiasticam personam delinquat, vel super rebus Ecclesiasticis, aut super sacrilegio, aut etiam violenta manuum injectione in Clericum, vel super adulterio cum *Christiana*, conveniatur coram Judice Ecclesiastico, per Regiam Prohibitionem causæ cognitio impeditur, quia allegavit quod Judicem habent proprium, Vicecomitem locorum, & Justiciarios proprios deputatos: qui super talibus cognoscere non possunt nec debent. Et tamen si à Clerico & Laico super hujusmodi rebus conveniantur coram eis, per solam negationem & alterius *Judei*, & unius *Christiani* simplicem assertionem, absque omnis Juramenti præstito se purgant, probatione Actoris penitus recusata.

33. Item, si per Ecclesiam denegetur eis Communio, pro eo quod tabulam seu signum non deferunt, vel quia nutrices *Christianæ* contra præcepta Ecclesiæ retinent, vel propter aliquos alios excessus extiterint excommunicati: Ballivi Regis communicantes cum eis, ex parte ipsius Domini Regis præcipiunt, ne aliquibus ebitentur, et faciunt eos ad Communionem admitti et recipi.

34. Item, licet aliqua possessio vel libertas data sit à Regibus & Principibus, vel aliis fidelibus, qui eas libertates poterant donare Ecclesiis in liberam & puram & perpetuam eleemosynam, nullo retento servitio vel onere imposto, tantum si super eis questio moveatur inter Ecclesiasticas personas, vel Laicas & Ecclesiasticas, compelluntur

luntur possessores earum in foro litigare seculari. Idem fit, si libertas Ecclesie data per Laicos, revocetur in dubium, cum secundum jura, hujusmodi cognitio an forum Ecclesiasticum pertineat.

35. Item, ratione hujusmodi possessionum, Rex et alii Magnates nituntur compellere Episcopos, Prælatos, et Religiosos, et Rectores Ecclesiarum, facere sectam ad Curiam Laicalem.

36. Item, eisdem possessionibus vel earum possessoribus ratione earum, telonium et alia onera gravioza imponunt Laici, contra Ecclesiasticam libertatem.

37. Item, ad sectam & alia onera facienda, & ad comparandum in foro venito, compelluntur per captionem animalium suorum, & rerum aliarum Deo de-datarum, quæ Santa Sanctorum dicuntur, contra Deum et Ecclesie libertatem.

38. Item, si aliquis Laicus consueverit facere sectam in Curia Domini sui, ratione possessionis quam tenet ab eo; & partem possessionis dederit Ecclesie vel religionis in liberam & puram & perpetuam eleemosynam, & partem sibi retinuerit in Dominico, vel servitio eam alii dando, Capitales Domini faciunt distinctiones suas in possessionibus datis in eleemosynam, pro secta Curie vel aliis servitiis sibi debitis, omittunt possessionem quam dator retinuerit, vel alii dederit in feudum sibi servitium debitum faciendo, vel Domino Capitali. Et hæc videntur in fraudem fieri, et contra Ecclesie libertatem.

39. Item, si Episcopi & alii Prælati ad forum extraordinarium evocantur, non possunt attornatos per Literas seu Procuratores in causis Civilibus constituere, sed necesse habent, licet cum gravi dispendio, personaliter comparere.

40. Item, si de possessionibus datis Ecclesiis vel Monasteriis in puram & liberam eleemosynam, vel etiam in feudum, Monasterium vel Ecclesia spoliatur, committitur sacrilegium, & si super hoc spoliatus Judici Ecclesiastico conqueratur, vel Judex officio suo contra spoliatores & sacrilegos velit procedere, vel super aliis injuriis proximè annotatis, per prohibitionem Regiam impeditur, spoliatis vel oppressis justitiam exhibere.

41. Item, si Rex concesserit alicui Civitati vel Burgo, quod possit accipere muragium vel aliquibus novum concedat telonium, non solum a Laicis, sed etiam a \* viris Ecclesiasticis et eorum hominibus, talia extorquent et exigunt contra jura.

\* They & their Tenants only must be exempt, and all others burdened with Taxes.

42. Item, Domicilia & hospitia Clericorum per Dominum Regem & Laicam potestatem capiuntur, & licet in Sanctuario existant, coguntur Clerici inhabitantes, vel ipsi absentibus sui servientes, Laicos recipere: & frequenter expulsis Clericis de propriis domibus, eas occupant: Res suas ibidem inventas, dissipant & consumunt nequiter, contradicentes verberando.

43. Item, capiuntur charectæ Clericorum & Religiosorum, & capiuntur in foro publico: & aliquando in Sanctuario nequiter, aliquando in mercatis, & violenter abducuntur ad transvehendum victualia & cæteras res & commercia Domini Regis, Justiciariorum, & Ballivorum suorum: similiter res quas Clerici habent venales, compelluntur sibi vendere, & ad pretium Domini Regis inviti tradere, pretio aut raro aut nunquam soluto.

44. Item, In Cancellaria Domini Regis nova brevía juri Ecclesiastico, legi terræ, et consuetudini contraria, passim fiunt: sine Concilio Regni, Principum et Prælatorum assensu, quod fieri non debet.

45. Item, cum Dominus Rex pro aliqua expeditione, vel ex quacunque causa Regnum exierit vel intraverit, vel ad diversas partes in ipso Regno se transtulerit, compellit Religiosos per Viccomites suos, & per captionem averiorum suorum, ut obsequium sibi veniant, et munera ei deferant. Idem in singulis Comitatus faciens.

46. Item, amerciamenta quæ Episcopi & Religiosi terræ per Chartas Regias debent habere, Justiciarii & Ballivi Regii convertunt in finem, ut sic eos suis defraudent amerciamentis.

47. Item

47. Item, cum non consueverint Prælati vel viri Ecclesiastici amercari, pro communibus summonitionibus in adventu Justiciariorum, modernis temporibus amerciantur passim indifferenter & graviter, si non compareant prima die, tam coram Justiciariis Itinerantibus, quam coram Justiciariis de Foresta.

48. Item, accidit interdum quod Ecclesia gavisa est aliquarum rerum possessione, seu libertatam ab antiquis temporibus, & licet Rex Ecclesiis & viris Ecclesiasticis in principio *Magna Charta* suæ de libertatibus datis *Anglicis*, dederit & confirmaverit Ecclesiis & Ecclesiasticis personis, omnes libertates quibus antea usi fuerant, passim tamen compellit Prælatos respondere, quare vel quo warranto talibus utantur libertatibus. Et si Prælatus compulsus comparens Chartam donatoris exhibeat, licet contineatur in ea, quod donator tales ac tales dederit libertates, & omnes alias quas in rebus datis habuerat, vel habere potuerat, vel aliis in Instrumento donationis, quantumcunque generali clausula contineatur, & dicat quod in illa generali clausula, Libertas de qua agitur includitur, nil proderit ei nisi in Charta de eadem libertate expressa fiat mentio. Et sic secundum opinionem Regalium, verbum illud omnino pro nihilo supponit, quod secundum jura & omnem rationem nihil exceptum reliquit, præsertim in donationibus piis locis factis.

49. Item, licet in Charta de libertate de qua agitur expressa fiat mentio, dicunt Regales, quod Charta sine possessione vel usu non valet, & quod Ecclesia non sit usi tali libertate, paratus est Rex se opponere in recognitione patriæ, licet certum sit Ecclesiam ea libertate usam fuisse. Et sic quod certum est, revocant in dubium, & jus & possessionem Ecclesiæ, ponere \*nititur in ore seu judicio Laicorum & Ecclesiæ persecutorum. Si verò non fiat expressa mentio in Charta de qua contenditur libertate, sed nota sit possessio vel usus, & dicat Prælatus, quod licet non nominatim sed per generalia verba data sit libertas illa Ecclesiæ, vel quod aliquando habuit Ecclesia Chartam expressam facientem de hujusmodi libertate mentionem, quod perditum est, vel vetustate consumptum, vel alleget donationem sine scriptis factam \* morte Regum antiquorum, & per hoc habuerit Ecclesia justum titulum, bonam fidem, & possessionem longissimam, & sic firmo jure tueatur: dicunt Regales, quod non sufficit, quia talis possessio est usurpatio vel occupatio illicita; cum sit Regi contraria. Et quidem mirabile est dictu, quod longissima possessio talis, non possit prodesse Ecclesiis contra Regem: Cum è contrario in hiis quæ à Rege nullatenus possideri possunt, ratione consuetudinis sive usus, jus sibi vendicet contra Ecclesias: sicut in omnibus oppressionibus supradictis, & aliis consimilibus, in quibus loco tituli succedit Sacrilegium vel injuria manifesta; loco bonæ fidei, oppressio; loco consuetudinis, actus unus vel diutina corruptela, si sæpius fuerit attemptatum.

50. Item, Cum Dominus Rex juraverit in Coronatione sua, conservare jura et libertates Ecclesiis datas, et eas confirmaverit in principio *Magnæ Chartæ*: incessanter tamen à Ministris suis impugnantur, turbantur, & mutantur: non solum generales, sed etiam speciales: datas scilicet à prædecessoribus suis, & ab ipso confirmatas; et etiam de novo datas, & donationes quas ipse dedit, & alias quas ipse defendere & warrantizare deberet, impugnat & sustinet impugnari, & impugnatores defendit; sicut patet in facto *Beithon*, & aliis casibus, quos ad præsens tacemus, sperantes, quod ad singulorum querelas, singulares injurias faciet emendari.

These were the 50. Articles tendred to the King by the Archbishops and Bishops, for which (like that Arch-traytor *Becket*) they resolved to contend even to death, if they could not purchase them with this gift of money: Indeed some of them were real grievances, and matter of just complaint, fit to be reformed, but the major part most injurious Prelatical, or rather Papal Encroachments upon the Rights and Prerogative of the Kings Crown, Dignity, Temporal Courts of Justice, the Laws, Statutes, Customs of the Realm, and his Writs of Prohibition in defence of the Rights of his Crown, and his Judges, Officers, Lay-Subjects Rights and Liberties, which they then endeavoured to trample under feet, or subject to their new exorbitant Jurisdictions, Canons, Courts, Excommunications, Interdicts, Censures, Oathes, Inquisitions; whereupon the King justly refusing to give or sell them these Articles for the great sum of money they then granted him, they resolved to right themselves by their own usurped Papal Authority, without the Kings, Nobles, and Commons consents in Parliament, and meeting in their prohibited Council



cil at Westminster this year or Lambeth (not Anno Dom. 1270. vel 1272. as \*Johannes de Aton mistakes) Enacted by their own power the ensuing Provisions, like so many domining Popes, *Contra prædicta gravamina Laicorum*, Printed in *Matthew Paris* his \* *Addimenta* after the premised Articles; in *Johannes de Aton*, (a Canon of Lincoln, Doctor of both Laws) in his *Constitutiones Legitimæ Ecclesiæ Anglicanæ*; and in *Lindwode*, wherein they presume to interdict and excommunicate, not only the Kings Judges, Officers, Persons and Lands, but to interdict the King himself, his Castles, Cities, Minnors, Lands, as well as his Subjects, yea to deprive all Priests and make them incapable of any Ecclesiastical preferments, in case they neglected or refused, after admonition, to submit to their Papal Usurpations, *Octobon* the Popes Legat, and *Bonifac* Archbishop of Canterbury, under whom this Council was held, being (as *Johannes de Aton* informes us, in his Prologue to his Institutions,) like another *Jeremiab*, *Constitutus super gentes et regnum istud, ut evellat, dissipet, ædificet atque plantet; sarculis, imo novaculis acutis, id est, traditionibus pænarum asperimus, in orto Dominico Anglicano jugiter laborare, felici mucrone piacula recans.*

The Constitutions in *Matthew Paris* his *Addimenta*, are not so large and full as those collected and published all together by *Johannes de Aton*, and scatteringly in *William Lindwode* his Provincial Constitutions, (who peradventure made some Additions to them, for advancement of the Prelates Ecclesiastical Jurisdiction, being both Canonists) and they differ somewhat in their prologues and expressions, I shall therefore present you with the prologue and first Constitution in *Matthew Paris*; then with the prologue, the first and residue of the Constitutions as they are in *Aton* and *Lindwode*, adding only one in *Matthew Paris* concerning Oaths, which they omit.

\* *Articuli observandi per provisionem Episcoporum Angliæ.*

**T**ria sunt genera Articulorum, quibus agitur in presenti.

Sunt enim quidam Articuli, in quibus Prelati nullo modo dissimulare possunt.

Sunt alii, in quibus possunt judicio charitatis, non perturbatione infirmitatis dissimulare.

Sunt & alii, in quibus dissimulare possunt, sine discrimine salutis æternæ & periculo animarum.

Articuli qui dissimulari non possunt, absque interitu salutis æternæ Animarumque periculo, et subversione Ecclesiasticæ libertatis, ac Ecclesiasticarum personarum præjudicio manifeste, proximo sunt subscripti.

Cum Ecclesiæ Anglicana, non solum contra jura divina & Statuta Canonica, sed etiam contra libertates à Regibus, Principibus, & aliis regni magnatibus sibi concessas, ausibus sacrilegis, novis usurpationibus, diris concussionibus, & oppressionibus nefariis multipliciter sit attrita, & hoc absque perpetuo Animarum periculo, Prælatorum, Domini Regis, & aliorum Regni Magnatum, sub dissimulationis silentio nequaquam valeat ulterius pertransiri; De unanimi assensu Religiosorum, et totius Cleri Ecclesiæ memoratæ salubriter est provisum: ut machinis secularium potestatum salutis, mœnia laborantis Ecclesiæ dilapsa, inflexibilibus reparentur instantia, per statutorum remedia quæ sequuntur.

Quia igitur sæpe contingit Archiepiscopos, Episcopos & alios Prælatos inferiores, per Literas Domini Regis ad seculare Judicium evocari, ut ibi respondeant super hiis quæ merè ad ipsorum officia, & forum Ecclesiasticum pertinere noscuntur; Ut si fortè Clericos, ad Ecclesias & Capellas vacantes seu non vacantes admiserint, Rectores instituerint in eisdem, suos subditos excommunicaverint, excommunicatos denunciaverint, interdixerint, Ecclesias dedicaverint, ordines celebraverint, de causis merè spiritualibus cognoverint, ut puta de decimis, oblationibus, Limitibus parochiarum & similibus, quæ non possunt ad seculare forum aliquatenus pertinere: sive etiam cognoverint de peccatis & excessibus subditorum, sicut de per-

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jurio

\* Constitutiones legitimæ Ecclesiæ totiusque Regionis Angliæ, printed Parisiis 1504. f. 138.  
\* Pag. 204. 205, 206, 207, 208, 209.

\* *Matthew Parisiensis Addimenta*, p. 204. 205. a. c.

jurio, fidei transgressione, sacrilegio, violatione ac perturbatione Ecclesiastica Libertatis, præsertim cum ipsius violatores, necnon & Libertatum per Chartas Domini Regis Ecclesiæ concessarum, *in sententiam Excommunicationis incidant ipso facto.* Et si inter Clericos suos cognoscant, vel inter Laicos conquerentes, & Clericos defendentes, in personalibus actionibus, super contractibus vel delictis, si personæ Ecclesiasticas ad mandatum Domini Regis, in foro seculari non exhibuerint, Clericos in foro seculari amerciatos non compulerint, ad Amerciamenta hujusmodi exsolvenda, seu ipsa non solverint, pro eisdem si Jurisdictionem suam in Ecclesiis & Capellis, Episcopatibus seu Monasteriis annexis per mortem Prælatorum aut cessationem vacantibus, exercuerint Canonicam & Consuetam, & si quæ alia huiusmodi fecerint pertinentia ad officia ordinariorum: *Providemus, quod dicti Archiepiscopi et cæteri Prælati non veniant, taliter evocati, ut cum honore deferatur.* Majores Prælati Domino Regi scribant, quod hujusmodi mandatis Regiis parere non possunt absque subversione Ecclesiasticæ libertatis, et ad hæc ideo non tenentur, eidem nihilominus Literas Exhortatorias dirigendo, ut animæ suæ salutem consulendo ab hujusmodi mandatis ulterius desistat. Et si Dominus Rex hujusmodi exhortationibus spretis, ad attachiationes vel districtiones processerit eorundem, tunc Vicecomites et alii quicunque Ballivi ipsos attachiantes et distringentes, per eosdem attachiatos et distractos in forma Juris excommunicentur, et loca in quibus commorantur, et terræ eorum quas habent in Regno Angliæ per locorum diocesanos, ad denunciationem attachiati, et distracti, interdicto Ecclesiastico supponantur. Et si Clerici fuerint beneficiati, suis beneficiis priventur, non beneficiati, per quinquennium ad beneficium Ecclesiasticum in Regno Angliæ (si forte præsentati fuerint) minime admittantur; Clerici autem qui hujusmodi brevia attachionum seu districtionum dixerint, scripserint, signaverint, consilium aut auxilium adhibuerint, solemniter excommunicentur, et excommunicati denuncientur, nec aliqui de præmissis certa ratione suspecti, ad aliquod beneficium Ecclesiasticum donec se super his Canonice purgaverint, admittantur. Et si Dominus Rex monitus, hujusmodi districtiones non revocaverit, Episcopus qui distractus fuerit, terras, villas dominicas, et Castra quæ Rex habet in suo Episcopatu Ecclesiastico, supponat interdicto. Et si Rex in sua duritia perseveret, cæteri Coepiscopi, districtionem unius quasi Communem omnium, et etiam communem Injuriam Ecclesiæ reputantes, Civitates, terras Dominicas, Burgos, Castra et Villas ipsius Regis in suis Episcopatibus consistentes, simili supponant interdicto. Et si nec sic infra viginti dies postmodum attachiationes et districtiones hujusmodi revocaverit, aut ob hoc manum contra Ecclesiam aggraverit: singuli Archiepiscopi et Episcopi suas Dioceces Ecclesiastico supponant interdicto. Et si Aliquis Episcoporum in hac parte indutus fuerit negligens et remissus, per suum Metropolitanum gravatur arguatur. Et si perseveraverit in negligentia, Canonice puniatur per eundem. Et nihilominus, Diocesis omnis Prælatorum et sua Auctoritate et consensu in præsentis ordinatione adhibitis Ecclesiastico subiaceat interdicto. A right Prelatical, not Apostolical Constitution.

\* A fine Episcopalis combinatione et all against the King.

\* Constitutiones legitimæ Ecclesiæ totiusque Regionis Anglicanæ, Parisiis 1504. f. 138, 139, 140.

I shall now present you with the intire body of the Prelatical \* Constitutions, as they are Collected and Printed in *Johannes de Aton*; quoting *Lindewode*, who cites and glosseth upon most of them, under several Titles, in the Margin of every of them, where you may peruse them, with his Canonical Glosse.

Con-

*Constitutiones Domini Bonifacii Archiepiscopi Cantuariensis in Concilio  
Westmon. vel Lambethe, Anno Domini \* 1270. vel 1272.*

\* It was in nei-  
ther, but An.  
1257.  
Provincialis  
Guillelmi Lin-  
dewode, l. 5. de  
poenis Bonifa-  
cii, f. 226. 227.  
&c.

**U**Niverſis Sanctæ matris Ecclesiæ filius per *Cantuarien*. Provinciam Constitutis, *Bonifacium*, miseratione divina *Cantuariensis* Archiepiscopus, totius *Anglia* Primas, ejusque Suffraganei, ad certitudines præsentium & memoriam futurorum.

Eternæ Sanctio voluntatis quæ rerum ordinem omnium, cunctarumque semina naturarum in pondere, numero & mensura decrevit, ad exemplar cœlestium procedere censuit reg. men terræ, nostrum humanum genus quod cæteris præstare voluit, dignitatis excellentia creaturis constringens à sensualitatis prurigne naturalibus regulis, & ab arbitrii lubricitate (alias præcipitio) **legalibus cohibens institutis**, ut **potentiores laratam sibi passim non crederent in humiles imperandi licentiam, et humiliores quos etsi natura pares, causarum faciat series indeflexa prælati dissimiles, majorum non contemnerent disciplinam.** Et sicut terrenæ domicilium mansionis pro cœlestium luminum qualitate lucis vices ac noctis (alias votis) continuis successibus mutuatur (alias imitatur) & cœlestium subigitur moderamini potestatum; **Sic ordo rectorum ipsius, Ecclesiasticus alius spiritualis, terrenus, sacerdotalis et regius videlicet, et mundanus, concessæ sibi dominationis habenas dirigeret, quod unius impetus processum alterius non turbaret, nec impediret, sed accederet unius alter suffragator in mutua Charitatis subsidium,** quo simul invicem ad humanæ noctis caliginem expellendam, suscepti participant luminis ornamentum. Sanè olim attendentes patres & prædecessores nostri *Cantuarie* Archiepiscopi totius *Anglia* Primatis, & suffraganei eorundem, & potissimum temporibus Patrum retrò decursis, amicus Dei *Edmundus* prædecessor noster, cujus memoria in benedictionem, & inter Electos fors illius est computata, nosque sibi licet immeriti in locum regiminis sibi immediatè successimus, cum fratribus & Coepiscopis nostris suffraganeis *Cantuarie* Ecclesiæ, nostris temporibus ponderantes sollicitè, quod **gravamina et oppressiones quibus Anglicana libertas Ecclesiastica deprimitur et calcatur, illustri Domino Regi nostro nequaquam accedant ad commodum, sed potius ad non modicum salutis suæ et nostrarum simul periculum animarum, et honoris tam personæ suæ, quam totius Regni detrimentum, ipsum frequenter monuimus, et supplicabimus ei, ac supplicari fecimus cum instantia sæpius reverenter, nec non apud Principes et Magnates Regni et consiliarios, quorum moderamine disponuntur negotia regni, precibus et exhortationibus pulsavimus importuna oportunitate, et frequenter quatenus intra memoriam recolentes, quot plagis *Egyptii* fuere percussi, pro eo quod populum Dei filios videlicet *Israel* (\* typum gerentes Ministrorum altaris) in luto cogebant servire et latere; subsicientes eos indebitæ servituti, contra præceptum Domini et Juris privilegium naturalis: quo quis tenetur, alteri non facere, quod nollet ab alio sustinere; penantesque prudenter, quod Christus tantum dilexit Ecclesiam, cujus hodiè peccatis exigentibus patres angariantur, à filiis, & oves deserviunt in Pastores, quod vetuste chirographum servitutis in prothoplasti privatione conscriptum proprio cruore delevit; et sanguinem Martyrum in armis fidei expugnantium mundi Principes et seculi potestates rubricabit: privilegium libertatis e coelo prius concessum Ecclesiæ, et in terris postmodum a prin. cipibus hujus mundi fidelibus innovatum. Huic inquam privilegio, tam pio tamque nobili precio comparato deferrent, humiliter, ob reverentiam redemptoris, permittendo Clerum *Anglicanum* in sollicitudine libertatis laudis sacrificium Domino immolare, ne persecutores submergi contingat in fluctibus fræ cœlestis, si**

\* Why not rather of Gods people under the Popes and their Prelatical Tyranny, oppressions, usurpations, excommunications, Interdicts?



contemptis impiis ipsum cogant ad paleas servitutis. Licet autem in precibus inculcandis diu laboraverimus, sustinendo, et sustinuerimus laborando: adhuc tum instantia nostra sæpius iterata, ad exauditionis gratiam ingressum mereri non potuit; nec effectum sortiti diutius expectatum. Quia vero periculose negligitur quod contra cœli principem usurpatur, contra gravamina prælibata, quæ absque Dei offensa ulterius continere non possumus, nec debemus, ad arma Justitiæ, (*quod est verbum Dei*) cum fiducia recurrentes, penetrabilis omni gladio ancipiti, infra scripta remedia sacro approbante Concilio providimus adversus conatus perverso- rum statuendo provide sub hac forma.

In nomine Sanctæ Trinitatis & individue Patris, & Filii, & Spiritus Sancti, Amen.

*\* Clerici non veniant ad Summonitionem Laicorum.*

\* A right Anti-christian Canon, directly contrary to Christs and his Apostles examples, predictions, precepts, Mar. 10. 18, 19. c. 27. throughout, John c. 18. and 19. Mar. 7, 9, 11. c. 12. 11. Rom. 13. 1. to 8. Titus 3. 3, 2. 1 Pet. 2. 12, to 24. Acts 4. 1, to 24. c. 5. 17. to 42. c. 12. 2. to 7. c. 23 to ch. 28.

Cum Ecclesia Angliana, portiuncula divinæ messis, non solum contra divina jura & canonica statuta, sed etiam contra libertates à regibus & principibus, & aliis regni Magnatibus concessas, eisdem ausibus sacrilegis, novis usurpationibus, diris concussionibus, et opprobriationibus nefariis multipliciter sit attrita, et hæc nec absque superni Regis offensa, et perpetuo Regis nostri temporalis animarum et aliorum regni Magnatum et nostrorum subditorum periculo, sub dissimulationis conniventia pertransire ulterius non possumus, auctoritate præsentis Concilii inhibendo statuimus, ut si contingat ab hac die in aliam, (quod Deus avertat à sensibus fidelium Sanctæ matris Ecclesiæ filiorum) quempiam Archiepiscopum, Episcopum, vel alium prælatum inferiorem per lites Domini Regis, vel alius alterius potestatis, ad seculare iudicium evocari, ut ibi respondeant, super his quæ merè ad officium ipsius, & forum Ecclesiasticum pertinere noscuntur, prout temporibus retroactis usurpatione quadam contra Deum & Justitiæ, ac libertatem Ecclesiasticam pluries est præsumptum. Statuimus, inquam, et statuendo inhibemus, quod Archiepiscopus, Episcopus, et cæteri Prælati, majores et minores, ad seculare iudicium non veniant, sicut nec venire tenentur, pro hujusmodi spiritualibus evocati; ut si forte Prælati vocentur responsuri in seculari iudicio, pro eo quod Clericos ad Ecclesias vacantes admiserint, vel non admiserint, rectores instituerint in eisdem, suos subditos excommunicaverint, excommunicantes suspenderint, vel interdixerint, vel denunciaverint interdictos, vel suspensos, sive pro eo quod dedicaverint Ecclesias, vel ordines celebraverint, aut tantum de causis merè spiritualibus cognoverint, ut puta de decimis, oblationibus, limitibus parochiarum, & similibus, quæ non possunt ad secularem forum aliquatenus pertinere; sive etiam cognoverint, de peccatis & excessibus subditorum, sicut de perjurio, fidei læsione, sacrilegio, violatione ac perturbatione Ecclesiasticæ libertatis, præsertim cum ipsius violatores, nec non et libertatum perturbatores per Chartas Domini Regis Ecclesiæ concessarum in sententia excommunicationis incidant ipso facto. Et si vocetur Prælati ad iudicium secularem, pro eo quod cognovit, vel cognoscit, inter Clericos suos, vel inter laicos conquerentes & Clericos defendentes, in personalibus actionibus super contractibus, vel delictis, vel quasi, aut pro eo quod personas Ecclesiasticas, aut mandatum Domini Regis in foro seculari non exhibuerint se Clericos in foro seculari, pro negotiis ad forum Ecclesiasticum pertinentibus, amerciatos nec compulerint ad amercimenta hujusmodi persolvenda, aut ipsa non solverint pro eodem in ejusdem si jurisdictionem suam in Ecclesia, vel Capellis Episcopalis, vel monasteriis annexis per mortem Prælatorum, vel cessionem vacantibus canonicam & consuetam, & si qua hiis similia fecerint pertinentia ad officia eorundem & ad forum seu jurisdictionem Ecclesiasticam evidenter: Pro talibus inquam, & hiis similibus; Prælati ad iudicium seculare vocati, ut ibidem pro hiis iudicium subeant nullatenus venire præsumant; cum ju.

judicandi *Christus Domini* \*nulla sit laicis attributa potestas, apud  
quos manet necessitas obsequendi. Ad tantas abusiones tollendas & libertates  
Ecclesiæ conservandas ita sumus auctoritate præsentis Concilii, ac etiam ordinamus  
quod prædicti Archiepiscopi, & cæteri Prælati non veniant prædicto modo evocati;  
At cum honori regis deferatur, Majores Prælati Dominum Re-  
gem adeant, vel sibi scribant, quod hujusmodi mandatis Regis  
 parere non possunt, absque periculo sui ordinis, et subversione Ec-  
clesiasticæ Libertatis. Et si forte Dominus Rex in suis inhibitionibus; seu  
summatonibus non de decimis, sed de jure Patronatus; non de fide mentita; vel per-  
jurio, sed de Catallis: non de sacrilegio vel perturbatione Ecclesiasticæ libertatis;  
sed de transgressione subditorum, vel Ballivorum suorum, quorum correctiones tan-  
tum ad se asserit pertinere, fecerit mentionem, tunc intiment ei Prælati prædicti;  
quod non de jure Patronatus cujus cognitionem Rex de facto exercet, neque de  
Catallis, vel aliis ad forum ipsius pertinentibus cognoscunt, vel cognoscere inten-  
dunt; sed de decimis prædictis & aliis meræ spiritualibus ad officium, vel jurisdic-  
tionem ipsorum pertinentibus, & animarum salutem: admonendo vel rogando  
eundem, quod ipsos non impediunt in præmissis. Et nichilomi-  
nus Episcopus cujus res agitur Dominum Regem moneat iterato,  
quod animæ suæ salutis consulat, et ab hujusmodi mandatis omnino  
desistat. Et si non desisterit, tunc ad denunciationem Episcopi,  
Archiepiscopus convocatis duobus Episcopis, vel tribus, vel plu-  
ribus quos duxerit evocandos, si in provincia extiterit; Alioquin  
London. Episcopus, tanquam Decanus Episcoporum duobus Epis-  
copis, vel tribus sibi adjunctis, Dominum Regem adeant, et ipsum  
moneant, diligentius requirendo, \* quod mandatis superse-  
deat e-  
jus. Et si Dominus Rex expressis exhortationibus hujusmodi et  
monitionibus ad Attachiones, vel distractiones per se, vel per alios  
processerit, tunc Vicecomites et alii quicunque Ballivi, (quod non  
procedant contra ipsos attachiatis per locorum Diocesanos in forma  
juris per excommunicationis et interdicti sententias arceantur.  
Idem fiat si Vicecomites, vel Ballivi ad Attachiones, vel di-  
stractiones processerint pendentibus supradictis monitionibus Domi-  
no Regi (ut supradictum est) faciendis. Et si Vicecomites, vel  
Ballivi in sua duritia perseveraverint; loca in quibus commoran-  
tur in terra eorum quas habent in Provincia Cantuariensi per locorum  
Diocesanos ad denunciationem Diocesani, in cujus Episcopatu  
tales fuerint distractiones, \* interdicto auctoritate præsentis Concilii  
supponantur. Et si taliter attachiantes Clerici beneficiati fuerint,  
ab officio suspendantur. Et si in eorum malicia perseveraverint, ad  
desistendum, et ad satisfaciendum per subtractionem proventuum  
beneficiorum suorum, quæ obtinent arceantur. Non beneficiati per  
quinquennium, si ad beneficium Ecclesiasticum in provincia Cantu-  
ariensi extiterint præsentati non admittantur. Clerici vero qui hu-  
jusmodi brevibus attachiationum, vel distractionum distaverint, scrip-  
serint, signaverint, consilium vel auxilium adhibuerint, canonice  
puniantur, nec aliqui præmissorum de his ratione suspecti, ad ali-  
quod beneficium Ecclesiasticum obtinendum donec super his candi-  
dæ se purgaverint, admittantur. Et si Dominus Rex competenter  
super hoc monitus, vel alia secularis potestas hujusmodi distractio-  
nes seu attachiationes non revocaverint, Episcopus qui distractus fu-  
erit, terras, Villas, Alcos, et Castra quæ Dominus Rex, vel alia se-  
cularis persona taliter distringens in suo Episcopatu obtinet, Eccle-  
siastico supponat interdicto. Et si Dominus \* Rex vel alia secularis  
potestas contemptis poenis hujusmodi in sua duritia perseverave-  
rint,

\* Nota.

\* Nota.

\* Nota.

\* Nota.

\* Nota.

runt, tunc Archiepiscopus ad denunciationem Episcopi conque-  
rentis, convocatis duobus Episcopis, vel pluribus quos duxerit  
evocandos, si sit in Provincia; alioquin Episcopus *London.* tanquam  
Decanus Episcoporum, duobus Episcopis, vel tribus, vel pluri-  
bus sibi adjunctis, Dominum Regem adeant, et ipsum moneant dili-  
genter requirentes, quod a mandatis superseadeat supradictis. Et  
si Dominus Rex hujusmodi exhortationibus et monitionibus ob-  
audit ad attachmentes vel distractiones per se, vel alios processerit;  
tunc ceteri coepiscopi distractionem hujusmodi quasi commu-  
nem injuriam Ecclesie reputantes, cunctas terras dominicas, bur-  
gos, castra et Villas ipsius Regis alteriusve potestatis in suis Epis-  
copatibus existentes auctoritate presentis Concilii Ecclesiastico sup-  
ponant interdicto. Et si non infra 20. dies postmodum attachia-  
tiones seu distractiones hujusmodi Rex, vel potestas attachians,  
vel distringens revocaverit; effectus cum *Pharaone* durior inter fla-  
gella pœnarum; ex tunc Archiepiscopus suas dioceses Ecclesiastico  
\* supponant interdicto. Idem fiat de castris, terris et burgis Mag-  
natum regalia habentium in Provincia memorata. Et si aliquis  
Episcoporum contra executionem pœmissarum pœnarum in suis ca-  
sibus inventus fuerit negligens vel remissus, per suum metropo-  
litanum graviter arguatur. Et si perseveraverit in sua negligentia  
canonice puniatur per eundem, et nichilominus sua Dioc. omnium  
Prelatorum, et sua Auctoritate, voluntate et consensu in presenti  
Concilio interpositis et expressis, Ecclesiastico subiaceat interdicto.  
Item statuimus, vel si forte ab hac die in antea ab aliquo Episcopo, vel  
Iudice, vel Ecclesiastico, vel inferiori prelato compulso per distractio-  
nes, vel spontanee comparente coram Domino Rege, vel Justicia-  
riis suis, vel aleget pœvislegium suum et forum nisi in casu a jure  
pœmissis, vel ut eos moneant, ut a pœdictis desistant injuriis, acta  
processus sui exigi contingat, ut per ea appareant, utrum contra  
prohibitionem regiam in aliquo pœdictorum casuum et similium pro-  
cesserit, vel petatur super hiis ab eo juramentum excusationis vel  
purgationis, nullo modo exhibeat acta vel juret, cum instrumenta  
sive acta possint a partibus, vel aliqua partium si necesse fuerit exhi-  
beri. Et si clericus super hoc arrestetur, Diocesanus taliter arresta-  
ti, vel impediti Clerici; vel Archiepiscopus, vel Episcopus *London.*  
tanquam Decanus Episcoporum, cum aliquibus sibi associatis E-  
piscopis. Si Episcopus fuerit iste qui arrestatus extitit, requirant  
eum ut puniant detentores. Et si necesse fuerit ad pœnas alias pro-  
cedant superius annotatas. \* Item, si in aliquo evincente placito sta-  
tus patronatus contra aliquem in foro Regio scribat Rex Episcopo,  
vel alteri ad quem institutio pertinet: quod pœsentatum ab illo qui  
evicit admittat si vacaverit beneficium, ne Patrono fiat injuria (si  
alias nil Canonicum aliud obstat) admittat libere pœsentatum.  
Si vero non vacat beneficium illud, hoc Domino Regi, vel Justicia-  
rio, studeat intimare pœlatus, excusando se, quod quia beneficium  
tale non vacat, et quod non potest mandatum regium adimplere, li-  
ceat autem patronis si velint possidentem iterum pœsentare, vel il-  
lius evincentis jus patronatus in posterum declarare.

\* *supponat.*

\* Provincialis  
Guillelmi  
Lindwode  
l. 3. Tit. de  
Jure Patrona-  
tus, f. 15.



*De iis qui Ecclesias per Laicalem potestatem accipiunt.*

**I**tem, quia frequenter accidit, quod nonnulli Clerici per Laicalem potestatem Ecclesias occupant Parochiales, & Præbendales, etiam curam animarum habentes, & in eisdem absq; autoritate Ecclesiastica intruduntur. Statuimus, quod Clericus per se vel per Laicalem potestatem intrusus in Ecclesia vel præbenda, servata juris forma excommunicetur, et excommunicatus per loci Dioecesimum publice denunci-  
etur et illo beneficio imperpetuum careat ipso facto. Ac post latam sententiam si in intrusione huiusmodi pertinaci animo per duos menses steterit, per locorum Diocesanos ubi habet Ecclesiastica beneficia, ad denunciationem illius Episcopi in cuius Diocesi se intrusit, cuius monitione & Excommunicatione a prædictum tempus contemserit proventus illorum beneficiorum quousq; congruè satisfecerit, subtrahantur. Et si per idem tempus, scilicet annum, intrusus in excommunicationis sententia perseveraverit, extunc ad aliud beneficium vel Ecclesiam in \* *Provincia Cantuarien.* minime admittatur; si vero per Clericum procuratorem Clericus fuerit intrusus, contra eundem procuratorem Clericum simili modo procedatur, ut pœnis subiaceat supradictis. Si vero procurator Laicus talis fuerit, in forma juris excommunicetur, et excommunicatus publice denunciatur, Dominus autem absens citetur, qui si comparens ratificaverit factum procuratoris sui in hac parte, pœnis subiaceat supradictis; si vero per contumaciam se absentaverit, post spacium trium mensium expectatus si sit in Regno, majoris excommunicationis sententia innodetur, pœnas nihilominus prætaratas incurrat, maxime cum Sacrilegio inobedientiam adjecerit et contemptum. Si vero fuerit extra Regnum, contra ipsum vocatum post dilationes transmarinas, modo prædicto procedatur; et Præbenda vel Ecclesia in qua fuerit talis intrusio facta Ecclesiastico supponatur interdicto. Fautores vero et cooperatoros huius intrusionis, si Clerici fuerint, prætaratas pœnas contra Clericos editas perferant. Et si Laici fuerint, plectantur pœnis contra Laicos superius annotatis. Loca vero et terræ huiusmodi intrudentium, et intrusorum si intra unum mensem non satisfecerint, supponantur Ecclesiastico interdicto. Si vero huiusmodi intrusiones factæ fuerint ex Regia potestate, per loci Diocesanum moneatur Dominus Rex quod ea faciat intra tempus competens revocari. Alioquin terræ, et loca quæ Dominus Rex habet in illa Diocesi in qua facta fuerit intrusio, supponantur Ecclesiastico interdicto secundam formam superius annotatam. Si vero per alium magnatem vel potestatem fiat talis intrusio, per interdicta et excommunicationis sententias ut superius arceantur. Et si per duos menses huiusmodi sententias sustinuerit propter hoc in se latas, extunc terræ et loca quæ obtinet in illa Diocesi per loci Diocesanum supponantur Ecclesiastico interdicto, nec relaxentur præfate sententiæ donec de injuria, inobedientia et contemptu satisfecerit competenter.

Provincialis  
Guil. Lin-  
dewode l. 5. de  
pœnis f. 229.

\*In Regno An-  
glie Mat. Paris  
Addit.

*De Excommunicatis Liberatis & Carcere sine Consensu Episcopi.*

**P**reterea contingit interdictum quod excommunicati de mandato Prælatorum secundum Regni consuetudinem capti, et carceri mancipati aliquando per Regem, vel Vicecomitem aliosque Balibos sine consensu Prælatorum qui eos capiendos præsentaverunt, ad quorum mandatum sic captorum debet liberatio fieri, sine satisfactione congrua liberantur; plerique etiam excommunicati non

Provincialis  
Guil. Linde-  
wode l. 5. de  
præfenti ex-  
communicatio-  
ne f. 252.

ca:

\* Their excommunications were so unjust, vexatious, illegal, that the King and his Officers could not execute them, without peril to their souls, and great injustice.

\* Excellent Justice to innocent Cities, Castles, Towns, Parishes, for one Officer's neglect, not to grant a Captas excommunication at every Ordinaris pleasure. Provincialis Guil. Linde-wode, fol. 67.  
\* Deprehendi Mat. Paris Addit.

\* Fornabuntur, Forbannuntur. Mat. Paris.

\* This in the Parenthesis is not in Mat. Paris, and relates to a Council at Oron, as if this Council of Boniface was there held, not at Westminster.

captuntur, neque de ipsis capiendis literæ Regiæ conceduntur. Nunquam dicti etiam \* Rex et Ballivi cum huiusmodi et excommunicatis et denunciatis publice communicant, Claves Ecclesiæ contemnendo, in subversionem Ecclesiasticæ Libertatis, et suarum periculum animarum. Huic ergo morbo congruam volentes adhibere medicinam; statuimus, quod excommunicati sic capti et taliter exeuntes a Carcere ad maiorem confusionem liberatorum et liberantium publice et solenniter pulsatis campanis, accensis candellis excommunicentur et denunciarentur excommunicati, in locis in quibus ordinariis eorum videbitur expedire. Alcomites autem et alii Ballivi qui eos liberaverint, non præstita satisfactione Ecclesiæ vel emenda, excommunicentur; servato juris ordine et excommunicati solenniter nuncientur. Si tamen de mandato Regis ad hoc processerint, mitius cum eis arbitrio ordinario agatur. Si autem contingat quod litera consueta de excommunicato capiendo denegetur cum ipsam requiri contingat, in casu quo dari debet secundum Regni consuetudinem approbatam: moneatur idem Rex per prælatum præsentantem capiendum, qui super hoc scribit ad eam concedere faciant pertransire. Quod si non fecerint \* Civitates, et Castra, et Burgi, et Villæ quos habet in Diocesi ejus qui sic scribit, per Episcopum ipsum scribentem supponantur Ecclesiastico interdicto donec a denegante literæ tales concedantur, et executionem legitimam sortiantur. Contra, communicantes vero et participantes cum excommunicatis procedatur, secundum Censuram Ecclesiasticæ disciplinæ.

#### 4. De Clericis Captis a Laicis propter crimina.

Contingit aliquando, quod Clerici sine licentia Prælatorum quamquam in facto non fuerint \* reprehensi nec convicti tanquam facinorosi, vel suspecti de crimine, seu delicto, vel injuria personali capiuntur per potentiam Laicalem, et in Carcere detrahuntur, ordinariis suis eos requiruntibus secundum Canones libere judicandi. Et si Clerici quibus etiam crimina imponuntur coram Judicibus secularibus evocari non comparuerint \* foris bannuntur a Regno, Quia vero in hoc libertas Ecclesiastica confunditur cum Clericus a Laico judicatur; statuimus, quod Clerici Capti si noti fuerint & honesti, capientes ipsos & etiam detinentes, & contra requisitionem ordinario eos reddere recusantes, per locorum ordinarios publice excommunicati denunciarentur: loca etiam in quibus detenti fuerint, et terræ capientium eos et detinentium supponantur Ecclesiastico interdicto; donec ordinariis eorundem reddantur; et super huiusmodi excessu satisfecerit compententer. Illi autem qui taliter falsa crimina eis imposuerunt, seu maliciose confixerunt, (alias composuerunt) commenta vel fraudes propter quæ capti fuerant & in justè detenti, excommunicati similiter denunciarentur; (unde excommunicati sunt auctoritate \* præsentis Concilii Oron. ipso facto.) Clerici vero vagi vel ignoti capti & ex causis aliquibus detenti, si in possessione Clericatus inventi fuerint, per locorum ordinarios requirantur à Domino Rege, vel alio qui potestatem habet reddendi eosdem, vel eos restituat libere per Ecclesiam judicandos. Et si denegetur, puniantur ut detentatores superius annotati, & si reddantur, libere indicentur non expectatis judiciariis quibuscunque. Et si iudicarii Clericis eisdem coram eis non exhibitis Episcopum condemnent in pensione pecuniaria, pænæ superioris, si Clerici fuerint, si Laici proferantur. Clerici autem Domini Regis, vel quicumque, alii qui excusationem huiusmodi poene prosequuntur dictando, scribendo, sigillando Alcomitibus vel aliis Ballivis

illis hujusmodi mandata dirigendo pœnis subjaceant in Clericos promulgatis superius annotatis. Quod si iidem Clerici Ecclesiæ redditi propter transgressionem aliquando personalem vel forestant enuntiati fuerint, a iudice seculari non compellant, cum non a suis iudicibus fuerint condemnati. Et si propter hoc eos prælatos distringi aut attachiari contigerit, se defenderit contra hujusmodi attachiationes vel distractiones per remedia antedicta. Idem fiat quotiescunque annunciati fuerint viri Ecclesiastici pro hiis quæ ad forum Ecclesiasticum pertinent per Iudicem secularem, si \* verò Clerici Canonice se purgaverint super sibi impositis & objectis, & nihilominus bona Laica potestate detineantur, eorundem occupantes, & detinentes bona hujusmodi Laicorum per expeditam Ecclesiasticam censuram compescantur. \* Quod si sic capti Clerici tonsuram & Clericatum habentes maliciose tempore intermedio abrazi fuerint, vel suspensi, abjadentes vel suspendentes, consilium, vel favorem, seu auxilium impendentes pœnis subjaceant supradictis; forisbannientes quoque hujusmodi Clericos pœnis similibus percellantur. \* Item statumus, quod si aliquis Clericus pro transgressione forestant seu partis alicujus diffamatus fuerit; vel convictus fuerit legitime coram suo ordinario, vel confessus, idem per suum ordinarium si bona habeat, illi cui noxa aut injuria illata est hujusmodi redemptio assignetur; si autem bona non habeat, suus Episcopus ipsum prout culpa poposcerit graviter puniat in persona, ne propter impunitatis fiduciam pateat præsumptoribus licentia delinquendi.

\* Guil. Linde.  
wode l. 5. Tit.  
de Privilegiis  
f. 235.

\* Guil. Linde.  
wode l. 5. Tit.  
de Pœnis.  
f. 231.

\* Guil. Linde.  
wode l. 5. Tit.  
de Furtis.

5. De \* Impetrantibus Prohibitiones Domini Regis.

\* Nota.

**I**taque, cum nonnulli Laici ad invicem plerunque cum Clericis contrahentes ipsos contractus fidei datione vallantes, aut corporali præstito juramento firmantes, qui super fidei aut Sacramenti præstiti religione contempta coram iudice Ecclesiastico conventi, Regiam prohibitionem impetrant; ut super perjurio et fidei læsione examen Ecclesiastici Iudicis sic declinent. Providemus, quod si Laicus fuerit Impetrator, per excommunicationis sententiam (prout superius dicitur) arceatur. Si vero non destiterint et possessores immobilium existant, terra eorum supponatur Ecclesiastico interdicto. Si autem immobilia non habeant, mercenarii sui non vacatæ personæ moneatur, quod intra octo dies ab eo recedant. Alioquin consimilis pœna sententiæ excommunicationis majoris feratur in eosdem. Si autem Clericus reus fuerit vel religiosus, exerceantur pœna Canonice contra ipsos: si vero Clericus in sua pertinacia perseveraverit, procedatur contra eum secundum pœnas superius contra pertinaces Clericos annotatas. Si autem actor Laicus sit & non habeat Laicum feodum, Episcopus non exhibeat eum, et si distringitur Episcopus, procedatur contra \* Dominum Regem et distringentem ut superius est expressum. Et hoc idem in prohibitionibus consimilibus observetur. Idem fiat et si tertius veniens et transverso porrigat vel porrigi faciat prohibitionem talem, dum tamen ille eam verbo vel facto ratificaverit pro quo apparuit impetrata.

\* The King must be admonished, his Castles, Cities, Towns, Villages interdicted, and his Subjects, Officers Excommunicated with a Major Excommunication, for issuing, or bringing Prohibitions to relieve their Subjects against Bishops and their Courts Encroachments

6. Quod Judæi compellantur respondere coram Ecclesiastico iure.

**E**t quia modo consimili Ecclesiastica Censura confunditur & Prælatorum officium impeditur cum Judæus delinquens in rebus Ecclesiasticis & personis super hiis coram ipsis convictus fuerit, vel super aliis quæ ad forum Ecclesiasticum mero jure coram Ecclesiastico iudice convenitur, per Dominum Regem seu Vicecomes aut Ballivos super prædictis non permittitur coram Ecclesiastico iudice stare juri, sed declinare compellitur forum ejus, statum



\* interdictū

mus quod huiusmodi *Judei* per \* *introducitur* commercii contractum et communione fidelium ad respondendum in his casibus coram iudice Ecclesiastico compellantur. Et quod inhibentes et impeditores eosdem et hac de causa, iudices et alios distringentes per excommunicationis et interdicti sententias arceantur.

7. *De fugientibus ad immunitatem Ecclesiasticam.*

Provincial.  
Guil. Lindewode, l. 3. de  
immunitate  
Ecclesiam.  
f. 184.

**P**orro, cum ad immunitatem Ecclesiarum fugientibus aliquando vix in alimentis valeat subvenire propter arctam custodiam quæ frequenter apponitur contra ipsos, ut aliquando confugientes huiusmodi ab Ecclesiis & Cimiteriis, viis publicis post terræ abjuramentum violenter sæpius abstrahantur, ac sic abstracti sceleratè in præiudicium immunitatis Ecclesiæ occidantur. **Statuimus, quod qui talibus alimenta impedierint ministrari, secundum arbitrium ordinariorum per Censuram Ecclesiasticam arceantur.** Siquidem confugas ab Ecclesia vel Cimiterio vel post abjuramentum terræ a via publica extrahentes, vel taliter extractos occidentes (cum sub Ecclesiastica protectione constant) **pœnis Sacrilegi percellantur, alia aliam minime consumente.** In Ecclesia autem vel Cimiterio non hac custodia confugientium ad Ecclesiam per Laicam potestatem. Et si hanc custodiam, tam custodientes quàm qui eam custodiam opposuerunt in forma iuris, per excommunicationis sententiam districtius compellantur. Illos autem tantummodo tueatur Ecclesia quos Canones præcipiant esse tuendos.

8. *De infringentibus Ecclesia libertates.*

Provincialis  
Guil. Lindewode, l. 3. de  
immunitate  
Ecclesie. f. 186.

**U**t invadentibus bona Ecclesiastica & libertates Ecclesiæ infringentibus & perturbantibus obviatur, providè duximus statuendum, quod huiusmodi Malefactores, invasores videlicet & perturbatores Ecclesiasticorum bonorum & libertatum violatores sacrilegi, excommunicati per locorum ordinariorum denuncientur. Et si in sua pertinacia per unum mensem perseverent, tunc et loca in quibus commoventur supponantur Ecclesiastico interdicto, et neutra relaxetur sententia donec de damnis et injuria satisfecerint competenter. Et si aliquis Ecclesiam possessionibus & libertatibus suis spoliaverit, pœnis subiaceat supradictis, & in ipsum usque ad plenam satisfactionem & restitutionem condignam, in forma iuris excommunicationis sententia solemniter proferatur. Et si eadem sacrilegi faciant iudices aut Prælatos propter hoc attachiari vel destrungi, tam ipsi quam distringentes pœnis in attachiatores et distringentes editis condigne percellantur.

9. *De Laicis Clericos aggravantibus.*

**A**d hoc etiam cum contingit quod domicilia, & hospitia Clericorum per Mag-nates terræ quamquàm in Sanctuario existant, invicis ipsis Clericis & nonnunquam expulsis suis servientibus bona ipsorum ibidem inventa occupantur, & per sacrilegos huiusmodi consumantur, reclamantes & renitentes convitiis affiguntur, verbis afficiuntur, & multipliciter pertractantur, quamquam etiam caute, & equitatus Dominice Prælatorum, Religiosorum quam Clericorum in itinere publico ac veritatis & aliunde in sanctuariis & consimilibus capiuntur & abducuntur violenter, ad dictorum Magnatum res, commercia & victualia transferenda. **Providemus, quod omnes huiusmodi sacrilegi in forma iuris excommunicentur, et solemniter excommunicati nuncientur, donec Ablata et abducta restituerint, et de illatis iniuriis satisfecerint competenter.** Compelluntur etiam Clerici & Religiosi suas res quas habent venales licite vel illicite ad precium Domini Regis sibi & suis ministris vendere, & nonnunquam tradere precio non soluto, unde providemus, quod taliter compellentes cogantur per sen-

sententiam excommunicationis iustum prectum supplere vel destrucere  
sic exorta, nihilominus de sacilegio commisso prout debet satisfacere  
competenter. in iura sua et iura aliorum non intromittit.

\* Goods taken  
from Clergy  
men by the  
Kings Privy-  
ors must be sa-  
crilege.

I finde this Constitution omitted in *Aton* and *Lindewode*, extant in *Matthew Paris*  
his *Addimenta*, against the King and his Judges granting Prohibitions to hinder  
them to give Oaths to Laymen against their wills in their visitations and courts, and  
to inflict pecuniarie penalties upon Jews or others, which I shall here insert:

Cum insuper Prelati Ecclesiastici, ex officii sui debito inquirant de mo-  
rum disciplina, peccatis et excessibus subditorum, quia Rex,  
Magnates, et alie potestates seculares, ipsorum officia impediunt  
in premissis; Laici sibi subditis inhibendo ne ad mandatum ipsa-  
rum Prelatorum, de veritate dicenda subeant iuramentum. Et  
quia ibidem non permittunt dictos Prelatos, subditos suos in causis  
seu negotiis Ecclesiasticis corporaliter seu pecunialiter, seu alias  
Canonice punire; secundum personarum et delictorum qualita-  
tem: Probidemus, quod Laici ad prestandum huiusmodi iuramen-  
ta, et ad solvendum quaslibet poenas per Prelatos suos Canonice  
institas, nihilominus preesse per excommunicationis sententi-  
am compellantur. Impedientes vero ne huiusmodi iuramenta  
prestantur, aut poene exsolvantur, per interdicti et excommuni-  
cationis sententias predictas arctius compescantur. Et si per hoc  
ad diffinitionem processum fuerit Prelatorum, contra diffingen-  
tes, sicut dictum est superius, procedatur. Et quia modo co-  
finitum Prelatorum officium impeditur, cum contingat quod *Judei* delinquens in rebus  
Ecclesiasticis & personis, super his conventus fuerit coram ipsis, & super aliis quae ad  
forum Ecclesiasticum pertinent mero jure: Providemus, quod *Judei* per inter-  
dictum commercii, contractuum & communionis fidelium, ad respondendum in hiis  
casibus nihilominus compellatur: inhibentes quoque impeditores, & distin-  
gentes, poenas interdicti & excommunicationis incurrant.

Addimenta:  
p. 207  
\* Here p. 699,  
704, 705, 706,  
707.

Perchance the King & his Councils, Judges forementioned Prohibitions against such  
Oaths, caused *Lindewode* and *Aton*, to omit this Constitution, and most likely this  
Archbishop and Council to waive it, though in their Original draught.

10. De Rege Ecclesiarum aggravante Vacantem.

Contingit insuper aliquando, quod Domino Rege Ecclesiarum Cathedralium vel  
Conventualium custodiam obtinente, cum secundum Chartarum libertatem ab  
eodem Domino Rege & suis predecessoris Ecclesiarum concessarum, tantundem ra-  
tionabiles consuetudines, nec non & rationabilia servitia, & hoc sine diffractione  
hominum & visitatione rerum, Ballivi tum ejus per tallias immoderatas bona re-  
nuntium vacantis Ecclesiarum auferunt; nemora & vivaria destruunt, domos consume-  
re festinant & dissipant bona, pauperes malo tractant, & destruunt, jam non solum  
ad ea quae ratione Custodiarum obtinere convenerant manus extendunt, sed etiam ad bo-  
na superstitum ut blada & instaura & alia, quae ratione Baroniarum ad ipsum spectare  
non possunt, videlicet decimas, Ecclesias & oblationes Episcopatibus seu Monasteriis  
appropriatas & similia occupare praesumant. Ut huic igitur morbo facilius occurratur,  
ordinamus, quod statim postquam Escaetores & Ballivi Regis huiusmodi custodias in-  
gressi fuerint, Praelati qui jurisdictionem praesumant, publice & solenniter inter-  
dicant sub poena excommunicationis dictis Ballivis, Domini Regis & aliis omnibus  
in genere, ne talia attentare praesumant. Quod si contra fecerint, denuncient eos in  
dictam sententiam incidisse, & in sententiam talem quae contra illos qui libertates in  
Magna Charta concessas nec non libertates Ecclesiasticas confringunt, et tales us-  
que ad satisfactionem congruam excommunicati publice nuncien-  
tur quam sententiam si contempserint, contra eos procedatur

Provincialis  
Gr. J. Linde-  
wode l. 3. De  
iurisdictione  
Ecclesiarum l. 187.

\* Nota.

per interdicta et alias pœnas superius annotatas. Et si \* Dominus Rex super his competentiter monitus sic oblata non cessitant, vel damna resarciat, procedatur contra eum sicut in aliis casibus Regem tangentibus superius est ordinatum.

## 11. De libertate &amp; longa possessione.

**A**rchiepiscopus itaque & ipsi ratione patrimonii Ecclesiastici commune monitione coram Iusticiariis itinerantibus evocati, per Attornatos seu Procuratores literatorie constitutos, per libertatem Ecclesiæ & consuetudinem admittantur: Supplicatum est Domino Regi, ut sustineat, quod per Literas Procuratores admittantur, sive Attornati eorundem; & Iusticiarii moneantur, quod per tales competentibus admittant Attornatos. Si vero sic non admittant, sed quod personaliter non venit Prælatus, condemnatur, postmodum & distringatur: **Providemus, quod procedatur contra attachiatores, distringentes, ut superius est expressum.** Quia insuper Prælati & Clerici venire coram Magistratibus secularibus distringuntur, offensuri de jure aut quo warranto (seu Guaranto) utuntur libertatibus quibus a longis retro temporibus, ipsi sive prædecessores sui usi sunt pacifice, nomine Ecclesiarum suarum: alioquin impediuntur uti libertatibus prædictis. **Ordinamus, quod sic vocati non respondeant, nisi quod nec allegent longam possessionem Ecclesiæ suæ, ac rebocent eas in dubium, non ponant se ad inquisitionem Laicorum.** Et si propterea spoliuntur, attachientur, distringantur, vel alias condemnentur; **procedatur contra spoliantes, attachiantes, et \* Dominum Regem, ut superius annotatur.** Et si retineatur Prælatus, Archiepiscopus cum Episcopis requirat eum, & puniat detentores: et si libere non dimittatur, ad interdicta ut superius procedatur.

\* Nota.

## 12. De malitia Judicii secularis contra libertatem Ecclesiæ.

**A**liquando quidem Ecclesiis vel Prælatibus Principes, & alii Christi fideles, possessiones & libertates dant per suas Chartas, in quibus hujusmodi clausula vel similis continetur. *Omnia quæ ad me vel ad hæredes meos de tali feodo, sive feodo vel possessione pertinent, vel poterunt pertinere, tali Ecclesiæ vel Monasterio, ac earum Prælatus vel Ministris, sine aliquo retinemento, do, & concedo, & hac præsentis Charta mea confirmo.* Et si postmodum super aliquo articulo de pertinentiis, quæ in Charta ipsa non fuerint specialiter expressa, & in dicto seculari contentio moveatur; dicunt Judices seculares, Chartam ipsam esse vacuum et inanem, eo quod nominatim articulus ille non exprimitur in eadem. Et sic verbum (*Omnia*) secundum eos nihil contineat, nisi fuerit specialiter expressum. Et si articulus libertatis contentus in Charta specialiter exprimat, dicunt iidem Judices Chartam ipsam esse vacuum & invalidam, si Ecclesiæ vel Monasterium usæ non fuerit hujusmodi libertate. **Providemus, quod Iusticiarii & alii Judices seculares, Ecclesias vel loca religiosa perversa interpretatione hujusmodi, possessionibus vel libertatibus defraudantes, moneantur per locorum Ordinarios in quibus talia iudicia exercentur, quod sub talis interpretationis velamento, possessiones, libertates et jura Ecclesiastica perturbare et invertere non præsumant.** Quod si monitionibus non acquieverint eorundem, per \* excommunicationis et interdicti sententias diaconum Iusticiariorum et Judicum, sive Clerici sive Laici fuerint, iniquitas secundum formam annotatam superius, comprimatur.

\* The Judges must be Excommunicated and Interdicted if they reverse not their Temporal Judgements according to Law in the Kings Courts, & conform them to the Bishops interpretation and humours.

## 13. Quod Ecclesiastici viri non teneantur facere seculum ad Curiam secularem propter Ecclesiæ libertatem.

**L**icet autem Dominus Rex, & Magnates aliique Christi fideles, terras & possessiones in liberam, & puram, & perpetuam elemosynam Ecclesiis & viris Ecclesiasticis



asticis produxerint conferendas, nihilominus ipsi & Ballivi sui compellunt hujusmodi personas Ecclesiasticas, pro prædictis terris & possessionibus sectam facere ad Curiam suam Laicalem, contra donationis formam, & officium pietatis, & jura Ecclesiarum, & possessionibus quibus usæ sunt à longis temporibus & antiquis, ac retroactis perturbantes eos, nisi de concessionibus Originalibus Chartis suis, forte vetustate vel alio modo deperditis vel consumptis, fidem fecerint coram eis. Ordinamus, quod si restrictio fuerit pro hujusmodi sectis, à donatoribus, fundatoribus, vel eorum hæredibus, seu aliis suis qualitercunque succedentibus, per præmissas censuras Ecclesiasticas penitus reprimantur. Si vero à Capitalibus Dominis restrictio fiat pro hujusmodi sectis faciendis, compellentes & distringentes, modo simili arceantur. Iusticiarii autem et alii Iudices forenses qui per fraudem convertunt amerciamenta libertatum Episcoporum et Prelatorum inferiorum, contra Chartam Domini Regis omnium libertatum, tanquam transgressores dictæ Chartæ arctius puniuntur.

14. *De Sacramento confessionis & ne incarceratis denegetur.*

**P**raterea cum Sacramentum confessionis & poenitentiae, secunda sit post naufragium tabula, & ultimus humane navigationis portus, id est finale refugium, sit unicuique peccatori pernecessarium ad salutem, sub poena excommunicationis districtius præcipimus, ne aliquis impedire præsumat, quin hujusmodi Sacramentum poenitentiae unicuique petenti libere impendatur, & spatium liberam confitendi, quod potissime propter carceratos suadet, quibus hujusmodi Sacramentum sæpius inhumaniter (ne dicamus infideliter) denegatur. Et si interdum confitendi spatium eis datur, hoc ita breve & importune conceditur, quod potius cedit miseris in desolationem gaudii spiritualis.

Provincialis  
Guil. Lindewode, l. 5. De  
Poenitentia &  
Remissionibus,  
f. 236.

15. *De Laicis Dominis testamenti fallionem impediens, & de bonis intestatorum.*

**Q**uoniam Laicis ab intestato decedentibus, Domini feudorum non permittunt ipsorum debita solvi de bonis mobilibus eorundem, nec in usus liberorum suorum vel parentum, vel alias secundum dispositionem Ordinariorum, pie distribui pro defunctis. Providemus, quod dicti Domini et eorum Ballivi moneantur diligenter, ut a talibus impedimentis desistant: quod si moniti non paruerint, saltem pro ea portione quæ defunctum contingit, ut in pios usus per locorum ordinarios distribui libere possit, per Excommunicationis sententiam compescantur. Eodem modo procedatur contra eos, qui ascriptionum & aliorum servilis conditionis testamenta, & ultimas voluntates impediunt, contra consuetudinem Anglicanæ Ecclesiæ hætenus approbatam. Prædictas autem provisiones extendi volumus ad omnes personas, tam Ecclesiasticas quam seculares jura Regalia habentes, quibus hætenus consueverunt uti statuimus & præcipimus ne cuique executori permittatur administrare de bonis testatoris, nisi prius de omnibus bonis ipsius defuncti fidele fiat inventarium, & loci ordinario ostendatur. Item probato testamento coram Ordinariis, non committatur alicui vel aliquibus executio seu administratio in bonis defuncto-um nisi talibus qui competentem administrationis suæ rationem (cum super hoc per locorum Ordinarios fuerint requisiti) reddere possint. Item statuimus præsentis auctoritate Concilii ne aliqui religiosi cujuscunque professionis existant sint executores testamentorum, nisi de licentia Ordinarii & voluntate procedatur. Item testamentis coram Ordinariis probatis eorundem testamentorum probatio a Laicis nullatenus exigatur. Nemo impediat nec impedire procuret quò minus ultimæ voluntates defunctorum procedant in hiis quæ de jure vel consuetudine testari possunt. Si vero contra hoc statutum venire præsumpserint, sciant se auctoritate præsentis Concilii esse Excommunicationis sententia involutos, et tanquam contra eorundem libertatem violatores, contra eos per censuram Ecclesiasticam procedatur. Item statuimus ne quis alicujus solutæ vel conjuga-

Provincialis  
Guil. Lindewode, l. 3. De  
Testamentis,  
f. 124.

\* They make Statutes as well as Canons, as if they were a Parliament.

garæ

gata propriæ, vel alterius impediatur vel perturbetur, seu faciat impediri iusta, seu consuetam testamenti liberam factionem, **quod si fecerit sciat se Excommunicationis sententiam incurrisse.** Item statuimus, quod de portione mortui habeat Ecclesia jus suum deductis tum prius de communi hiis quæ Domino & quod dono debetur, & sumptibus superis. Item statuimus, quod nullus executor remaneat aliquid de bonis defuncti cujus testamentum exequitur, emptionis titulo vel alio modo, nisi fuerit à testatore sibi inter vivos donatum, vel ex testamento legatum.

16. *De Bedellis & Apparitoribus Archidiaconorum & aliorum Prælatorum.*

Provincialis  
Guil. Lindewode, l. 3. De  
Procuratoribus  
& Consiliis,  
f. 160.

**I**tem contra gravamina & excessus quæ per bedellos & apparitores Archidiaconorum & Decanorum subditis inferri dicimus, remedium adhibere volentes, statuimus, ut cum pro faciendis executionibus aut aliis necessitatibus ad hospitium rectorum, vicariorum, seu Capellanorum, vel aliorum Sacerdotum, seu Clericorum, seu Religiosorum eos declinare contigerit, nihil omnino ratione procuratoris vel alterius servitutis, seu servitii exigant ab eisdem, sed cum gratiarum actione recipientes ea quæ eis ab hospitibus apponuntur, illis contenti existant, neque per Nuncios & subbedellos sed per seipsos executiones faciant præceptorum: **Sententias autem Excommunicationis et Interdicti vel Suspensionis per se non ferant, neque per alios latas denuncient, sine specialibus Literis Dominorum suorum.** Et si secus præsumptum fuerit, sententiæ sic late ipso jure non teneant, neque serventur cum in veritate non ligent. Et bedelli qui contra hoc statutum fecerint & onerosi seu injuriosi subditis Dominorum suorum inventi fuerint, graviter puniantur & gravatis duplum restituere teneantur.

17. *Quod Clerici moneri debeant ut deferant tonsuram, vestes & Coronam.*

Provincialis  
Guil. Lindewode, f. 253.

\* Christ had no  
shaven Crown,  
how then can it  
be his stigma?

**I**tem statuimus, quod Episcopi in suis Synodis & aliis Convocationibus, & singuli Archidiaconi & Decani in suis Capitulis, & rectores Capellani sive vicarii Ecclesiarum Parochialium in suis Ecclesiis, semel in anno publice denuncient omnibus qui gaudere voluerint privilegio Clericali, quod decenter tonsuram & Coronam rasi capitis deferant competentem, maxime coram suis Ordinariis, & in Ecclesiis ac Congregationibus Clericorum, nec erubescant ipsius portare \* stigmata qui pro eis spinam non dedignatus est portare Coronam, factus patri obediens usque ad mortem, ut eos suæ resurrectionis tribueret esse participes, & hæreditatis precio sui sanguinis acquisitæ consortes, committaturi eis qui contra denunciationem istam secus præsumperint attemptare. Quod si signum salvationis erubuerint frontibus suis imprimere, frustra salvatoris debebunt auxilium implorare, cum privilegium dignitatis mereatur amittere qui concessa sibi abuti detegitur dignitate. *No penalty is inflicted on Clerks for not obeying this Constitution.*

18. *De carcere Episcoporum habendo, & quos Clerici perpetuo carceri sunt committendi.*

Provincialis  
Guil. Lindewode, f. 231.

\* Christ and his  
Apostles had no  
such prisons, im-  
prisoned none,  
but were impris-  
oned them-  
selves by Tem-  
poral Magi-  
strates & Kings,  
Mat. 11. 3. c.  
14. 9. 10. c. 15. 35. Luke 3. 12. c. 21. 13. Acts 5. 18. c. 8. 3. c. 13. 4. 5. c. 16. 23. 24. c. 23. 18. c. 28. 17. John 3. 1. c. 4. 1. Phil. 1. 9. 1 Cor. 11. 23. Rev. 2. 10. How then can Bishops claim them? † A tempore Excommunicationis,  
Mat. Paris Addit.

**I**tem, speciali præcepto statuimus, quod quilibet Episcopus in Episcopatu suo prout competentius et securius provideri viderit, **\* unum vel duos carceres habeat pro Clericis flagitiosis in crimine, vel convictis juxta censuram Canonicam detinendis.** Statuimus etiam, quod Clericus aliquis qui adeo malitiæ suæ incorrigibilis fuerit & consuetus ad flagitia committenda, quod si Laicus esset secundum leges seculi ultimum deberet pati supplicium, talis Clericus perpetuo carceri adjiciatur. In illis autem qui non ex voluntate & proposito, sed casu fortuito, aut iracundia, aut fortè insania committerent, anti-qua jura servari volumus, prædicta denique remedia, tam ad præsentia quàm ad futura gravamina se extendunt: præsertim † cum sententiæ Excommunicationis de

consensu

consensu Regis & Magnatum Regni *Londoniis*, per Prælatos solenniter sint promulgata in transgressores Chartæ omnium libertatum. Archiepiscopi & Episcopi, de consensu & approbatione inferiorum Prælatorum, Capitulorum Cathedralium, & Conventualium: necnon universitas totius Cleri *Anglia*, pro reformatione status Ecclesiæ *Anglicanæ*, et reparationis libertatis, hæc prædicta concorditer et communiter \* ordinaverunt, retenta sibi potestate addendi, mutandi, et corrigendi, prout viderint expedire.

Datum apud *Westmonasterium* in solenni Convocatione Cleri Ecclesiæ *Anglicanæ*, 6. Idus Junii, Anno Domini \* 1261. & Anno Pontificatus *Alexandri* Papæ 4. septimo, & Anno Regni illustris Regis *Henrici* \* quarto.

Per Bonifacium Cantuariensem Archiepiscopum.

In most of these Constitutions of Archbishop *Boniface*, and all our *English* Bishops and Clergy in this Convocation, (specially contrived, as I apprehend, against Judge *Bracton* forecited Treatise of *Prohibitions*, written about that time, & other *Prohibitions* forecited) I cannot but take notice of these particulars, worthy special observation.

1. Their high contempt and daring presumption, in holding this Convocation upon Archbishop *Boniface* his own summons, not only without the Kings special Writ, against Law and former presidents, but also against his express \* forementioned *Prohibitions* issued to him and them, not to hold or resort thereto, under pain of seising or forfeiting their Temporalties. 2ly. In presuming to make such Constitutions as these, not only without the privy or consent of the King, Lords and Commons of the Realm, very highly concerned in them, in their Liberties, Properties, Consciences, but in direct avowed opposition against them, having refused from time to time upon their Petitions, to grant what they here decreed, as themselves attest in their prologue, and that upon just grounds of law, prudence, policy, right, conscience. 3ly. In exempting their persons, lands, goods from all secular persons and Courts Jurisdictions by these Constitutions, whereto they prohibited any Clergyman to submit, under severest Ecclesiastical censures. 4ly. In subjecting not only the persons of all the Nobility, Commonalty to their Ecclesiastical Excommunications with bell, book and candle, and their Mannors, Lands, Goods to their Interdicts, but even the King himself to their admonitions, and his Lands, Castels, Cities, Mannors, Subjects to their arbitrary Interdicts in several cases, for opposing their transcendent, if not treasonable encroachments upon the Ecclesiastical & Civil Rights, Prerogatives of the Crown, the Laws and antient Customs of the Realm, his Temporal Judges, Justices, Sheriffs, Bayliffs, Lay-Subjects Liberties, all prostituted to their exorbitant censures & arbitrary pleasures. 5ly. In inflicting severe penalties on all inferior Clergymen, who should not pursue, or violate these their Constitutions, by sequestrations, deprivations, disabilities to receive or enjoy any Ecclesiastical Benefices or Dignities whatsoever; & inflicting penalties on all such Bishops as should neglect or refuse to put them in execution. 6ly. In their most execrable abuse of Excommunications, Interdicts of whole Cities, Parishes, Villages from all sacred Ordinaries upon every trivial occasion, and conceived neglect or disobedience of some particular persons only, in not executing or opposing these their Constitutions; yea for the Kings, his Courts, Judges granting, and not recalling their legal Writs of Prohibition, Judgements, for defence of the Rights of the Crown, Laws, or Subjects Liberties, against their Papal Encroachments on them; and the Jurisdiction of all his Temporal Courts, in cases of Advouions of Churches, Lay-fees, Chattels, Contracts, not properly belonging to Ecclesiastical cognisance, all which they endeavoured to engrosse into their own hands. Courts. 7ly. That though all the Bishops, Clergy, Prelates, Priors formerly \* opposed Archbishop *Boniface* his Visitations and Entroachments on themselves, and publicly declaimed against him for his rapines, covetousnesse, violence, non-residence, neglect of his Pastoral duty, oppression, and other vices, yet here they cryed him up for another *St. Thomas of Becket*, and canonized him as a kind of Saint before his death, for these his Antimonarchical Constitutions in defence and advancement of the Prelates, Churches, Clergies pretended Liberties, and Ecclesiastical Jurisdiction, for which they would contest even to death under this their Martial General. 8ly. That though these Constitutions were kept secret, and not publickly divulged at first, (as *Mat. Paris* intimates) with a clause of adding to or subtracting from them, to avoid the just censure of the King and Kingdom upon the makers of them, for their high contempts and

\* providerunt;  
Mat. Par. Addit

\* Mistaken for  
1257.

\* Mistaken for  
41.

\* Here p. 890.

\* See here, p.  
740, 748,  
751, 752, 762,  
788, 789, 790;  
793, 842.

treasonable



treasonable designs against the Kings Crown, Dignity, the ancient Laws, Customs Government of the Kingdom, which they would totally subvert; upon which account *John Peckham* Archbishop of *Canterbury* was complained against in Parliament, and enforced by the King and Lords to revoke sundry of his Constitutions made in the Council at *Radyng* under him, Anno 7 E. 1. with a *deleatur, et pro non pronunciata habeatur, illa clausula in prima sententia Excommunicationis, quæ facit mentionem impetrantibus Literas Regias ad impediendum processus, in causis quæ per sacros Canones ad forum Ecclesiasticum pertinent, &c.* (relating to these Constitutions of *Boniface*, then first divulged as I conceive) whose Canons were not altogether so high as these of *Boniface*; yet their ambitious successors, and some bold Doctors of the Canon and Civil Law, (as *Johannes de Aton*, and *William Lindwode*) presumed to publish them with their expunged, revoked Clauses, and Glosses on them, some ages after, endeavouring to make them obligatory both to the *English* Clergy, Church, Kings, Subjects, to create every Archbishop, Bishop, Archdeacon of *England* a Pope, and make the Kings, Nobles, Judges, Civil Officers, Courts of Justice, and Commonalty of *England*, little less than their slaves and vassals: Which Constitutions, though never submitted to, nor approved, but revoked, nulled by them, yet some aspiring Prelates, and bold ignorant Canonists of late times, have cryed them up to be, and executed them as the Ecclesiastical Laws of *England*, though never received nor ratified as such, but always opposed in such manner as I have related; yea totally neglected, or seldome put in use in times of Popery by their makers, as *Lindwode* himself acknowledgeth in his Epistle to *Henry* Archbishop of *Canterbury* before his *Provinciale*. You may judge of these trees by their fruits, *Ex cauda draconem, Pramoniti pramoniti*. I now proceed to Records of this year.

The Bishop of *Durham* having sequestred all Benefices of the Bishop of *Karleol*, within the Diocese of *Durham*, and the Gardian of the Bishoprick of *Karleol* intending to sue out an Inhibition to take off the sequestration; the King issued this Writ to the Gardian to let all things continue at present in the state they then were, till the day he had appointed to hear and determin the business.

Claus. 41 H. 3.  
m. 6. dorf.  
Pro Episcopo  
Dunelm.

**R**EX *Waltero de Rudham* Custodi Episcopatus *Karl.* salutem. Quia diem praefiximus Venerabili Patri *Dunelm. Episcopo*, usque ad Crastinum animarum proximum, super sequestreis Ecclesiarum ad Episcopum *Karl.* spectantium quæ sunt infra Dioc. dicti *Dunelm. Episcopi*, Ita quod sequestra illa interim in eodem statu in omnibus in quo nunc sunt remaneat, sine aliqua immutatione faciendâ, vel sine aliquo de prædictis sequestreis hinc inde recipiendo. Vobis mandamus, quod sequestrum dictarum Ecclesiarum in statu in quo prius extitit esse permittatis in omnibus, absque aliqua injunctione inde faciendâ usque ad præfatum terminum, sicut prædictum est. Teste meipso apud *Wodestock*, 16 die Julii Anno regni nostri 41.

Eodem modo mandatum est Vic. *Northumbriae*.

He likewise made this Letter of procuration concerning his right to this Church of *Karleol* during the vacancy.

Ibidem.  
Pro Rege.

**R**EX Omnibus, &c. Noverit universis vestra quod nos dilectum Clericum nostrum *Walterum de Rudham*, & *Johannem de Beleshall*, nostros constituimus Procuratores, ad assidendum, petendum & recipiendum nomine nostro decimas, redditus seu pensiones nobis debitæ ratione Episcopatus *Karl. vacantis*, & in manu nostra existentis, sive sint in Archiepiscopatu *Eborum*, sive *Cicestrensi*, sive *Dunelm. Episcopatibus*. Dantes eisdem vel eorum alteri potestatem & speciale mandatum pro statu nostro & suo Appellandi, & appellationem proseguendi coram quibuscunque Judicibus ordinariis seu Delegatis in cujus, &c. Teste ut supra.

The Church of *Colen* wherein the three Kings were buried being burnt, the King issued this Writ to the Archbishop and Bishops to give way and furtherance for a Collection toward the repair thereof, and not to hinder it.

Pat. 41 H. 3. m.  
11. dorf.

**C**UM Ecclesia *Coloniensis*, in qua Corpora trium Regum beatorum requiescunt, per incendium inopinabili ac miserabili casu sit consumpta; Rex ad petitionem

*Conradi*

*Conradi Archiepiscopi Colon. scribit Archiepiscopo Cantuar. et aliis Prelatis ac fidelibus totius Anglia quod nuncios ipsius Fabrica, cum pro petendo Subsidio ad ipsos venerint, benigne recipiant, et quod nullum eis inferant molestiam, &c.*

Pope *Alexander* being very prodigal of what he had no right to grant, and to grant the same thing to several persons, after he had granted King *Henry* the fruits of vacant Benefices and Ecclesiastical dignities in *England* and *Ireland* for five years, towards the Holy Wars, granted the Archbishop of *Tuam* in *Ireland*, formerly Dean of *London*, the profits of all Benefices before he was Archbishop for two years, not excepting his former grant to the King, whereupon the King issued this Writ to the Archbishops Proctors, not to gather the said profits for the Archbp. threatening to call them to an account, and make them return what they had or should receive thereof.

**R**EX Procuratoribus Archiepiscopi *Tuam*. quondam Decani *London*. salutem. Cum Dominus Papa de fructibus dignitatum et aliozum Beneficiorum vacantium per annum habendis, ad prosecutionem voti nostri, usque ad quinquennium nobis gratiam fecerit specialem, ac sicut intellerimus, idem Dominus Papa prefato Archiepiscopo fructus Beneficiorum suorum per biennium sibi concesserat, nulla de privilegio super dictis fructibus nobis concessis facta penitus mentione: vobis districtius inhibemus, ne ad fructus Decanatus et Prefati *London*. aliozumque Beneficiorum, quæ in Regno nostro ante suam promotionem in Archiepiscopum obtinebat presumatis extendere manus vestras. Scituri, quod si secus presumpseritis, nobis respondebitis de eisdem. Teste Rege apud *Winds.* 23. die *Junii*.

Pat. 41 H. 3.  
m. 13. intus,  
in Cedula.  
De negotio  
Crucis & De-  
cimæ.

The King this year commanded all the monies raised or to be raised out of the vacancies of Bishopricks in his hands, to be paid to his Treasurer at the New Temple, towards the satisfaction of his debts, by these Letters Patents.

**R**EX Thesaurario Novi Templi *London*. salutem. Quia omnes exitus de Episcopatus & aliis custodiis in manu nostra existentibus provenientes, in certo loco volumus reservari, in solutionem quarundam debitorum nostrorum convertendos, nos de fidelitate & promptitudine vestra specialiter confidentes: Vobis mandamus rogantes, quod totam pecuniam quam *Willielmus le Bretun*, & *Johannes Blundell*, custodes Episcopatus *Normicæ*. vacantis in manu nostra existentis, vel alii custodes vel Ballivi nostri vobis sub sigillis & clavibus suis liberaverint ad opus nostrum reservandam, salvo custodiat in prædicta domo vestra sub sigillis & clavibus eorundem, donec aliud à nobis super hoc habueritis in mandatis. In cujus, &c. Teste Rege apud *Wodest.* 6. die *Julii*.

Pat. 41 H. 3.  
m. 5. intus.  
De Thesauro  
custodiendo  
apud Novum  
Templum  
*London*.

Et mandatum est *Willielmo le Bretun*, & *Johanni Blundell*, custodibus Episcopatus *Normicæ*. quod totam pecuniam per eos receptam & recipiendam de exitibus ejusdem Episcopatus, dum Episcopatus ille vacans fuerit, & in custodia sua liberent prefato Thesaurario, cui Rex mandavit, quod pecuniam illam recipiat & salvo custodiat donec Rex aliud eis super hoc dederit in mandatis. Teste ut supra, & sunt clausæ.

What waists and spoiles were then committed in vacant Bishopricks to raise monies, you may conjecture by this relation.

Eodem tempore, cum Monachi *Elyensis* suum Subpriorem, virum idoneum & irreprehensibilem rite in suarum pastorem animarum ad officium Præsulatus *Elyensis* elegerint, Domini Regis, qui pro alio Literis suis & Nunciis solemnibus instanter postulaverat, voluntati non obsecundantes, Rex iratus valde, custodiam commisit, quasi lupo agnum elurenti, *Johanni Valerano*, qui lucos explana- vit, homines depauperavit, Monachos damnificavit; ita ut viderentur omnia, contempto Dei timore et sanctorum reverentia, patere discrimini; et Ecclesiam ultimæ subjacere servituti, et patere prædis violenter occupantibus.

Mat. Paris Hist.  
Angl. p. 913.  
Rex non accep-  
tavit electum  
*Elyensem*.

You had an account the year before, how expensive, troublesome the Popes grant of the Kingdome of *Sicily* to King *Henries* son *Edmund* proved to him, upon what cheating, hard, if not impossible termes it was granted, and what Letters passed between the King, Pope, Cardinals and his Legats concerning it: I shall now present you with further Transactions touching that affair, this year out of our Records, to the same effect.

Pat. 41 H. 3. m.  
6. Cedula dorſ.  
ejuſdem.

**M**emorandum, quod privilegium Domini Innocentii Papa quarti, de dono quod fecit Domino Edmundo filio Regis Angliæ, de Regno Siciliæ, transmissum fuit per Alexandrum de Valeynes Cleric. Cancellar. Magistro Rustando, & Artaldo de Sancto Romano deferendum, Simoni de Monteforti, Comiti Leceſtr. & Petro de Sabaudia, prout prædicti Petrus & Rustandus, consulerant. Ita quod si prædictus Comes Leyceſtr. & Petrus de Sabaudia, adeant personaliter Curiam Romanam pro facto Siciliæ, sicut Rex injunxit, tunc prædictum privilegium secum deferant. Et si non eant personaliter, tunc privilegium illud remittatur Regi.

Per Artaldum de Sancto Romano.

Ibidem.

**R**EX Magistro Rustando & Artaldo de Sancto Romano, salutem. Mittimus vobis per Alexandrum de Valeynes Clericum Cancellariæ nostræ, privilegium Domini Innocentii Papa quarti, de dono quod fecit nobis & Edmundo filio nostro de Regno Siciliæ, sicut Petrus de Sabaud. & vos Magister Rustand. consulistis deferendum Simoni de Monteforti Com. Leyceſtr. & prædicto Petro. Ita quod si idem Comes Leyceſtr. & Petrus de Sabaudia, personaliter adeant Curiam Romanam pro facto Siciliæ, sicut nuper eis injunximus, tunc prædictum privilegium prædictis Com. & Petro liberetis secum ad Curiam deferendum. Si vero personaliter non eant ad Curiam, tunc vos Artaldo privilegium illud nobis salvo reportetis. Teste Rege apud Wodeſtock. 5. die Julii Anno Regni nostri 40.

Ibidem.

**E**odem modo hoc idem mandatum est prædicto Artaldo per se, ut prædictum privilegium recipiat à prædicto Rustando, & illud tradat prædictis, Com. & Petro si procedant ad Curiam, alioquin illud privilegium Regi reportet sicut prædictum est. Teste ut supra.

Surely this empty Privilege, and illegal, ridiculous grant, was not worth so much care and seriousness as this, being a meer cheat to drain the Kings and his subjects purses to fill the Popes coffers. It seems that *Rustand* received it according to the Kings directions, by this next Record.

Pat. 41 H. 3.  
Dorſ. Cedula  
16.

**E**xcellentissimo Domino suo H. Dei gratiâ Regi Angliæ, &c. Magister Rustandus, &c. salutem. Vestra noveris Celsitudo quod cum Dominus Artaldus de Sancto Romano transfretasset die Sabbati post Octobas Apostolorum Petri & Pauli, Alexandri de Valen. ad nos propter hoc accedente privilegium super concessione Regni Siciliæ, Recepi-mus ab eodem & de ea faciemus prout vestra Celsitudo mandavit. Valeat excellentia vestra per tempora longiora. Dat. apud Ross. dicta die Sabbati. Ista litera tradita fuit, Petro de Winton. Clerico Garder. Regis custodienda.

The King directed this gratulatory and supplicatory Letter, with sundry Letters of Procuration in his own and Sons name, to the Pope, touching his grant of *Sicily* to his Son, and a power to renounce his right thereto, if it should be expedient for the good of the Church of *Rome*.

Pat. 49 H. 3. m.  
9. dorſ.  
Littera directa  
Papæ de nego-  
tio Apull.

**D**omino Papæ Rex salutem, Cum omni reverentia & honore. Sanctitati vestra gratiarum assurgimus uberimas actiones, quod talem & tantum virum, utique circumspexit Summa Religio & prudentia venerabilem patrem J. Archiepiscopum Melanen. vestri ac nostri honoris fervidum Zelatorem pro negotio Regni Siciliæ, ad nos destinare curavit, quem ad benignitatis vestra presentiam de concilio Procerum & aliorum Nobilium Regni nostri remittimus, prout melius ad Ecclesiæ Romanæ, ac nostrum commodum & honorem potuimus feliciter expeditum. In presentia quidem ipsum tractavimus & efficaciter ordinavimus, & de Capisaneo Nobili probo & aliis solemnibus nunciis, cum



cum magna Summa pecuniæ ad vestram Clementiam, destinandis habentibus plenariam potestatem faciendi omnia, qua nos ipsi faceremus si presentes essemus prout item Archiepiscopus beatitudinis vestre plenius referre poterit viva voce; vestra igitur Sanctitati, cum affectu quo possumus supplicamus quatenus memoratum negotium, pro quo nos sustinuisse labores, sumptus innumerabiles, faciendo manuteneret velitis, et vestre munificentie gratiam affluentem, quam de prædicto regno in Edmundo Karissimo nato nostro vestra liberalitas nobis fecit, benevolo continuare curetis nullum negotii prædicti mutationem vel innovationem citra dictorum nuntiorum adventum aliquatenus fieri patientes. Teste Rege apud *Merton*. 10. die *May*.

Sub eadem forma mutatis mutandis scribitur venerabili Ceteri Cardinalium per Literas Clausas.

Summo Pontifici ac Venerabili Ceteri Cardinalium; *H. Rex Angliæ, &c.* salutem. *Ibidem.*  
Cum reverentia & honore. Quia negotium Regni *Sicilia* plurimum residet cordi nostro, volentes ut felicem sortiretur eventum, ecce quod juxta vestrum & Ecclesiæ *Romana* consilium, parati sumus cum Illustri Rege *Francorum* inire pacem & concordiam, ut per hoc vestro etiam mediante consilio, auxilio & favore præfatum negotium, negotium ad honorem Dei et Ecclesiæ *Romanæ* ac nostrum prosperis successibus convalescat. In cujus, &c. Teste ut supra.

Summo Pontifici Rex, salutem. Noverit vestra paternitas quod nos venerabilem *Ibidem.*  
Patrem *R. Tarasien*, Archiepiscopum, *Simonem de Monteforti* Com. *Leycestr.* *Petrum de Sabaudia*, *Joh. Mansell Thesaur. Ebor.* quemlibet eorum in solidum nostro ac dilecti filii nostri *Edmundi* nomine Procuratores nostros & constituimus nuncios Speciales, dantes eis plenam ac liberam potestatem ac speciale mandatum componendi cum Ecclesiæ *Romana* super negotio Regni *Siciliæ*, præfato filio nostro ab Apostolica sede concessi, prout ipsi melius viderint expedire: Ratum habituri quicquid per ipsos, & cum ipsis, vel per duos ipsorum factum fuerit in hac parte. In cujus &c. Teste ut supra.

Summo Pontifici & Venerabili Ceteri Cardinalium, *H. Rex Angliæ, &c.* salutem. *Ibidem.*  
Noverit vestra paternitas reverenda quod nos venerabilem Patrem *Tarasien*, Archiepiscopum *Simonem de Monteforti*, Com. *Leycestr.* *Petrum de Sabaudia*, & *Joh. Mansell Thesaur. Ebor.* nostro ac dilecti filii nostri *Edmundi* nomine procuratores nostros constituimus & Nuncios speciales, dantes eis plenam & liberam potestatem ac speciale mandatum renunciandi regno *Sicilia* nobis & dicto *Edmundo* ab Apostolico sede concessio si viderint expedire: Ratum habituri & firmum quicquid ipsi vel duo ipsorum nomine nostro & dicti *Edmund.* filii nostri super hoc duxerint faciendum. In cujus rei testimonium, tam pro nobis quam prædicto *Edmundo* præsentibus literis sigillum nostrum duximus apponendum. Teste Rege apud *Winds.* 28. die *Junii*.

Summo Pontifici *R.* salutem. Cum reverentia quod nos Venerabilem Patrem *R. Ibidem.*  
*Tarasien*, Archiepiscopum, ac dilectos & fideles nostros *Simonem de Monteforti* Com. *Leycestr.* *Petrum de Sabaudia*, & *Johannem Mansell Thesaur. Eborum*, procuratores nostros, quemlibet eorum in solidum constituimus & Nuncios speciales, videlicet ad petendum à vestre Clementia Sanctitatis meliorationem & reformationem Conditionum in privilegio Apostolico contentarum super concessione Regni *Sicilia* dilecto filio nostro *Edmundo* facta, & ad tractandum de novis conditionibus apponendis obligandique nos & eundem filium nostrum ad observandas easdem sub quibuscunque modis pactis, aut etiam Juramentis prout ipsi vel alter eorum viderint expedire. In cujus, &c. Teste Rege apud *Winds.* 28. die *Junii*.

REX Universis Christi fidelibus præsentis Literas inspecturis vel audituris, salutem. *Ibidem.*  
Noverit universitas vestra quod nos Venerabilem Patrem *R. Tarasien*, Archiepiscopum, *Simonem de Monteforti* Com. *Leycestr.* *Petrum de Sabaud.* & *Johannem Mansell Thesaur. Eborum* nostro ac dilecti filii nostri *Edmundi* nomine procuratores nostros

nollos constituimus & Nuncios speciales; Dantes eis plenam & liberam potestatem ac speciale mandatum tractandi, componendi, cum Ecclesia Romana super negotia Regni Sicilia & ad mutuum recipiend. & ad omnia alia facienda nomine nostro & dicti Edmundi filii nostri, pro predicto negotio & aliis quæ sibi injunximus expediend. in Curia Romana, quæ nos ambo facere possemus, si præsentem essemus & ad præstandum in animas nostras cujuslibet generis Sacramentum. Ratum & firmum habituri quicquid ipsi omnes vel duo ipsorum nomine nostro & dicti Edmundi, super præmissis duxerint faciendum. In cujus rei testimonium, tam pro nobis quam prædicto Edmundo filio nostro, præsentibus literis sigillum nostrum duximus apponendum. Teste ut supra.

Ibidem.  
\* He reckoned  
therein before  
his Hoste.

**S**ANCTISSIMO in Christo Patri ac Domino Alexandro Dei gratia sacrosanctæ Romanæ Ecclesiæ Summo Pontifici, \* Edmundus eadem gratia Rex Sicilia, devota Pedum Oscula beatorum. Noverit vestra paternitas reverenda, quod nos dilectos nostros venerabilem Patrem Taras. Archiepiscopum ac nobiles viros Simonem Com. Leic. Petrum de Sabaud. & Johannem Mansell, quemlibet in solidum de mandato & Autoritate Domini Patris nostri H. Dei gratia Regis Angliæ Illustris procuratores nostros constituimus & nuncios speciales, videlicet ad petendum à vestra clementia Sanctitatis meliorationem & reformationem conditionum in privilegio Apostolico contentarum, super concessione præfati Regni Sicilia nobis facta, & ad tractandum de novis conditionibus apponendis; obligandumque nos ad observandas eandem sub quibuscunque modis, pactis, aut etiam Juramentis prout ipsi vel alter eorum viderint expedire. Ratum promittentes nos habituros et firmum quicquid per ipsos et cum ipsis vel quolibet eorum in solidum factum fuerit in præmissis. In cujus rei testimonium Bullam nostram auream præsentibus duximus apponendum. Dat. Windest. 26. die Junii, Anno gratiæ 1257. & Anno Regni nostri secundo.

Pat. 41 H. 3.  
in Cedula.  
Litera directæ  
Com. Leic. &  
P. de Sabaud.

**R**EX Simoni de Monte forti Com. Leic. & Petro de Sabaud. salutem. Licet diligenter institerimus pro Magistro N. de Plimpton, & Johanne Clavell, vobiscum mittend. ad Curiam Romanam, neutrum tamen ipsorum, seu alium Clericum idoneum potuimus obtinere; Unde per dilectum Clericum nostrum Araldum de Sancto Romano, diversa paria Literarum Patentium ex ordinatione Magistri Rossandi confecta Domino Papæ & Cardinalibus, ac similiter universis directarum, tam super melioratione conditionum facti Sicilia, quam super renunciatione ejusdem Regni ex parte nostra et Edmundi filii nostri facienda, vobis mittimus, una cum quadam provisione, sigillo nostro signata, quam idem Magister super diversis Articulis ordinavit: quibus omnibus inspectis & diligenter intellectis communicato etiam consilio Episcopi Wygorn. prædicti Magistri & aliorum de Consilio nostro apud vos existentium faciatis, super hijs prout honori et utilitati nostræ et hujusmodi negotiis expeditioni videritis melius expedire, quia hæc omnia vestræ discretionis totaliter committimus. Ad hæc mittimus vobis viginti Cédulas Albas & vacuas sigillo nostro signatas, & octo paria Cédularum Albarum sigillo Edmundi filii nostri signatarum, una cum decem Albis Chartis vacuis auro Bullatis, sub nomine Edmundi filii nostri, sicut nuper vobis præsentibus fuit provisum, quas omnes Cédulas prædictas si personaliter ad Curiam iveritis, quod petimus modis omnibus, pro munere speciali vobiscum deferatis, alioquin quod absit, prædictas Cédulas damnatas nobis remittatis, nisi fortè aliquas pro novis Procuratoriis faciendis retinueritis, quas in præsentia vestra statim conscribi faciatis, prout videritis melius expedire. Caterum jam obtinuimus licet cum magna difficultate, quod Episcopus Bathon. concessit ire ad Curiam Romanam pro negotio prædicto, quem ad vos in Franc. destinamus, super præmissis omnibus & alijs nobis voluntatem vestram significetis. Teste meipso apud Radig, 28. die Junii, Anno Regni nostri 41.

He likewise issued this Patent for provision of monies for these his Proctors and Commissioners sent to Rome, to treat with the Pope about the Kingdom of Sicily, out of their Collections of the Dismes granted him for relief of the Holy Land.

R E X

**R**EX Collectoribus pecuniæ Crucis & Decimæ in Provincia *Eborac.* salutem. Par. 41 H. 3.  
m. 6. inus.  
Cum de Consilio nostro jam sit provisum, quod tota pecunia Crucis & Decimæ prædictæ, & ex quacunque alia causa tam ex beneficiis vacaturis, quam ex aliis gratiis, nobis à sede Apostolica concessis proveniens, usque ad summam viginti millium Marcarum assignetur *Magneto Spina* & sociis suis, *Dentegto Guilli* & sociis suis, & *Hugoni Maze* & sociis suis, Civibus & Mercatoribus *Florent.* ad liberand. in Curia Romana dilectis & fidelibus nostris *Simoni de Monte forti*, *Petro de Sabaudia*, & *Johanni Mansell* Thesaur. *Eborum*, quos in Nuncium nostrum pro negotio Regni *Sicilia* ad prædictam Curiam, in brevi missuri sumus, vel illis quos ad Curiam Romanam pro eodem negotio venire contigerit: Vobis mandamus, quod totam pecuniam prædictam quam penes vos habetis, & quam inde recepturi estis, habere faciatis prædictis Mercatoribus ad liberandum præfatis Nunciis nostris, vel illis quos ad prædictam Curiam venire contigerit, pro expeditione negotii memorati, donec à nobis aliud inde receperitis in mandatis, nos enim solutionem quam prædictis Mercatoribus feceritis de pecunia prædicta ratam habebimus & acceptam. In cujus rei testimonium, &c. Teste Rege apud *Winds.* 24. die Junii.

Per Regem & Consilium suum.

Consimiles Literæ diriguntur Collectoribus in Dioc. *Winton.* Collectoribus in Dioc. *Lincoln.* Collectoribus in Dioc. *Landaven.* Collectoribus in Dioc. *Bathon.* Collectoribus in Dioc. de *Sancto Asaph.*

Collectoribus in Dioc. *Lincoln.*  
Collectoribus in Dioc. *Ebor.*  
Collectoribus in Dioc. *Mentuen.*  
Collectoribus in Dioc. *Couentr. & Litchf.*  
Collectoribus in Dioc. *Karlesol.*  
Collectoribus in Dioc. *Bangor.*  
Collectoribus in Dioc. *Roffen.*  
Collectoribus in Dioc. *Cicestren.*  
Collectoribus in Dioc. *Cantuar.*  
Collectoribus in Dioc. *Wygorn.*  
Collectoribus in Dioc. *Norwicen.*  
Collectoribus in Dioc. *Hereford.*

Memorandum, quod omnes istæ Literæ processerunt de consilio *Petri de Sabaud. S. de Monte forti* Com. *Leic.* Episcopi *Wygorn.* Magistri *Rostandi*, & aliorum de Consilio Regis.

As the last Writs assure us of the collecting of this Disme, so these ensuing, and some of the preceding will inform us, how the monies collected for the pretended supply of the Holy Land, were disposed of to other ends by the Kings, Popes, and *Rustands* will, whose account of part of these monies is thus recorded.

**I**N Dei Nomine Amen, Anno ejusdem 1256. 12. Kalend. Martii, 14. Indict. in Par. 41 H. 3.  
m. 13. dorl.  
præsentia Venerabilis viri Magistri *Rostandi* Domini Papæ Capellani, negotii Crucis executoris in Regno, & in terris illustris Regis *Anglia*, à sede Apostolica de ipsius Regis consilio, deputati Magistri *Sincii* Clerici Cameræ ipsius Domini Papæ, *Hugonionis Matte*, Civis & Mercator. *Florent.* mei *Johannis* Notarii, & aliorum testimonium subscriptorum ad hoc specialiter vocatorum & rogatorum, facto compoto per Magistros *Bernardum Senen.* *Nicholaum de Plumpton*, Domini Papæ Capellanos, & *Willelmum de Lichfend*, Canonicum Sancti *Pauli London.* super eo quod receperant de mandato ac vice prædicti Magistri *Rostandi*, ab octavo die Junii tempore quo ipse super hoc commiserat eis vices suas, usque ad diem expressum superius quo iste compotus fuit factus, recognoverunt & ostenderunt prædicti Commissarii, se recepisse & habuisse à diversis Collectoribus Decimæ proventuum Ecclesiasticorum, & pecuniæ Crucis illustri Regi *Anglia*, à sede Apostolica concessa, tria millianongentas & quinquaginta duas marcas sterlingorum, quatuor solid. ob. & ferlingum, de qua summa solverunt apud *Novum Templum London.* Magistro *Rostando* prædicto, per manus prædictorum *Symcii* & *Hugonionis*, de mandato ejusdem Regis, Ecclesiæ *Romane*, & ipsius Regis, duo millia sexcentas & octo marcas, tresdecim solidos, unum denar. & ob. Et ostenderunt & probarunt per compotum se solvisse, mille trescentas quadraginta tres marcas, quatuor solid. quatuor denar. & ob. diversis cum *Hermine Hermine*



*Hermi Raynerio Barbotti*, & sociis suis Civibus & Mercatoribus *Sen.* pro expensis eis à Domino Rege & Magistro *Roffando* concessis & quibusdam Commissariis prædicti Magistri *R.* exequentibus negotium Crucis cum quibusdam monetæ in supplementum & recompensationem debiti in quo fuerint eadem Monasteria, per Venerabilem Patrem Episcopum *Herefordens.* ultra valorem decimarum suarum per quinquenum in *Romana* Curia obligata de summa Trium Millium nongentarum quinquaginta duarum Marcarum quatuor solid. ob. & ferling. unde prædictus Magister *Roffand.* Authoritate & Vice Domini Papæ de prædict. Dom. Reg. prædictos Magistros *P. N.* & *W.* absolvit, liberavit & quietos vocavit & per præsens Instrumentum plenam fecit refutationem exceptioni non numeratæ non solutæ & non traditæ sibi pecuniæ penitus renunciando. Acta fuerit omnia supradicta in Camera prædicti Magistri *Roffandi* in domo Episcopi *Hereford.* *London.* coram hiis. Testibus scilicet *Johanne de Stella* Presbytero Magistro *Fide Notar. Sen. Martino & Hugetto* Civibus & Mercatoribus *Florent.* & pluribus aliis. In cujus rei testimonium sigilla Domini Regis, & Magistri *Roffandi* præsentibus sunt appensa. Et ego *Johannes* de Sancto Rinverio Imperiali Authoritate Notarius hiis omnibus interui, & de mandat. prædict. Magistri *Roffandi*, & ad preces prædict. in publicam formam redigi.

Pat. 41 H. 3.  
m. 6. Cedula.  
De Magistro  
Roffando.

**R**EX Universis, &c. cum discretus vir Magister *Roffandus* Domini Papæ, &c. negotii Crucis executor de manibus domini Papæ per manus dilecti nostri Magistri *Sincii* Clerici cameræ, Domini Papæ ac familiaris nostri & *Hug. Merc.* Cives & Mercatores *Florent.* aliorumque receperit nonnullas pecuniarum summas, tam de decima quàm de pecunia Crucis nobis ad prosecutionem voti nostri ab Apostolica sede concessâ à diversis Collectoribus pecuniarum ipsarum, de qua omni pecunia satisfac. diversis Mercatoribus quibus tenebamur, & alias expendit ad exonerationem nostram pro negotio Regni *Sicilia*, sicut in Compoto quem idem reddidit de mandato nostro *Philippo Lowell.* Thesaur. nostro plenius continetur, & de quibus idem Thesaur. pænes se rotulos retinuit, nos hujusmodi compotum ratum & gratum habentes præfactum Magistrum *Roffandum*, quantum ad eundem compotum & ad ea quæ in ipso compoto continentur ne idem ad hoc imposterum teneatur absolvis & imperpetuum liberamus. In cujus, &c. Teste Rege apud *Windsore* 28. die *Junii.* Anno 41.

Pat. 41 H. 3.  
m. 6. Cedula.  
De negotio  
Crucis.

**R**EX *Hug. Mace*, *Maineto Spine*, & *Denteito* Mercatoribus *Florentia.* salutem. Mandamus vobis quatenus de pecunia Decimæ Collectæ seu etiam colligendæ quam vobis per Collectores ipsius decimæ mandavimus assignari, pro expensis illorum qui de mandato nostro pro negotio Regni *Sicil.* ad Curiam Romanam accederent libertatis 40. *Marcas* discreto viro Magistro *Roffando*, Domini Papæ Subdiacono, et Cap. de mandato nostro ad Curiam prædicto negotio Regni *Sicil.* accedenti. Nos enim quantum ad hujusmodi pecuniæ summam vos absolvimus & etiam liberamus. Teste ut supra.

The King drew up these further Letters, Procurations and instructions, to his Procurators and Commissioners, setting forth the great exigencies wherein he and his Kindome were involved, and his great obligations to the Pope heretofore, as inducements for to moderate the harsh conditions required from him and his Son, touching the vast sums of monies, a Captain and forces, then demanded for the business of *Sicily* and *Apulia*.

Pat. 41 H. 3.  
m. 6. in Cedula.

**S**ANCTISSIMO Patri ac Domino *Alexandr.* Dei gratiâ, Sacro Sanctæ *Romana* Ecclesiæ, summo Pontifici *Henr.* eadem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Non sine gratiarum actione quas sanctitati vestræ referimus frequenter, inter nos cogitamus qualiter nobis in Karissimo filio nostro, *Edmundo* gratiam facientes, Regnum Ecclesiæ sibi & hæredibus suis liberaliter contulisset, sub certis conditionibus per nos, et per ipsum indissolubiliter observandis, propter quod sæpe et sæpius tractavimus, ut sicut tenebamur dicto negotio succuramus et debita Ecclesiæ solveremus et Capitaneum cum *Millia*

litia competenti mitteremus ibidem; et licet in solutione debito-  
rum aliquatenus sit processum, non tamen ad plenum juxta desi-  
derium cordis nostri, cum super Decima et alijs gratijs nobis ab  
Apostolica sede concessis, multas contradictiones per Prelatos et  
Clericos Regni nostri habuerimus et adhuc incessanter habemus,  
sed nec circa Capitaneum destinandum intentionis nostrae desiderium haecenus po-  
tuimus adimplere, tum quia secundum tenorem conditionum in vestro privilegio con-  
tentarum, prius ad solvenda universa debita Ecclesiae arctabamur. Et cum etiam hoc non  
obstante de vestra misericordia confidentes nuper sicut per venerabilem patrem Ar-  
chiepiscopum *M. Jan.* vobis scripsimus, ordinavissetis nobilem virum Dominum *H.*  
de *Castella* fratrem illustris Regis *Castella* ad partes illas transmittere cum magna pec-  
uniae quantitate, supervenit in Regno nostro quaedam repente turbatio, videlicet quod  
*Wallenses* qui nobis & progenitoribus nostris olim subiecti ac devoti fuere, maligno  
ducti spiritu contra nos rebellare & damnabiliter praesumentes, hominibus nostris & ter-  
ris damna plurima intulerunt. Cui morbo tam pestilenti obviare volentes contra dictos  
rebelles in manu forti attingimur pestem tam damnosam tamque detestabilem ex-  
tra terminos Regni nostri eliminare volentes, propter quod hac aetate sicut firmiter  
credebamus, Capitaneum in Regnum *Apulia* mittere non valemus. Ceterum quia  
ex parte Ecclesiae prosecutio memorati negotii omnimodam celeritatem, desiderat  
quae propter moram nostram, licet sine culpa, in grave Ecclesiae *Romanae* & nostrum  
praedictum existit protelata, nolentes ulterius quod occasione nostri gratia quam  
sedes Apostolica ex sincera affectione filio nostro fecistis, et nos ex pura devoti-  
one suscepimus, in damnum Ecclesiae et nostrum posset ulterius  
retorqueri, dilectos et fideles Nuncios nostros, (there is a blank left for  
the names) ad vestram praesentiam destinamus, qui super statu nostro voluntate ac pote-  
state nostra vestrae *Clementiae* plenius veritatem exponant, quam si placet intellecta ad ple-  
nam ad honorem sacrosanctae Ecclesiae *Romanae* considerationis oculum dirigentes de  
praefato negotio taliter ordinare velitis, quod nos, haeredesque nostri, ac totum  
Regnum *Angliae* devotione solita Ecclesiae *Romanae* semper obediamus nec  
occasione istius negotii ex quo nobis nullus fructus advenit deinceps ja-  
cturam aliquam incutramus; praesentes, quod si ad prosecutionem istius  
negotii sub diversis poenis nos astrinximus Affectionis  
et devotionis sinceritatis, quam ad Ecclesiam *Romanam* ma-  
trem nostram semper habuimus, non emolumentum temporalis cu-  
piditas fuit in causa, et quid ultra cum de sede Apostolica singula-  
rem confidentiam habemus, quae semper nobis assistit in adversis,  
et per quam tam a nostris quam ab extraneis infestati, Alterius auxi-  
lio non suffulti hostium versutias evasimus, de ipsis laudabiliter tri-  
umphantes, statum nostrum filiorumque nostrorum, ac ipsius nego-  
tii quantum ad jus nobis dictoque *Edmundo* nato nostro in ipso  
Regno quaesitum, ac omnia alia ipsum negotium contingentia  
vestrae supponimus misericordiae; supplicantes affectione promptis-  
sima, quatenus non ad necessitates vestras, sed potius ad devoti-  
onem nostram respectum habentes, memoratum negotium sine lau-  
dabili consumeretis. Nos enim gratum et ratum habebimus quic-  
quid vestra *Clementia* de Consilio Cardinalium vestrorum super hoc  
dixerit ordinandum. Teste ut supra.

Si Domini Com. *Leic.* & *P. de Subant.* vadant ad Curiam, ipsi plenam secum de-  
ferent potestatem ordinandi de toto negotio. Si ipsi non vadant & alii transmittan-  
tur, Dominus Rex, filii sui, ac totum ipsius Consilium in has vias consentiunt, ut si  
possibile fuerit procuraretur. Quod illa poena in privilegio magno con-  
tenta, scilicet Quod si Rex non solverit vel non miserit, aut non ve-  
nerit, in potestate solius Domini Papae sit cassare, et irritare et irritum  
Nunciare quod per ipsum et fratres suos factum est de negotio me-  
morato, Et quod nihilominus Rex sit excommunicatus, Regnum  
que *Angliae* interdictum, tollatur omnino. Et si poenis ipsis sub-  
latis vult Dominus Papa Donationem factam Domino *Edmundo*

per

Nota

per Dominum *Innocentium*, & per seipsum servare, vel de novo sub aliis tolerabilibus concedere, vel saltem quod tollatur poena annullationis, et remaneat poena interdicti. bene quidem; si vero Papa nec antiquam donationem vult servare, nec novam facere nisi sub eisdem poenis, proroget terminos ne negotium rumpatur, ut interim cum voluntate Ecclesiae tractetur de pace inter Regem & *Manfredum*; videlicet, ut principatus & aliae terrae quas idem *Manfredus* habebat ante privationem suam sibi remaneant, & restituat Domino *Edmundo*; pro quo faciendo, Dominus *Edmundus* accipiat *Manfredi* filiam in uxorem, vel fiat Matrimonium, et *Manfredus* teneat Regnum quousque de proventibus ipsius Regni, soluta fuerint debita Ecclesiae in quibus Rex *Anglia* tenetur. Quibus solutis praeteritas quas ante privationem suam habebat Domino *Edmundo* totum restituat statim, caveat per obsides & per traditionem forteliciarum suarum de tunc restituendo Regnum, ut dictum est. Si vero cum *Manfredo* nulla compositio potest fieri, nec Papa vult facere quod superius est praemissum, componat cum Ecclesia altero trium modorum. Quod si Ecclesia alii conferat Regnum a quo habeat debita sua, restituat Regi *Anglia* quod per ipsum solutum est, et Rex renunciaret omni Juri quod ipse et filius suus habuit in Regno; vel si non detur Regnum alicui, aut tali qui non solbat debita, habeat Ecclesia terram laboris, et Rex residuum; Ita quod Ecclesia liberet Regem a debitis non usurariis quae debentur. Camerae debita vero quae debentur Mercatoribus Rex solbat, sed ad hoc inducias habeat donec adeptus fuerit possessionem Regni *Sicilia*, ut de pecunia interim in *Anglia* colligenda Guerram faciat contra *Manfredum*, nec tamen teneatur ad debita illa solvenda sub poenis illis quibus nunc est strictus; vel si Ecclesia non vult hoc facere, fiat compositio ut deinceps occasione istius negotii dominus Rex haeredesque sui in nullo teneantur sed penitus ab obligationibus et poenis sint liberi immunes et gratiae domino regi concessae ad prosecutionem voti sui ultra mare in sua remaneant firmitate: siue si proficiatur ultra mare, siue non, sed melius videtur antequam ista ultima via fiat, quod Dominus Rex scribat Domino Papae, & fratribus significando eis qualiter istud negotium ex devotione suscepit, & quomodo semper servens fuit ad negotium prosequendum, sed multa impedimenta habuit ex parte illa, & ex parte ista. Nam quia ista gratia sibi facta fuit, totum Regnum fere ab Ecclesia tenebatur, & postea sine culpa ipsius est amissum. Ex parte ista quia habuit guerram in *Walsconia*, & nunc de novo *Wallenses* contra ipsum rebellare ceperunt. Exponatque eis qualiter de novo ordinavit ut de bonis suis ad istius negotii — pecunia habeatur & commodum, gravat se pro isto negotio componendo, cum Rege *Francia*, & intellecta veritate super potestate ipsius Regis, supponat totum negotium Principale ordinationi et voluntati Domini Papae, et Cardinalium, ut ipsi de negotio ordinent et disponant sicut ad honorem Dei, Ecclesiae *Romanae*, ipsius Regis, et Domini *Edmundi*. quem in plerisque Literis Regem *Siciliae* vocaverunt, viderint expedire. Ex hoc enim forte Ecclesia honori suo & ipsius Regis volens consulere, tractabit cum Domino Rege *Aleman.* de aliquo subsidio sibi & Domino *Edmundo*, praestando; vel datur potestas illis qui ibant ad Curiam componendi cum Ecclesia de Consilio venerabilium Patrum Dominorum *Hugonis Petri Capucii*, & *Ottoboni* Cardinalium. Istam Chartam petunt Nuncii sigillari sigillis Dominorum Regis, *Edwardi* & *Edmundi*.

Memorandum, quod haec omnia scripta superius irrotulata de facto *Sicilia*, & ordinata per Magistrum *Rustandum* cum viginti Cedulis albis & vacuis sigillo Regis sigillatis, & octo Cedulis vacuis sigillo Domini *Edwardi* sigillatis, & decem Cedulis vacuis Bulla aurea Bullatis, sub nomine Domini *Edmundi* filii Regis tradita fuerunt Artaldo de Sancto Romano ad portandum Parisiis Domino Comiti *Laye*, & Domino *P. de Subaud.* quos Rex deposuit mittere ad Curiam *Romanam*, pro facto Regni *Siciliae*. Ita scilicet, quod praedicti Com & *Petrus* de scriptis aliis, & Cedulis vacuis praedictis si ad Curiam *Romanam* accedant, ordinent & disponant prout honori Regis & utilitati negotii *Sicil.* viderint expedire; si autem praedicti Comes, &



*P. Curiam Romanam* ire noluerint, omnes prædictæ Cedula vacuæ dampnentur, & Regi in *Angliam* transmittantur, prout in literis inferius irrotularis quas Rex per prædictum *Arsaldum* misit prædictis Comiti & Petro plenius continetur.

What the Parliament of *England*; thought of these conditions imposed on the King and Realme, and the great summs wherein the King was engaged by the Pope for the gaining of the Kingdome of *Sicila* for his Son *Edmund*, *Matthew Paris* thus relates.

Eodem anno; in medio Quadragesimæ; factum est magnum Parliamentum. In Parlamento autem supradicto nondum finito, Rex in audientia totius populi; adducto monstratoque omnibus *Edmundo*, quem protulerat in medium vestitum indumento *Apulensi*; ait; Videte fideles mei filium meum *Edmundum*, quem Dominus ad Regalis excellentiæ dignitatem gratuita gratia vocavit, quàm manifestus est; quàm dignus favore universorum; & quàm inhumanus; quàm Tyrannicus foret; qui eidem consilium & auxilium in hoc articulo denegaret efficax & opportunum. Et addidit, asserens, quod de consilio et benigno favore *Papæ* et *Ecclesiæ Anglicanæ*, ad Regnum *Siciliæ* acquirendum se obligavit, sub pœna Regni sui amittendi, ad solutionem Centum Millium *Marcarum*, et Quadraginta Millia *Marcarum*, exceptis usuris, quæ quotidie non minimum suscipiunt, licet tacitum, incrementum. Item decimas totius Cleri impetravit generales, per quinquennium continuandas; omnium videret beneficiorum suorum, secundum novas taxationes æstimandas, nullis deductis expensis; nisi necessario faciendis. Item fructus omnium Ecclesiasticorum beneficiorum vacatorum primi anni, usque ad quinquennium. His auditis, omnium aures tinniebant, et corda vehementer obstupuerunt, maxime cum scirent hanc Tyrannidem a *Papa* exordium præsumpsisse. Tandem licet cum lachrymis excusationes prætenderent, & inducias postulassent remissionis, nec poterant quomodolibet obtinere, promiserunt Regi ad suas instantes necessitates. Et tamen conditione addita, ut *Magnam Chartam* toties promissam, emptam, et redemptam, ex tunc inviolabiliter obsetharet, et parceret ipsos tam argumentose prædando lædere et depauperare, quinquaginta duo Millia *Marcarum*, in irrestiturabile dampnum *Ecclesiæ Anglicanæ*. Nec tamen adhuc donum tam opimum Rex dicitur acceptasse. His

Mat. Paris Hist.  
p. 917.  
Magnum Parliamentum.

Mat. Paris Hist.  
p. 918.  
Summa inutilium expensarum Regis.

How *Rustauds* Commissioners seized the goods of persons pretended to die Intestate, and how the King upon cautions given, commanded such sequestrations in some cases to be suspended, this Record will evidence.

**R**EX dilectis Clericis suis *Willielmo de Lichessfeld*, & *Nicholao de Plymton*, gentibus Vices Magistri *Rostandi*, &c. salutem. Ostensum est nobis ex parte *A. Wynton*: Electi, quod cum Magister *Emerichus Curtin*, clericus suus, nuper in fata concessisset, vos occasione gratiæ nobis à sede Apostolica de indistincte Legatis concessæ, bona ejusdem defuncti tam in pecunia, quàm aliis rebus sequestrari fecistis. Et ideo vobis mandamus, quod accepta sufficienti Cautione à Magistro *Petro Lamberto* Clerico præfati Electi, quod idem Electus in reversione sua in *Angliam* de partibus transmarinis, vel executores Testamenti prædicti Magistri *Emerici* sufficienter ostendent, ipsam defunctum condidisse Testamentum de bonis & Catalis præ-

Claus. 40 H. 3.  
m. 12. dorso.

dictis, vel quod satisfiant vobis de indistincte Legatis in *Anglia*, de quibus ratione officii vobis injuncti sequestrationem fecistis; si forte idem Magister *Emericus* intestatus decesserit, dicto Magistro *Petro* bona & Catalla prædicti defuncti quæ sequestrari fecistis sine dilatione restituatis nomine dicti Electi, cujus Literas Patentes idem Magister *Petrus* habet pones se de restitutione bonorum dicti defuncti sibi facienda. Teste Rege apud *Winds.* 27. die Jan. Anno 41.

What contest there happened this year about the Election of Bishops, and what a Power the King claimed, executed therein, these Records and historical passages will certifie us.

The Monks of *Ely* having Elected *Hugh Balsam* their Subprior for their Bishop, with more haste, and lesse respect to the King then was usual and requisite, and the King deeming him an unfit person, refused to give his royal assent to his Election appealing against it, and commanded the Archbishop by this Writ, not to consecrate or admit of his Election, wherein if the Monks should prevaile, they would deprive him of that Prerogative in all Elections of this kinde, which himself and his ancestors had enjoyed.

Clauf. 40 H. 3.  
m. 14. dorf.  
\* See here p.  
336. 337. 338.

**R**EX B. Archiepiscopo *Canuar.* salutem. Cum progenitores nostri Reges *Anglie*, Episcopatus Regni *Anglie* libere consueverint conferre, ac postea gratis \* concessissent, quod Cathedralis et Conventuales Ecclesie liberas haberent Electiones, salvis tamen eisdem progenitoribus nostris et eorum hæredibus precibus suis iustis et honestis, de viris prudentibus et idoneis ibidem præficiendis, Prior & Monachi *Eliensis* nuper Episcopo destituti alium sibi eligere volentes ante adventum Nunciorum nostrorum, quorum præsentia tam ibi quam alibi ubi electiones fiunt, expectari consuevit, ad videndum et procurandum quod talis eligeretur, qui nobis et Regno nostro fidelis et utilis, et regimini Ecclesie idoneus existeret, perperam, et improviso, nullo ad eligendum termino assignato, & corde Episcopi sui jam defuncti nondum sepulture tradito, nulloque ad nos respectu habito, fratrem *Hugonem de Balsam* superiorem suum, virum insufficientem & penitus inutilem, necnon & servilis conditionis ut dicitur, sibi in Episcopum elegerunt, propter quod ex parte nostra fuit in scriptis appellatum, prout habito super hoc tractatu cum consilio nostro vobis in proximo plenius constare faciemus. Et quia si præsums negotium, quod ita nobis cordi, est ad vota Monachorum procederet, tanta nobis et hæredibus nostris immineret exhæredatio, et Regie dignitatis offensa, quod omnes Ecclesie Cathedralis in quibus Religiosi potestatem obtinent eligendi, nobis inbitis et precibus nostris et hæredum nostrorum penitus exclusis, objectis etiam et recusatis nobiliozibus et peritioribus Clericis qui ad Pontificalem dignitatem probehi solent, et quorum consilio et industria ardua Regni et Ecclesie negotia tractari salubertus consueverunt, ex se ipsis exemplo confirmati sibi Episcopum assumerent, in nostri grave dispendium et contemptum ac ad retardationem promotionis huiusmodi nobilissimum et prudentum manifestam, quod nos pro nullo vivente temporibus nostris fieri permittemus; Nec vos ratione hæredum nostrorum qui vos idem pteitate sanguinis contingunt debetis diebus vestris aliquatenus sustinere. Ad hæc quia *Daci & Saxones* Regibus *Anglie* Guerras olim inferentes in partibus *Eliensis* Regnum nostrum invadere & ingredi consueverunt, per quod idem Regnum multoties exitit gravissimis periculis expositum, & ad quod vitandum summè nobis foret necessarium, quod talis et nobis tam fidelis, et de quo ut de nobis confidere possemus Ecclesie *Elyensi* præficeretur in Pastorem, Paternitatem vestram, de qua in Conseruatione juris nostri et hæredum nostrorum plenam præ aliis gerimus confidentiam, rogamus et requirimus attente, in fide et

di.

Nota.

dilectione quibus nobis tenemini, quatenus præmissa omnia plenus attendentes et pensatis periculis et damnis quæ ex prædicto facto *Elyensi* si effectum quod abest, sortiretur, nobis et hæredibus nostris processu temporis possent imminere, illud negotium nobis admodum præjudiciale, quantum in vobis est faciatis et procuretis penitus adnullari. Teste &c. 22. die Novemb. apud *Wintoniam*.

Sub eadem forma scribitur *Willielmo Bynquer*. mandando ei, quod Domino Papæ et Cardinalibus factum istud totaliter exponat, diligenter et caute procurans erga ipsos et alios quos noverit expedire, quod factum istud Regi et Regno tam dampnosum et præjudiciale funditus adnulletur. Teste ut supra.

**R**EX Archiepiscopo *Cantuar.* salutem. Quia assensum Regum & Electioni quæ dicitur facta in Ecclesia *Elyensi* vacante ex certis causis non duximus adhibendum. Magistrum *Stephanum de Frense*, & *Johannem de Lisc.* Clericum procuratores nostros constituimus, utrumque eorum in solidum ad ponendum coram vobis nostro nomine contra Electum & Electionem prædictam, prout sibi nomine nostro viderint expedire, promittentes nos ratum & firmum habituros quicquid per ipsum vel ipsos nomine nostro super præmissis factum fuerit seu procuratum. In cujus, &c. Teste Rege apud *Merton*. 3. die *Januarii*.

Claus. 40 H.3.  
m. 14. dorso.

Et sub hac forma scribitur Archiepiscopo per literas Clausas. Quare Paternitatem vestram rogamus, quatenus eidem Electo & parti suæ præfigatis certum terminum pro vestra voluntate & prout ad vos pertinet, ad examinandum negotium Electionis prædictæ ut ibi faciamus per nostros proponi quod iuri et dignitati nostræ videbitur convenire. Est quid super hoc vestra Paternitas duxerit faciendum, nobis sine moræ dispendio significare vestitis. Teste ut supra.

The issue of this Election was this; upon the Bishop elect his appeal to *Rome*, he was confirmed there by the Pope, as *Matthew Paris* relates.

Dominus Rex qui Dominum *Henricum de Wingham*, sigilli sui bajulum promoveri cupiebat, speciales literas supplicatorias & solemnes Nuncios Conventui *Elyensi* direxit; petens urgenter et instanter, ut dictum Dominum *Henricum* in Episcopum et suarum eligerent Pastorem animarum. Conventus autem considerans notitiam sui Superioris, secundum illud Ethnicum,

*Ignotum tibi tu noli præponere notis.*

Mat. Paris Hist.  
p. 907, 906.  
Subprior *Elyensis* eligatur in Episc. See Godwins Catalogue of Bishops, p. 209, 210.

Ipsam memoratum suum Priorem, *Hugonem* videlicet de *Belesale*, in suum Episcopum elegerunt. Rex autem iratus forte pro repulsa, Electum non acceptavit, et quibusdam Cavillatoris exceptionibus ipsum resistavit. Præcepitque, vel conniventibus oculis permisit, ut *Johann's Wallerhamni*, cui custodiam Episcopatus illius commiserat, sylvas explanans, omnia devastaret, & Episcopatum suis bonis graviter viduaret. Quod plenius quam permissum fuerat aut concessum, factum est; ita ut inimici Episcopatus lachrymari possent, & beatam *Esbeldredam* ad vindictam provocari.

Die verò Sanctorum *Gordiani & Epimachi*, Rege & Archiepiscopo *Cantuariensi* vigilanter procurantibus, cassatus est electus *Elyensis*. Cujus loco subrogare laborarunt fratrem *Adamum de Marisco*, de ordine *Minorum*. Super quo facto mirati sunt cuncti audientes, quia electus nec electio reprobari de jure poterat, nec in eisdem vitium reperiri. Sed prævaricatores, quærentes nodum in scirpo, & angulum in circulo, imposuerunt ei, quod simplex claustralis fuit, nec de negotiis secularibus exercitatus, vel expertus, et penitus insufficiens ad custodiendum et tuendum nobilem Episcopatum

Mat. Paris Hist.  
p. 921.  
Cassatio electi *Elyensis*.



*Elyens.* et insulam, quæ ab antiquo asylum extitit refugii omnibus oppressis tempore tribulationis. Sed ut certius credebant quamplures, hanc gratiam Regiam præcluserunt Monachorum constantia et fidelitas, qui noluerunt petitioni Regis acquiescere, postulantis argenter et instanter, ut sibi *Henricum de Wingam* ejus Cancellarium in eorum Episcopum eligerent uniberſi. Et cum talis petitio ignaro ipso *Henrico* facta fuisset, idem *Henricus* sciens quod idoneum sibi Conventus elegerat in pastorem, ait Domino Regi: Domine, finite istum pium Conventum circumvenire, & cum vestris imperiosis & armatis precibus amplius sollicitare. Monachi enim invocata spiritus Sancti gratia, ritè elegerunt idoneum & me meliorem. Absit ut sic occupem tam nobilem Episcopatum, ut usurpem tantum cauteriata conscientia ministerium. In quo meruit grates ab hominibus, & gratiam à Deo Cancellarius reportare. Nec adhuc Regis indignatio est averſa, quin electum et Episcopatum miserabiliter impugnaret. Electus vero confusus de jure suo, *Romam* aditurus, illico transalpinabit, a Domino Papa consolationem de tanta tribulatione recepturus. Which he thus further relates.

Mat. Paris Hist.  
p. 916.  
Electus Elyen-  
sis transalpinat.

Electus autem post multa damna, ut jus suum persequeretur, Papalem Curiam repentinus petiit et festinus. Archiepiscopus tamen adhuc in persecutione ejus obstinatus perseverans, ut Regi complaceret, qui in examinatione ipsius electi prius ab eo facta, nihil invenit scrupulosum, scripsit amicis suis in Curia Romana contra Episcopum electum: ut ibidem eo reprobo, in eundem Episcopatum frater *Adam de Marisco* subrogaretur. Cui subrogationi idem frater *Adam*, licet omnem mundanam excellentiam, & multos redditus, frater de ordine *Minorum*, senex & literatus, habitum religionis assumpturus, reliquisset, dicitur benevolo animo consensisse, juxta illud *Ovidianum*:

*Vix ergo Saturno quenquam regnante videbam,  
Cujus non animo dulcia læra forent.*

Dominus autem *Henricus de Wingham*, Cancellarius, pro quo Rex Monachos *Elyenses* postulaverat, patienter sustinuit, ut aliquis alius in dictum Episcopatum promoveretur, humiliter protestans, quod uterque ipso dignior extitisset. Upon this Bishop elect's appeal to *Rome*, (where money preponderated more then merit or friendship) the Bishop at last returned thence confirmed, to the Kings great dishonour.

Mat. Paris Hist.  
p. 929.  
Elyensis Epif-  
copus, & Abbas  
S. Ælmundi  
adplicant.

Diebus quoque sub eisdem, applicuerunt a Romana Curia redeuntes Episcopus *Elyensis*, et Abbas Sancti *Admundi*, qui insistis et recalci- trantibus Rege et Archiepiscopo *Canuariensi*, a Domino Papa redierunt in statu prospero confirmati. Et sic diatim Rex, pessimo fretus consilio, suam Regiam perdens dignitatem, Ecclesiam studuit multipliciter damnificare.

Mat. Paris Hist.  
p. 923.

Yet the King had better successe in the case of the Prior of *Norwich*, who dyed this year; Hunc quoque electum ritè in Episcopum *Norwicensem*, Rex consiliis iniquorum fascinat, circiter decennio transacto, quibusdam scibolis exceptio- nibus cassari procurabit.

Mat. Paris Hist.  
p. 925.  
Obitus Nicho-  
lai de Fernham  
Episcopi quon-  
dam Dunelm.

Eodem tempore obiit Magister *Nicholaus de Fernham*, quondam Episcopus *Dunelmensis*, qui cesserat Episcopatu, ut quietius et liberius fructus car- peret contemplationis. Quod cum ad notitiam Regis pervenisset, extorsit ab Episcopatu *Dunelmensi*, eo quod non habuerat integrè custodiam Episcopatus, (this *Nicholas* holding three Mannors during his life for his support) cum vacaverat tre- centas marcas, medio videlicet tempore quod erat inter dictum *Nicholaum* & creati- onem sive institutionem successoris sui *Walteri*. Conservatores verò partem dicti *Nicholai* trebantur, videlicet Archiepiscopus *Eboracensis Walterus*, & Episcopus *Lon- dinensis Fulco*. Nec erubuerunt Regales tam enorme consilium suo Domino præstitisse.

Eodemque

Eodemque anno, Monachi *Coventrenses*, cum cessisset Episcopus *Rogerus de West-*  
*ham*, propter suum senium & infirmitatem, elegerant sibi in suum Episcopum, &  
suarum Pastorem animarum magistrum *Rogera* de *Molend.* Domini Regis nepo-  
tem, quem Rex accepit, et ut decessit, acceptabit. Nec eum ho-  
neste potuit, ut consuevit de aliis, reprobare. Porro supplicave-  
rat *Conventui*, ut Thesaurarium suum, *Philippum* scilicet *Luvel*, sibi eligeret  
in Pastorem. Idcirco dictum magistrum *Rogera*, Dominus Regi acceptabi-  
lem, imò & nepotem, procurante insuper Comite *Richardo*, ipsius *Rogeri* avuncu-  
lo, *Conventus* elegit memoratus.

Mat. Paris Hist.  
p. 914.  
Rogerus de Mo-  
lend. eligitur in  
Episcopum Ce-  
ntrensem.

How the Bishops in those dayes for mony, procured dispensations from *Rome*, to  
hold their former Ecclesiastical rents, dignities and livings, in Commenda with their  
Bishopricks, will appear by these 2. presidents this year, thus Recorded by *Mat.*  
*Paris.* Cum autem rediisset à Curia *Romana* electus *Sarishuriensis*, magister videli-  
cet *Egidius de Bridesforde*, manifestavit palam, quòd *Roma* strenuè impetrave-  
rat, ut scilicet liceret ei pristinos redditus retinere, et etiam Deca-  
natum, quorum flagrantiam olfecerat: quod nuper novum habeba-  
tur, sed jam toties, non sine retributione permissum, nulli stu-  
porum generabit. And repeating it two pages after he adds, quod est u-  
num de nobilitatibus *Rome* monstruosis, quos *Roma* patièdo abor-  
tuit.

Mat. Paris Hist.  
p. 914. 916.  
Impetrat Elec-  
tus *Sarish.* licen-  
tiam pristinos  
redditus reti-  
nendi.

Et circa festum beati *Petri*, qui dicitur ad vincula, confirmatus est in Episcopum  
*Normicensem*, magister *Simon de Wanton*, qui illico cum Monachi *Normicenses* ipsum  
elegissent, misit nuntios expeditissimos ad Curiam (*Romanam*) ubi profusis non  
paucis muneribus, impetravit dispensationem pristinos reddi-  
tus suos per quatuor annos retinendi, licet Episcopatus suus suffi-  
cienter omnibus bonis instauraretur. Et hoc genus beneficii in  
*Curia Romana* jam jam consuetudinem est sortita. Yea ever since that in  
*England and Ireland*, not only among Popish but some avaritious Protestant Bishops,  
who mind more their private filthy lucre, then their own or peoples souls.

Mat. Paris Hist.  
p. 925.  
S. de Wanton,  
confirmatur in  
Episc. *Norwic.*

Eodem tempore quidam novus ordo fratrum *Londini* apparuit, & incognitus,  
*Papale* tamen autenticum palam offendens, ita ut tot ordinum confusio  
videretur, qui, quia sacris incedebant induti, Fratres *sacati* vocabantur. Most  
likely this Avaritious, Symoniacal Pope *Alexander*, (who was rather *Judas* his  
successor, who carried the *Bagge*, then *Peters*) instituted this new order, to help  
fill his *Bagge* and *Sackel* by these *Fratres sacati*, imployed to promote his rapines,  
and revenues as the *Freers*, *Minorites* and *Predicants* were.

Mat. Paris, p.  
914. 916.  
Novus ordo  
Monachorum.

Pope *Alexander* and his Cardinals at *Rome*, minding nothing but the advance-  
ment of their own power and filthy lucre, though with the intolerable vexation  
and undoing of all others, by their absolute usurped Tyrannical Authority, publish-  
ed this new statute at *Rome* instead of preaching the Gospel of Jesus Christ, and feed-  
ing his sheep.

Eodemque anno statutum esse *Rome* a Domino Papa et fratribus Car-  
dinalibus, qui vigilanter sua temporalia procurant commoda et E-  
molumenta, aliena non curantes, ut quilibet, qui in Abbatem ex-  
emptum ex tunc eligeretur, *Romanam* curiam adiret confirmandus  
et benedicendus. Per quod enormè statutum religio patuit disci-  
mini, et Ecclesia prosperitate temporalì constat destituta. Non  
enim religiosus necesse est, maturam et religiosam personam eli-  
gere, sed aliquem semissecularem virum, cui plus equus quam æ-  
quitas, plus lex *Fustiniani*, quam lex Domini, convertens animas,  
placuerit, in animarum suarum Pastorem. Præterea esto quod ta-  
lis eligatur, alius enim reprobandus per Regem et suos satellites,  
mox protrahitur in ejusdem transalpinatione diuturna, forte cassabitur  
Electus, vel electio reprobandus, vel forte Electus obiter morietur.  
*Conventus* languebit, et Rex, in cuius manu omnia confiscabun-  
tur, pro voluntate discipiet et absorbebit.

Mat. Paris Hist.  
p. 922.  
Novum statu-  
tum *Rome* fa-  
ctum de Electis  
ad Abbates ex-  
emptos.

What

What imperious and frequent Provisions this Pope then granted to *St. Alban*, and other Monasteris to strip them of their rights of Patronage, notwithstanding all their privileges ratified by Royal Charters and former Popes Bulls, will appear, as by the premises, so by this new president this year.

Mat. Paris Hist.  
p. 918.  
Mandat. Papa  
Abbati S. Albani  
ut provideat  
cuidam Italico  
primum benefici-  
cium.

In fine vero Martii misit Papa Abbatem S. Albani mandatum imperiosum, ut cuidam Romano provideret competens beneficium, cum tamen cuidam alii Romano non fecisset satis, qui tam urgentes, imo instantiores literas probisozias paucis ante diebus bajulasset. Et sic jam conglobatim miseræ in Anglia miseris cumulantur, adeo ut desiderarent Prælati ab hujus incolatu sæculi liberari. Jam enim non *Sara* libera, sed *Agar* ancillæ filii spuris reputati, libertate, quam nos Christus liberabit spoliantur.

How injuriously and tyrannically the Pope proceeded this year against the Archbishop of York, for opposing the fraudulent intrusion of a Forrayner into the Deanary by the Popes provision, is thus recorded.

Mat. Paris Hist.  
p. 917.  
Intrusus in Decanatum Eboracensem redditus inde recepit annuos.

Romanus ille qui se in Decanatum Eboracensem vulpino more ingessit, et in hora prandii stallum in choro Decani surtim occupavit, armatus favore et protectione Papali, Archiepiscopum variis injuriis et damnis fatigatum, fecit suspendi, licet insontem, et vitum omni prædium sanctitate. Tandem post multas disceptationes, pro bono pacis recepit dictus Romanus centum marcas annuas ab Ecclesia Eboracensi, donec eidem uberius provideatur.

Mat. Paris Hist.  
p. 927. See,  
Godwins Catalogue of Bishops  
p. 465, 466, 467.  
Archiepiscopus Eboracensis excommunicatus.

Tempore sub eodem, aggravabit manum suam Dominus Papa in Archiepiscopum Eboracensem, jussitque eum ignominiose nimis in tota Anglia excommunicari, accensis candelis, et pulsatis campanis, ut tali terrore ac tanto suam constantiam enervaret. Ipse tamen Archiepiscopus exemplo B. Thomæ Martyris, & exemplo ac Doctrina B. Edmundi, quondam Magistri sui, informatus, necnon & B. Roberti Episcopi Lincolnienfis, fidelitate eruditus, de solatio cœlitus mittendo minimè desperavit, omnem Papalem tyrannidem patienter sustinendo. Nec opimos Ecclesiæ suæ redditus transalpinis indignis et incognitis conferre volebat, nec curavit voluntati Papali, relicto Juris rigore, mullehyter obedire vel inclinari. Quapropter quanto magis præcipiente Papa maledicebatur, tanto plus a populo benedicebatur, tacite tamen, propter metum Romanorum.

Yet these unjust vexations so greived the Archbishop, that he died the next year, out of grief and vexation, inveighing much against the Popes oppressions at his death, and appealing him to the tribunal of Jesus Christ, in an Epistle sent unto him, which this Atheistical Pope derided, proceeding still in his augmented rage against this consciencious Prelate, as his predecessor did against *Großheud*, as these passages informe us.

An Dom. 1158.  
Mat. Paris Hist.  
p. 938. 939.  
Sewalus Archiepiscopus Eboracensis moritur.

Et circa ascensionem, Archiepiscopus Eboracensis, ut cum Domino ascenderet, et de carcere mundi ad cœlum ascendens, aboleret; dum constanter contra Romanæ curiæ tyrannidem, quoad poterat, pro Ecclesia sua viriliter dimicavit, multis tribulationibus laceratus, pro ista vsta mundana, regnum cœlorum, ut veraciter creditur, suis laureatus meritis commutavit. Ille verò Archiepiscopus Sewalus, beati Edmundi sequens vestigia pedetentim (utpote ipsius in scholis auditor, discipulus, & conscholarius) ipsi nitebatur prorsus sceleriter assimilari, & in moribus conformari. Nec censeo prætereundum, quod huic suo charissimo beatus Edmundus Lector, in Theologia Oxoniensi, dicere consuevit discipulo speciali, O Sewale, Martyr ab hoc seculo transmigrabis, ferro vel saltē gravibus & insuperabilibus in mundo tribulationibus impetitus & trucidatus. Veruntamen sit tibi consolator, qui suo Psalmographo inspiravit, dicens, Multa tribulationes iustorum, de quibus quandoque omnibus liberabit eos Dominus. Constat autem profecto, multos à seculo Martyrer,



rer, sine sanguinis effusione, ut beatum *Johannem Evangelistam*, & multos alios transmigrasse.

Hic quoque Sanctus Archiepiscopus, cum mortem suam indubitanter, ut transiret ab hoc mundo præsensisset, erigens se junctis manibus, & in cælum vultum intendens lachrymantem, ait Domine Jesu Christe, judicum justissime, novit infallibile examen tuum quam *Papa*, quem supra Ecclesiam tuam constitui permisisse gubernandum, meam multipliciter fatigabile innocentiam, pro eo, ut Deus scit, et mundus non ignorat, quod indignos proptus et ignotos nolui admittere ad regimen Ecclesiarum, mihi, licet indigno, a te commissarum. Certe tamen, ne ex contempta *Papali* sententia, quamvis injusta, fiat justa, humiliter postulo absolvi talibus vinculis iteritum. Sed ante summum et incorruptibilem judicem ipsum *Papam* appello, et erunt mihi testes cælum et terra, quam injuste imperavit me, et laceratum multipliciter scandalizavit. In amaritudine igitur animæ scripsit *Papæ*, exemplo *Roberti Lincolnienfis Episcopi* provocatus, dolens inconsolabiliter, quod tam multiformiter ipsum fatigarat; eo quod inexpertos, et linguæ *Anglicanæ* ignaros renuit, ut jam dictum, esset acceptare, nunc suspendendo, nunc ab Ecclesia eliminando, nunc crucem auferendo, nunc palam per Regnum horribiliter, invidis excommunicatoribus excommunicando, diversimode famam suam, non sine magnis damnis temporalibus, denigrando. Conquestus est insuper graditer, quod impetus quorundam clericorum, auctoritate *Papali* proterbientium, præcipue magistri *Jordani*, ad Decanatum hiantis, ægre sustinuerat sed patienter, ut probra patris, non ut *Cham*, revelando derideret, sed ut *Sem* absconderet et velaret, hoc breviloquium, ad memoriam sapientis revocando:

Quid fecerit  
dixeritque im-  
minente morte  
prædictus Ar-  
chiepiscopus.

*Es Cham prudendo patris, es Sem probra tegendo.*

Humiliter igitur in scripto suo & instanter, sicut memoratus Episcopus *Lincolnienfis Robertus* fecerat, petiit, ut consuetas tyrannides temperaret, humilitatem sanctorum prædecessorum suorum sequendo. Dixit enim Dominus *Petro*: *Pasce oves meas*, non tonde, non excoria, non eviscera, vel devorando consume. Sed Dominus *Papa* sublannans, et contemnens, indignationem concepit non minimam, eo quod in tantam temeritatem et præsumptionem proruperunt, ut Dominum *Papam* auderent quomodolibet sollicitare, et tam Archiepiscopi *Sewalli*, quam dicti *Roberti Lincolnienfis* salubribus monitis renuit inclinari.

These 2. learned conscientious Bishops *Sewald* and *Groffhead*, reputed it no sin, but their bounden duty to oppose Popes unjust commands and Provisions, even to death, to admonish them of their duties, reprehend their injustice, sins, corruptions, and appeal from their unjust sentences to, and summon them before Christs tribunal in heaven, when they could obtain no justice from, or against their unjust excommunications and other sentences upon earth.

This year, Diebus sub eisdem Magister *Rufandus* Domini *Papæ* Clericus specialis, accusatus graviter coram Domino *Papa* est, eo quod propriæ utilitati intendens plus æquo, possessiones, redditus, et pecuniam sibi vigilanter in *Anglia* coarcebat, et Regem sibi inclinando et Episcopos, factus esset jam non ultimus inter omnes regni Optimatum, locuples et abundans. Yet notwithstanding soon after, Anno. 1258. Venit in *Angliam* Magister *Rufandus*, Domini *Papæ* clericus, nesciebatur ad quid, nisi forte ut redditus suos visiteret et colligeret: abundavit enim multis divitiis in *Anglia*, sibi brevi tempore collatis et conquisitis.

Mat. Paris. Hist.  
p. 924, 925.  
930.

stis. Unde cum Romam ultimo venerat, multorum indignationem inturcit vehementem, et etiam ipsius Domini Papæ. (Who purposed to share with him in his gains and rapines.) Sed solito medicamine tali infirmitati suffragando, jacturum evasit eminentem. The Pope and his Agents making a common prey and booty then of England.

What procurations the Archbishop of *Messana* arrived in England this year, as the Popes legatè, exacted, extorted from Bishops and Abbots, with great violence, impudence, pride, and what injuries the Archbishop of *Canterbury* did to the Bishop of *Rocheſter*, still continued notwithstanding all former complaints and Writs, you may understand by this relation of them.

Mat. Paris, Hist.  
p. 914. 915.  
Adventus est  
potestatus Ar-  
chiepiscopi  
Messanenſis.

Anno quoque sub eodem imminente quadagesima, missus est a Domino Papa, nesciebatur ad quod, Archiepiscopus *Messanenſis*, in magno apparatu familiarum & equorum, videlicet Fratrum de ordine Prædicatorum. Et cum habuisset literas Papales de procuratione exigenda et recipienda, cum magna poena contraditores puniendi, misit literas imperiosas ad quemlibet Prælatum, ut ei secundum quod eidem significabit in procuracis, prouiderent, ita quod ex domo Sancti Albani et ejus cella viginti et unam marcam extorsit. Et cum venissent Monachi Sancti Albani, ut ipsum in hospitio suo civiliter visitarent, non permisit eos exire, imo ipsos quasi incarcerationis retinuit, donec suæ avaritiæ satisfecissent. Et cum modestè respondissent Monachi, se nullum ibi habere denarium, iratus Archiepiscopus respondit procaciter: **Ut quid tam mendici estis? Mittite igitur pro aliquo Mercatore, qui vobis commodare velit: et factum est ita, quia sic oportuit.** Non enim permittentur exire Monachi, quamvis essent de Conventu prædicti, videlicet Archidiaconus Sancti Albani, & Dominus *Johannes*, Abbatibus bajulus & procurator. Iste fuit Archiepiscopus *Messanenſis*, Frater de ordine Prædicatorum, in quo humilitatem sperabamus uberiozem, quia a Domino Papa de procurationibus extorquendis talem literam meruit obtinere. Frater *Johannes*, miseratione divina Archiepiscopus *Messanenſis*, dilectis in Christo sibi Abbati & Conventui Monasterii Sancti Albani, *Lincolniensis* Diocesis, salutem in Domino. Noveritis vos, &c. Require in Libro Additamentorum. Missa est Domino Regi eodem tempore elegans Epistola, ex parte Domini Papæ, ut videlicet errores corrigere consuevit. Et hoc procuravit Episcopus *Roffensis Laurentius*, multas passus injurias ab Archiepiscopo *Canthuariensi Bonifacio*, qui manu seculari armata *Roffensis* Ecclesiæ violenter invasit possessiones, quas potius defendere & tueri tenebatur. Cui Archiepiscopo, quia extitit avunculus Regine, Rex & Regina, & Regales universi cornua præstiterunt. Movebat insuper dictum Episcopum *Roffensem*, Archiepiscopatus *Eboracensis* exterminium irreparabile, & *Elyensis* Episcopatus, & aliarum Ecclesiarum vacantium per Regem facta inaudita gravamina, Christi postpositi reverentia, et contemptis clavis Ecclesiasticis. Et videbat idem Episcopus Episcopatus suo, ipso cedente, vel decedente simile discrimen imminere. Tenor autem dictæ literæ, ab Episcopo memorato impetratæ, cujus responsionem Episcopus *Roma* commorans expectabat, talis est.

*Alexander* Episcopus, &c. Charissimo in Christo filio illustri Regi *Anglia*, salutem & Apostolicam benedictionem. Cum de tuis charissime actibus digna & honori congrua referuntur, rumor hic clarus accedit nobis admodum placidus, auditum demulcens aurium & cordis interiora delectans, quod si qua forte prævalet modestiæ Regali contraria, sinistra de te relatio vel fama turbulenta portaret, obstupescerent utique sensus nostri, et anima intra gradibus lauciaretur amaritudine, ob sinceræ vinculum charitatis. Sanè intellecto quod Venerabilis frater noster *Roffensis* Episcopus, ex parte universitatis Prælatorum & Cleri *Anglicani* Regni, qui per potentiam Regiam se suasque Ecclesias in suis iuribus et libertatibus deprimi asserunt, ad Apostolicam Sedem accedens, super reformatione status dictarum Ecclesiarum, & Ecclesiasticæ libertatis, pro quibus alias tam felicitis recordationis *Innocentius* Papa prædecessor noster, quam nos etiam per nonnullos præfate universitatis Nuncios fuimus

fuius sepe & saepius requisiti, habebat aliquid coram nobis & fratribus nostris proponere, iuxta quod sibi fuerit à prædicta universitate commissum, per quæ forsitan fuisset fama tuæ maxime apud Regni *Siciliae* incolas, qui sperant per te ad antiquas libertates eorum reduci, & sub tuo vigere in bono statu, & conservari Dominio plurimum derogatum. Nos capientes quod honor & fama tua in omni integritate servantur, quodque omnia penitus removerentur quæ possent animæ tuæ periculum generare, ad instantiam venerabilis fratris nostri Archiepiscopi *Tharenfis* & dilectorum filiorum Electi *Sarisenfis*, ac Abbat. *Westmonasterii Londonia-* *rum* nuntiorum tuorum, nec non magistri *Ruffandi* Capellani nostri honoris tui servidi *Zelatores*, ordinavimus quod prosecutio hujusmodi negotiorum Ecclesie *Anglicane*, pro quibus præfatus Episcopus venerat, differetur ad tempus: insinuando eidem Episcopo, quod te ad omnia quæ liberum pacificum & tranquillum statum prædictarum Ecclesiarum respiciunt auctore Domino sic efficaciter inducemus, quod non oportebit eum, vel Coepiscopos suos, & alios prælatos tam seculares quam regulares Regni tui propter hoc amplius laborare. Ideoque Serenitatem Regiam de fratrum nostrorum consilio rogamus, monemus et hortamur attente, et sincera qua te in Domino charitate complectimur suadentes, in remissionem peccaminum nihilominus injungendo, quatenus præmissa omnia infra tui claustra pectoris sollicita meditatione reholvens, considerans etiam, quod nunquam remittantur peccata, nisi oblata restituantur, quodque nil cuiquam deperit si restituat aliena, quorum misera detentio vergit in salutis propriæ detrimentum. Considerans quod tuo specialiter ad hoc accedenti consensu ab universis Archiepiscopis et Episcopis dicti Regni excommunicationis sententia in omnes illos prolata; et per sedem Apostolicam confirmata esse dicitur, qui Ecclesias et Ecclesiasticas libertates ac jura et consuetudines liberas earundem, et maxime illas quæ in Chartis tuis libertatum communium continentur, quacunque arte præsumpserint infringere, violare, diminuerè, seu mutare. Pensans etiam insuper, quod Coronationis tuæ tempore ad conservandum et conservandum jura et libertates hujusmodi, te juramento præfatis dixeris astrinxisse, omnesque libertates, immunitates, ac liberas consuetudines, cunctaque jura ac privilegia quæ prædicti Episcopi, alique Prælati, ceteraque personæ Ecclesiasticæ, nec non & Ecclesie dicti Regni habuisse noscuntur, eis intra festum Resurrectionis Dominicæ primò ventum, ob reverentiam Jesu Christi qui te fecit oleo sacri Christmas Christi sum, ac crucis honorem cujus es caractere insignitus, pro animæ quoque tuæ salutem, regia liberalitate restitutas, Ita quod prædictis Archiepiscopis & Episcopis, Prælati religiosi, & personis, materia nulla remaneat conquerendi. Veruntamen quia prædictus Episcopus prosecutionem dictorum negotiorum, pro quibus ad præsentiam nostram venerit supersedere curavit, juxta vestrum beneplacitum & mandatum Apostolicum, prædictam sedem tuam responsionem super prædictis omnibus expectando, magnitudinem tuam requirimus, ut tuam in hac parte intentionem, & quid super iis proponas facere, per tuas literas nobis non differas intimare. Et quia nostra interest, Ecclesias & personas Ecclesiasticas, & earum iuribus & libertatibus secundum Deum & justitiam defensare, scire te volumus, quod nisi infra hujusmodi terminum prædictum, Archiepiscopi, Episcopi, & Prælati, ac personæ Ecclesiasticæ, ad omnia eorum jura fuerint plenarie restituti, ex tunc nequaquam dissimulare poterimus ( quantumque personam tuam sincero diligamus affectu ) quin prædicto Episcopo Audientiam præbeamus. Data *Anagnini*, sexto idus *Novembris*. Pontificatus nostri Annus secundo.

This Letter was procured from the Pope at the suite of the Bishop of *Rocheſter*, of whom *Mathew Paris* renders us this account. Interim Episcopus *Roffensis*, qui intolerabiles ab Archiepiscopo *Canuariensi* injurias sustinuerat, querimonias lachrymales coram tota curia *Romana* reposuit, et ce-  
positas continuavit. Cumque causa sua condignam exposulasset  
condemnationem, culpa enim gravis exitit, post multas admonitiones tamen ad  
Regem factas, qui dicto Archiepiscopo coram præstitit, & audaciam delinquendi, me-

Hist. Angl. p.  
917.  
Archiepif. Can-  
citatur *Romani*  
responsurus de  
injuriis allatis  
Episc. *Roff.*



ruit idem Archiepiscopus citari, ut personaliter comparceret coram Papa, de sibi obijciendis responsurus, et de illatis iniuriis et damnis satisfactorius, qui res & pacificas possessiones suas Ecclesiasticas in ius è invaserat.

Hist. Angl. p.

918.

Anni conclusio.

*Matthew Paris* gives us this Character and conclusion of this year, 1257. Transiit igitur annus ille sterilis & macilentus, &c. Carenti a insuper minimis quoque Regno Anglie per Papam et Regem spoliata paupertatem suscitavit inauditam. Jacuerunt terræ incultæ, et mortua est præ inedia populi multitudo numerosa.

An. Dom. 1258

Mar. Westm.

p. 277.

Anno Gratia, Mccviii. quidam, Magister *Arlotus* vocabulo, à Papa *Alexandro* missus, post Pascha venit in Angliam, ad eam excoziandam, a Rege (ut putabatur) invitatus. Magnates igitur terræ videntes regnum undique desolatum, tunc ex exactionibus et tallagiis, tam Curia Romana quam Regis, quæ etiam alienigenarum, & præcipue *Pilavien* elatione præsumptuosa, favore Regio in Regno nimium in sublimi provecta, tantas in Anglia Dominationes sibi usurpantium & magisteria, post *Pentecostem* apud Oxon. colloquium celebraverunt super hiis, necnon & status Regni melioratione efficaciter & exquisitè tractaturi. Quò non sine armis & equis electissimis muniti venerint, ut si Rex & alienigenæ suis provisionibus & statutis spontè contemnerent assentire, rigore opposito cogerentur, aut ipsi alienigenæ universaliter sine mora Regnum Anglia penitus evacuarent. Quas quidem provisiones Oxon. & statuta, necnon & magnam Chartam de libertatibus & de Foresta tandem Domino Rege ad suorum procerum observantiam statutorum inclinato, per quendam de suis militibus tactis sacrosanctis juramentum præstante, 24. prudentium virorum nationis Anglicanæ, quos ad Regni gubernationem sub eodem duxerint inter se eligendos, consilio se commendavit & considerationi. His igitur peractis fidelitatem Regi & Regno, & ad considerationem suorum Parium stare omnes, quotquot in Regno commorari vellent, fecerunt jurare.

Fuerunt ergo nonnulli, qui ad id tempus pro fraterna cognitione Regis confluerant. Quos oculabat Anglia, adeo ut pro multitudine sua & elatione onerosi Angli videntur. *Archimarus* videlicet electus *Winton.* *Gulib.* de *Valencia*, *Gulfridus*, & *Guido de Lizen*, fratres Regis ex parte matris, cum quibusdam aliis, resistentes condescendere juratorum provisionibus, aut jurare. Unde ab Oxonia discedentes indignanter secesserunt in partes *Winton.* Quos intem proceres Regni, in iram vehementer compulsi, cum equis & armis viriliter sunt insecuti. Venientes demum Dominus Rex & magnates unanimiter *Winton.* illic aliud tenuerunt Parliamentum, quod timentes præfati *Pilavien*ses, iudicium expectare nolentes, per clandestinæ fugæ præsidium, una cum quibusdam eorum compatriotis, confestim à regno recedentes, Provinciam expetierunt.

*Matthew Paris* renders us this larger account of the Popes and Kings exactions and the Barons proceeding against them and the Poictovines.

Et circa medium Quadragesimæ, rediit magister *Rustandus* à Curia Romana pristina privatus potestate. Accusatus enim graviter coram Papa ab amulis suscitabatur, quod absolus quam deceret, Dei postposito timore, pecuniam sitiens, quam plures redditus optimos amplexando se super se extulerat. Et ut in his obtinendis Regis gratiam majorem obtineret, asseruit senatum fuisse *Burdegali*, unde promisit se, tanquam Regis fidelem & naturalem, efficaciter de acquirendo Regni *Apulia* dominatu, & aliis negotiis Domini sui Regis expediendis, tam in Curia Romana, quam alibi, adiutorem fore vigilem et efficacem. Talibus igitur promissionibus et blandis sermocinationibus Regis simplicitatem circumveniens, multis redditibus scilicet ditatus, procurantibus aliquibus adversariis, vocatus est ut Romam rediret: ubi graviter a Papa rebargutus, viz est in pristinam gratiam Papalem restitutus. Meruntamen a dignitate, et potestate proprio privatus, et cum dedecore mutilatus.

Advenit Herlotus  
Papæ nuncius in Angliam.

Et cito post videlicet septimana proxima ante Pascha venit in Angliam Magister *Herlotus* Domini Papæ Notar. & Clericus specialis, qui quamvis Legatus non diceretur, non tamen Legati caruit nobilitate. Venit enim *Londonium* cum viginti equitibus,

turis, cujus familia collateralis octo capis, videlicet quinq; clausis, & quinque manicatis de optimo moreto superdivit redimita. Rex igitur secundum suam consuetudinem, applaudebat alacriter venienti, maximam enim roboratus habuit potestatem.

Et post diem Martis, quæ vulgariter *Hockday* appellatur, factum est Parliamentum Londini. Rex namque, multis & ordinis negotiis sollicitabatur, scilicet de negotio Regni *Apulie*: pro quo specialiter fuit, tanquam solennis nuntius, magister *Herlotus*, exigens responsum certum super pecuniam infinitam, de qua persolvenda se obligavit Papa mercatoribus pro ipso Rege, ad instantem ipsius Regis, sub magnis potestatis, quas rectare reor inhonestum, irretiti, petitionem. Quantitas autem pecuniæ ad tantam ascendit summam, ut stuporem simul et horrorem in auribus generaret audientium. Voluit igitur Nobilitas Regni, se unus hominis ita confundi supina simplicitate, &c. Unde Episcopus *Willielmus* graviter Regi est conquestus. Cui Rex: *Expone, exponere igitur, frater charissime, thesaurum, quo abundas, ad nostrarum ultionem injuriarum.* Sed *Willielmus*, minas minis accumulans, & probra contumeliis adjungens, asseruit hæc omnia à consensu & favore proditorum *Anglorum* subdole processisse. Et post paululum, quod in genere confuse dixerat, in multorum Nobilium dedecus, specificavit. Unde Comes *Glovernia*, & Comes *Legreestria*, non mediocriter verecundati, erubuerunt. Et adhuc convitia in Comitum *Legreestria* magis multiplicans, ipsum fuisse veterem proditorem, & mentitum fuisse, ausus est palam coram Rege & multis Magnatibus contumeliose protestari. At Comes ira accensus, ac stomachatus, respondit: *Non, non, Willielme, non sum filius proditoris, sive proditor: dissimiles fuerunt nostri genitores.* Et volens tantam injuriam illuc vendicare, & in ipsum *Willielmum* ultor manifestus irruere, vix est per ipsum Regem, qui se interposuit, impeditus: & sic ad tempus quievit Comitis indignatio.

Parliamentum  
London, habi-  
tum.

Tempore sub eodem, venit in *Angliam* quidam frater de ordine Minorum, nomine *Manfuetus*, a Papa, Rege procurante, missus, sequens *Magistri Herloti* vestigia, maxima roboratus potestate: in tantum ut votis mutatis absolveret, ut dicebant, Regales quoscunque pro libitu, vel excommunicatos, et falsificos, et perjuros justificaret; unde multi rei audaciam sumplerunt delinquendi. Nam facilitas veniæ peccandi parit occasionem, sed prudentibus sibi illud et verisum, sicut sequens sermo plenius declarabit.

Mat. Paris Hist.  
p. 935.  
Advenit frater  
Manfuetus Mi-  
norita missus à  
Papa.

Eodemque tempore, cum instanter & constanter respondissent Magnates Regni communiter Regi, qui cum magna instantia in memorato Parlamento urgeret pecuniam infinitam sibi dari postulasset, pro negotio *Apulie* expediendo, et aliis arduis promovendis: quod nullo modo potuerunt sine eorum irreversibili subversione toties inaniter substantias suas usque ad exinanitionem effundere. Et si inconsulto et indecenter Regnum *Apulie* ad opus *Edmundi* filii sui a Papa comparasset, suæ imputet simplicitati, et quod incircumspecte et absque suorum consilio Nobilium præsumpsit, tanquam spretor deliberationis et prudentiæ, quæ solet rerum exitus præmetiri, prout potest, ducat ad effectum qualem qualem. Debutque profecto, ex sapientia fratris sui Regis *Alemannie Richardi* exemplariter eruditi, qui ex dono Papæ oblatum Regnum *Apulie*, nunciante hoc *Magistro Alberto*, reliquit memoratum: maxime cum tot incognita Regna, cum singulis variis, tot Principatus, tot Civitates, Vicariatus et armis communitæ, mare et montes, et insularia locorum distantia, *Angliam* discedunt ab *Apulia*. Et quod plus formidat, et merito, *Romana Curia* cabillationes, et *Apulorum* proditores multiformes, qui et affines et cognatos venenata suffocant potione. Veruntamen ne Dominus

Quid Regi re-  
sponsum sit in  
Parlamento.

**Papæ**, qui ratione officii sui supereminet **Principibus** et **Prelatis** universis, et ipsum **Comitem** ad tantam eminentiam prælegit amabiliter, **protegere** videretur, rescripsit significans, quod consilio suo libens inclinaret, si cruce signatos omnes sibi concederet in adiutorium, quod honestè fieri posset propter Civitatem *Nuchera*, quæ *Apulia* infidelibus inhabitatur, & dimidium expensarum in illo bello exponendarum, & quasdam Civitates & Castra, quæ Dominus Papa tunc temporis habuit, cum bonis obsidibus: ut ibidem tutum, cum illuc veniret, habere valeret receptaculum, & præmunitum contra rebelles, si qui insurgerent, tutamen & refugium; præterea scriptorum bonorum patrocinia, **Bulla** **Papali** consignata.

Mat. Paris Hist.  
Angl. p. 935,  
936, 937.  
Papa circumvenit Regem Angliæ.

Cum autem hæc omnia Dominus Papa intellexisset, his postulacionibus nullatenus voluit assentire. **Missis** igitur nunciis tacitis et arcanis, qui vulpinis sermocinationibus benevolos animos audientium alienare possent, circumvenit supinam et credulam Regis simplicitatem; offerendo ei ad opus filii sui junioris, scilicet *Edmundi*, Regnum *Apulie*, ad hoc effect. mancipandum, consilium et auxilium efficacissimum impendendo. Unde cor Regis pro ista umbratili promissione adeo est elevatum et infatuatum, ut quicquid habuit vel habere potuit, **Papæ** et suis nunciis prodigaliter dispersit, confidenter promittens ampliora. Unde certatim advenerunt in *Angliam* nuntii **Papales** ultramontani, *Sterlingorum* speciem olfacientes, ad Regem, ut optima munera reportarent. Atque **Episcopus Bononiensis**, qui ex parte **Papæ** annulo quodam dictum *Edmundum* de Regno *Apulie* investivit. *Messanensis* quoque **Archiepiscopus**, qui non vacuus recedebat, nunc frater *Johannes de Diva*, nunc **Magister Bernardus**, nunc **Magister Senisius**, nunc *Rustandus*, nunc *Herlotus*, et multi alii, quos longum esset enumerare, quosque omnes et singulos, Dominus Rex cum summa reverentia suscepit et honore, in damnum tamen totius Regni sui, et subversionem. **Magnates** igitur *Angliæ*, quia **Prelati** meticulosi siluerunt, merito provocati, Regis, si quomolibet possent, vias dirigere conabantur.

Regi auxilium pecuniare negatur.

Diebus quoque sub eisdem, cum constanter et præcise respondissent quasi uno ore **Magnates** Regni in Parlamento Regi, cum urgerent auxilium ab eis postulasset pecuniare, quod nec voluerunt, nec potuerunt amplius sustinere tales extorsiones. Rex iratus, ad alia se convertit astutis argumenta, ut ab Ecclesia pecuniam abstraheret infinitam. Alloquutus est igitur primo **Abbatem Westmonasteriensem**, et ab ipso infatuato pollicitis fallacibus, ut sigillum suum et sui **Conventus** apponeret tali **Chartæ**: ut videlicet fidejuberet pro ipso Rege in tanta pecunia, quæ ad duo millia marcarum, et quingentas marcas ascenderet, ut sic daretur perniciosum exemplum ab aliis **Cœnobiiis** tantundem extorquendi.

Mittitur Simon Passileve ad varios Abbates pecuniæ emungendæ causâ.

Festinauit igitur Dominus Rex, cum talibus **Literis** ad alia **Cœnobia** dictum *Simonem* transmittere, ut idem onus subirent eorum **Abbates**. In quo facto Rex suam non mediocriter famam denigravit. Paruit enim in ipso facto, quam sitienter desideravit Ecclesiam irreparabiliter prægravare. Ipse igitur *Simon Passileve*, Domini Regis **Clericus**, **Consiliarius**, subdolos et mendax, cupiens Regalia præcepta, licet indecentia explere, sed non expedire, venit *Waltham* festinanter. Et ostendens Regis **Literas** deprecatorias, ut simile onus sibi suscipere **Abbas** et **Conventus** de *Waltham*, quod **Abbas Westmonasteriensis** sibi susceperat benigne bajulandum, videlicet ut fidejuberet per **Literas** suas et **Conventus**, ducentis et quingentis marcis, pro Rege persolvendis.



per solvendis. Offenditque Abbas *Westmonasteriensis* literas super hoc et *Conventus* patentes et consignatas. Quod cum intitus esset Abbas de *Waltham*, expavit vehementer, sciscitabaturque ab eo, si tales literas haberet ad alia coenobia dirigendas? Cui *Simon*: Habeo utique ad Sanctum *Albanum* & *Radingum* et alibi. Inito igitur consilio cum suo *Conventu* in *Capitulo*, respondit *Simon*, quod nullo modo (quicquid super hoc fecissent Abbas et *Conventus Westmonasteriensis*, qui de necessitate Domino Regi savebant, et quos oportuit ipsi, utpote *Ecclesie* restauratori suæ, etiam in difficilibus obedire) vellet pro Rege de tantæ pecuniæ quantitate fide jubere vel se quomodolibet obligare. Nec licet, sicut scriptum est in decretalibus, videlicet tractatu de obligationibus, alicui *Pælato* suam *Ecclesiam* tanto supponere discrimini et periculo. Cui *Simon*: Dominus Rex vobis faciet securitatem, qualem vultis litterarie de vestra vobis solvendi indubitanter pecunia. Cui Abbas, Nolumus cum Domino Rege habere occasionem placitandi vel decertandi: non valemus a pari contendere, nec ipsum, si malorum consilio enervaretur, distringere vel iustificare. Cui *Simon*: Miseremini, miseremini pro Deo, Domino vestro et patrono speciali. Interdicitur enim in proximo, scilicet infra triduum vel quadriduum *Capella* ejus, et postea sequentur duriora, nisi precibus ejus obsecundetis, et ut bene nostis, ipse Regum *Christianissimus* et piissimus, non sustineret abesse solemnis, pro infinita auri obizi quantitate.

Cum autem nec sic, nec aliis ambagibus et mendaciis, minus minas accumulans profecisset, iratus recessit versus *S. Albanum*, unâ cum socio suo Regis Clerico quodam, ut & Abbatem & *Conventum* suis fraudulentis commentis voluntati Regis, per fas nefas quomodolibet inclinarêt. Abbas autem de *Waltham*, clam & festinanter significavit Abbati de *S. Albano*, qualiter per omnia actum est, de subdolis et perversis persuasionibus *Simonis Pesselerse*: qualiter voluit, ut ad Regis urgentem petitionem, *Ecclesiam* de *Waltham* ad solutionem ducentarum et quingentarum *Marcarum* pro Rege obligaret, et pro ipso per scriptum Abbatis et *Conventus* fidejuberet. Et ecce dictus *Simon* (imò verius *Simon*) ante horam *Capituli* venit ad sanctum *Albanum*. Qui finxit se venisse ea die de *Londino*, & ferè tota nocte equitasse. Unde inclinans caput suum sedili, quo sedit, dormitaviti cum tamen de *Waltham* venisset immediatè. Et festinanter accedens ad Abbatem, ingemiscens ait: Domine, maxima necessitas coegit in hac nocte dietam, quæ est inter *Londinum* me sociumque peragrarè. Et ostendens literas Regias, quæ aliam summam, quam ipse ore expressit, continebant, & similiter literas Abbatis & *Conventus Westmonasteriensis*, quod videlicet petitioni Regis prompto favore consenserant in propatulo monstravit, ut sic & Abbatem & *Conventum* sancti *Albani*, Regiæ flecteret voluntati exemplariter. Promisit etiam ex parte Regis, quod *Charitatem* qualem vellemus, in promptu haberent de solutione pecuniæ, quam petiit ad horam sub obligatione litteraria præstari, quæ ad ducentas & quingentas *Marcas* ascendit. Et si contradiceret Abbas, Regiam in perpetuum incurreret indignationem; Quia imminabat suspensio *Capellæ*, quod nullo modo sustineret. Obstupuit igitur Abbas et *Conventus*, imò quisbet auditor de tanta Regis tyrannide et astutia: maxime cum scriptum super hoc Abbatis et *Conventus* instantissime simile scripto ab Abbate et *Conventu Westmonasteriensis* Rex obtinuerat. Inito igitur in *Capitulo* *Consilio*, responsum est præcise, quod nullo modo Regis petitionem poterat adimplere: Quia contra prohibitionem *Papæ*, et jus et honestatem hoc fieret manifeste. *D.* *Senla* sunt ei instrumenta, et quoddam speciale Abbati *Carino*, quo

*Simon Pesselerse*  
Abbatem &  
*Conventum*  
Sancti *Albani*,  
adit,

quoddam Abbati de *Santo Albani*, et successoribus ejus, directa; in quo continetur, quod nulla modo Ecclesiam suam sub pœna suspensionis et interdicti ac excommunicationis obligarent. Valuerunt igitur Abbas et Conventus *S. Albani* indignationem Regis terreni injusta postulantis incurrere; quam Regis Coelestis offensam transgrediendo Papalem prohibitionem subire, et vinculis anathematis innodari. Quod cum audisset *Simon*, alacriter respondit, favorabilem & serenum vultum omnibus ostendendo; Anaci Charissimi, ne super hoc aliquatenus sollicitemini. Habet enim Dominus Rex noster quendam fratrem sanctissimum, hominem mansuetum, de ordine *Minorum* a Papa ad cautelam destinatum, qui \* omnes juramentorum transgressores in hac Regis urgentissima necessitate, qui eidem suffragabuntur plenam habet potestatem et promptissimam voluntatem, absolventi. Si autem in hoc casu Domino Regi non obsecundaveritis, illico *Londonium* ad Episcopum revertens eidem Nuntiabo, quod et ipsius Regis reverentiam et Patrocinium, et dicti fratris beneficium contemnitis et potestatem. Responsumque est *Simoni*: Non sanum videtur, velle excommunicari, & absolvi. Sicut non deberemus consentire alicui incantatori dicenti, frange crus vel aliud membrum tuum intrepidus, inveniam tibi optimum Chirurgum, qui contrafactum solidabit. Præterea si hoc faceremus, multipliciter peccaremus. Primò, scienter mentiremur. Item signa nostra, quæ sunt pignora testimonialia fidei nostræ si apponerentur, clamarent contra nos, quod iniquè egimus: hoc nullo modo faciemus. Ad hoc *Simon*: Quid sibi vult istud? Recedamne vacuus? Credet Dominus meus quod aliqua convitia suscitaverim inter ipsum & vos, & sic in meum caput cum infons fuerim, omnis culpa redundabit, ut quid patitur Dominus Rex talem repulsam? Nihil habetis nisi quod Dominus Rex vel ejus progenitores Reges vobis contulerunt, unde tenemini in jure ipsi in tam districto casu; cum omnia sint principis, suffragari. Ad hæc responderunt Abbas & Conventus, Omnia vere sunt Principis tuitione, non destructione. Hoc est quod juravit Rex in sua Coronatione, et postea multoties, et ideo his tuis Cavillatoris suggestionibus nullatenus consentimus. Hæc cum audisset *Simon*, ad aliud genus deceptionis se convertens, ait: Si non aliud pro Rege facere volueritis, saltem hoc faciatis: Conficite literas super postulatione Regia favorabiles, secundum postulationem suam & desiderium, & confectas consignetis, & sigillitas in Thesaurario vestro pœnes vos reservetis, ut si emollitis quandoque cordibus vestris & humiliatis, cum se tempus offeret oportunum, illas promptas Rex vel ejus Nuntius valeat invenire & habere. Et hoc faciatis, ne penitus contemptus & protervitas vestra videatur. Sed & ad hoc Abbas & Conventus responderunt: Non *Simon*, non, quia sic diceres, & dicere posses, quod consensimus, & literas de consensu confecimus, sicut est modò de literis Abbatibus, quas ostendis, *Westmonasteriensis*. Et sic fieremus aliis, quos aggredi & flexere cupis, in exemplum perniciosum, quod nullatenus faciemus. Et sic confusus recessit tentator suo infecto desiderio.

Hæc idcirco plenè scripserim, ut sciat hujus lector paginæ quàm graves sunt hostes domestici, et quantum Regno et Ecclesiæ iste *Simon* degener Anglicum cupiebat novercari. Abbas igitur & Conventus memoratus Domino Regi moderatè & amicaliter scribentes, & sese justè excusantes, imminencia pericula evaserunt. *Simon* autem, qui se cum juramento affirmavit Regem *Londoni* illico aditurum, non erubescens mendacii iterum redargui, versis loribus *Radingum* raptim adiit, ut Abbatem & Conventum de *Radingo* consuetis fallaciis muscipularet. Sed ipsi edocti et præmuniti, viriliter ei in faciem resistebant. Et sic iniquitas, quæ mentita est sibi, effectu carvit præoptato. Summam autem totius pecuniæ ideo præscribens perfidat totaliter, quia hoc continebatur in Regis petitione scripta, ut quælibet istarum quatuor domorum, scilicet *Westmonasterium*, *Sancti Albani*, *Radingum*, & *Waltham*. fidejuberet pro altera, in solidum. Ita quod quælibet domus, ut pro se & quælibet trium responderet in quingentis Mar-

\* The Pope  
can readily dis-  
pence with all  
Oaths for Lu-  
cre.

cis, id est, duabus Millibus, & quingentis pro usuris: voluitque Dominus Rex habere hanc pecuniam sub omni festinatione, ita scilicet ut oporteret ipsam mutuari a Mercatoribus Causinis.

During this Parliament the Friars Minorites, the chief promoters of the Popes & Kings Croyfado & exactions, encouraged by their favour.

Sub eorundem temporum voluminibus, fratres *Minores* auctoritate Papali sese ingesserunt, & intruserunt in Civitatem *sancti Edmundi* Regis & Martyris, invitis & contradicentibus ejusdem loci Abbate & Conventu. Et introducti sunt, & instituti violenter per Laicorum manum, videlicet Comitis *Glovernia*, quem constat esse dictorum Abbatis & Conventus adversarium, & *Gilberti* de *Præstona*. Paucis autem præcedentibus diebus, venerat *Albas* à Curia, qui sibi præcavens in futurum contra impetum dictorum fratrum, scripto Papali præmunerat, sed illicò postea impetrarunt fratres in contrarium, per hac cadjectionem, *Non obstant*. Unde hoc audientes universi, non poterant satis admirari, quòd tam sancti viri, qui spontaneam paupertatem elegerunt, contempta Dei oblocutione, et privilegiorum ac conservatorum tuitione, violenter illius nobilis Ecclesiæ statum perturbarent; quam certum est esse magnæ dignitatis et antiquitatis. Nec sic agebat Abbatem totus labor transalpini, vel debita quibus involvebatur inestimabilia: et ad cumulum angustiarum suarum arctatus, placito Comitis *Glovernia*, languoris elegit dilaciones.

Frates Minores  
sele ingerunt in  
Civitatem San-  
cti Edmundi.

Duravit adhuc prælibati Parlamenti altercatio, videlicet inter Regem & Regni Magnates usque diem Dominicam proximam post ascensionem, & multiplicatur contra Regem, variaz diatim querimoniarum, eo quod promissa sua non observabat, contemnens claves Ecclesiæ, et Chartæ suæ magnæ toties redemptæ tenorem. Fratres quoque suos uterinos, intolerabiliter contra jus Regni & legem, ut naturales terræ erexit, nec sinebat aliquòd breve exire de Cancellaria contra eos. Et si omnium eorundem Regis fratrum & aliorum *Pilsavensium* protervia fuisset intolerabilis: *Willielmus* tamèn de *Valentia* omnium & universorum protervia superabar. Unde Comes præcipue *Legrecessria*, non tamen Regi, sed universitati præcordialiter est conquestus, exigens instantè sibi justiciam exhiberi. Redargutus est insuper Rex, quòd omnes alienos promovet, & locupletat, & suos, in subversionem totius Regni, despicit, & deprædatur. Et ipse tam egenus est cum aliis abundant, quòd *Thesauri* expers jura Regni nequit revocare: imò nec *Wallensium*, qui sunt hominum quisquillæ, insurias propulsare. Et ut brevisus concludatur, excessus Regis tractatus exigit speciales. Rex autem ad se reversus, cum veritatem redargutionis intellexisset, licet serò, humiliavit se, asserens in quo consilio sæpius fuisse fascinatam, promissæque sub magni juramenti obsecratione super altare & feretum *S. Edwardi*, quòd pristinos errores plenè & planè corrigens suis naturalibus benignè obsecundaret. Sed erebræ transgressionès præcedentes se penitus incredibilem reddiderunt. E quia nesciebant adhuc Magnates, quomodo suum *Protea* tenere voluissent, quia arduum fuerat negotium, & difficile, dilatum est Parliamentum usque ad festum Sancti *Barnabæ* apud *Oxoniam* diligenter celebrandum. Interim optimates *Angliæ*, utpote *Glovernia*, *Legrecessria*, & *Herefordia*, Comes Marefcallus, & alii præclari viri, sibi præcaven-tes & providentes, confederati sunt; quia pedicas & laqueos alienorum vehementer formidabant, & Regis retacula suspecta nimis habuerant, veniebant cum equitibus & armatis, & comitatu copioso communiti.

Continuatio  
incipit Parli-  
menti.

Instante vero festo *S. Barnabæ* Apostoli, Magnates & Nobiles terræ ad Parliamentum, quòd *Oxoniam* tenendum fuit, properabant, præceperuntque omnibus, qui eisdem servitium militare debuerant, quatenus cum ipsis venirent parati, veluti ad corpora sua contra hostiles insultus defensuri. Quòd & fecerunt, palliantes talem adventum, eò quòd in *Walliam* contra hostes Regis viderentur collatis viribus profecturi. Non mediocriter enim timebant, ne discordantibus partibus ab invicem bellum generetur intestinum, & ne Rex & ejus fratres *Pilsavenses*, alienos convocarent in auxilium contra suos naturales. Magnates igitur præmunici, cautè fecerunt portus maris communiri. Parlamento autem incipiente, solidabatur Magnatum propositum, & consilium immutabile, exigendo constantissimè, ut Domi-

Mat. Paris Hist.  
p. 940, 941.  
Parliamentum  
Oxoniz habi-  
tum.



nus Rex chartam libertatum *Anglia*, quam *Jobannus* Rex patris suis *Anglis* confecit, & confectam concessit, quamque idem *Jobannus* tenere juravit, fideliter teneat & conservet: quamque idem Rex *Henricus* multoties concesserat, & tenere juraverat, ejusque infractores ab omnibus *Anglia* Episcopis in praesentia sua & totius Baronagii, horribiliter fecit excommunicari, & ipse unus fuerat excommunicantium, Exigebant insuper sibi fieri Justitiarium, qui justitiam faceret injuriis patientibus, æquanimiter divitibus & pauperibus. Quædam etiam alia Regnum contingentia petebant, ad communem Regis & Regni utilitatem, pacem & honestatem. Quorum consiliis & provisionibus necessariis, Dominum Regem frequenter & constantissimè consulendo rogabant obtemperare; jurantes fide mediante, & mutuo dextris exhibentes, quod non omitterent propositum persequi, pro pecuniarum vel terrarum amissione, vel etiam pro vita & morte sua vel suorum. Quod Rex recognoscens, graviter juravit consiliis eorum obsecundare, & *Edwardum* filium ejus eodem est juramento attritus. Recalcitrabant autem *Jobannus* Comes *Warennia*, & fratres Regis uterini, scilicet Dominus *Willielmus de Valentia*, cum aliis. Jubentur insuper portus *Anglia* districtius custodiri, & portæ *Londonenses* de noctibus, melioratis repagulis, diligenter oblerari. Unde quidam ait:

*Per noctem porta clauduntur Londoniavum,  
Mœnia ne fortè frangat Francigenarum.*

Et cum per aliquot dies moram ibidem protelassent, quid in tam arduo negotio agerent deliberantes, ut videlicet dissipati Regni statum refarcirent, in domo fratrum *Prædicatorum* conveniunt. Ubi iterum renovato redubito scedere et juramento, conceptum propositum suum firmaverunt, ut nec pro morte, vita, vel tenementis, odio, vel amore, quomodolibet flexerentur, aut enervarentur, quin Regnum, in quo sunt nati homines gentiles et eorum progenitores, ab ingenerosis et alienigenis emundarent, et leges laudabiles reportarent. Et si quis hominum, quicumque sit, recalcitraret, etiam invitus eis rogeretur ad jungi. Licet autem Dominus Rex et *Edwardus* filius ejus primogenitus juraverint, veruntamen prout potuit cepit *Edwardus* renuere, simul et *Jobannus* Comes *Warennia*. *Henricum* vero filium *Richardi* Regis *Almannia* fluctuando dicebat, se nullatenus juramentum sine licentia et consilio patris sui præstare. Cui responsum est in propatulo, quod etiam si pater suus adquiescere Baronagio nollit, nec unum sulcum terræ in *Anglia* obtineret. Juraverant insuper prædicti fratres nimis assertive, sub obtestatione mortis et vulnerum Christi, nunquam se castra, vel redditus, vel gardas, quæ frater eorum Rex gratanter dederat, dum vitales coeperent auras, resignaturos, quavis Comes *Leges Simon* sua castra, videlicet *Kentwiche* et *Odiam*, Regi gratis contestasset, quæ etiam paucis ante diebus emendaverat. Sed hæc illis asserentibus, & juramenta irrecitabilia multiplicantibus, respondit Comes *Ligia*, dicens *Willielmus de Valentia* plus aliis incumanti: Certe & idubitanter scias vel castra, quæ de Rege habes, reddes, vel caput amittes. Similiter & alii Comites & Barones dicebant, itidem constantissima assertione contestantes. Formidabant igitur non mediocriter *Pistavenses*, quid illis agendum sit ignorantes, quia si sese aliquo caastro latitantes recipissent, omni munimine defuturi, obsidione vallati, fame deficerent. Universitas enim Regni popularis, etsi non Nobiles, ipsos obsiderent, & castra eorum funditus dissiparent. Unde subito & clam, cum prandium pararetur, fugiunt, & ne putarentur velle fugere, simulabant se ad prandium velle residere. Qui fugientes, ac sepe respicientes, fecerunt aliquibus de sua familia turres altissimas ascendere, ut specularentur si forte Barones eos à tergo insequerentur, nec equinis parcebant lateribus donec *Wintoniam*, quasi ad alas Electi *Wintoniensis*, in cujus sinu tota eorum spes reponeretur, trepidi pervenissent. Sperabant insuper in castris ejusdem Electi, tutissimum habere refugium. Interim Nobiles firmius confederant, consiluerant sibi Justitiarium,

Hu-

*Hugonem Bigod*, fratrem Comitis Mareschalli; qui officium Justitiariz strenuè peragens, nullatenus permittat jus Regni vacillare. Cumque ad noticiam Magnatum prædicta fuga *Pictaviensium* certius pervenisset, timebant ne alienigenas sic mari appropinquantes, ad eorum subsidium advocassent, *Pictavienses* scilicet, ad alios transmarinos. Videntes igitur Magnates moram trahere periculum, jusserunt districtè toti familiæ suæ, & omnibus suis imprisiis, ad arma & equos celeriter avolare. Et ita terminatur Parlamentum apud *Oxoniam*, sine terminato & certo non apposito.

In octavis verò translationis S. *Benedicti*, scilicet decimo quinto Calendas Augusti, valedicturi *Angliæ* prædicti fratres Regis recesserunt, & quidam alii *Pictavienses* cum eis, videlicet, *Wil. de sancto Hermese*, qui consuevit astare Regi prandem cum manutergio, & ejus escam scindere, & multi alii, qui totum Regnum opprefferant, & suis bonis, præcipuè in numismate, spoliaverant. Quibus primo *Wintonia*, & postea in domo Electi *Wintoniensis Londini*, scilicet *Sewerc*, reficiendibus, multi, ut dicitur, *Angli Nobiles*, ibi & alibi dolose potionabantur, ut postea verius probaverat exitus. Qui cum ad mare pervenissent, Nobiles, qui eos conduxerant, *Neptuno* eos commendabant. Cum verò *Boloniæ* pervenissent, scripserunt Regi *Francorum*, ut pacificum haberent transitum, vel moram faceret in terra sua, secundum antiquam *Francia* libertatem & consuetudinem, liceretque Electo *Winton.* *Parisiis* morari, ac ut scholari, ad tempus ibidem moram continuare. Sed Rex *Francia* exasperatus, noluit, quia Regina *Francia* gravem de *Pictaviensibus* illis repofuerat querimoniam, quod enormiter scandalaverant & diffamaverant sororem suam Reginam *Angliæ*: addens, quod propter facinora sua ejecti essent turpiter ab *Angliæ*.

Eodem tempore Castellanus de *Dovera*, *Richardus de Gray* vir fidelis & strenuus, qui ex parte Baronum ibidem constituebatur, omnes transeuntes, & transituros diligenter considerabat, cuncta prudenter perscrutando; & invenit non modicum Thesaurum paratum, dictis *Pictaviensibus* clanculo deferendum, qui totus captus est, in castro reservandus. Similiter *Londini* apud novum Templum Thesaurus maximus, de cujus quantitate audientes mirabantur, quem repofuerant *Pictavienses* memorati (licet contradicentes reniterentur *Hospitularii*) captus est; ad arbitrium Regis & Baronum, in utiles Regni usus utiliter exponendus.

Mat. Paris. Hist. p. 943.  
Recedunt Fratres Regis uterini ab Angliæ.

Castellanus Doveræ magni Thesauro intercepti.

There being many complaints in the premised Parliament against the Bishop of *Winton*, and *William de Valence*, the King at their petition granted them this safe conduct against himself and his Barons in going to, staying at and returning from Parliament, there to hear and receive Justice, summoning both of them to appear by a day, after which he issued two more Writs concerning them and the Archdeacon of *Winton* extant in our Records, not mentioned by our Historians, which I shall here insert.

**R**EX A. *Winton*. Electo, fratri suo salutem. Cum ex parte vestra nuper fuermus requisiti ut conductum nostrum vobis daremus, quod salvo & securè venire possitis ad Curiam nostram, ad respondendum omnibus de vobis conqueri volentibus, Nos pro vobis et Baronibus nostris saluum et securum conductum vobis damus et concedimus in veniendo ad Curiam nostram, ibidem morando, et inde recedendo, ad justitiam omnibus et singulis faciendam et recipiendam. Et ad hoc faciendum diem vobis præfigimus, scilicet hanc instantem diem Mercurii prox. post festum Apostolorum *Petri & Pauli* apud *Wintoniam*, sine esson. & ulteriori dilatione. In cujus, &c. Teste Rege apud *Oxoniam* 28. die Junii.

Pat. 4. H. 2. m. 6. dorf.

Consimiles Literas habet *Willielmus de Valenc.* Et ista duo paria literarum missa fuerunt die Jovis proxima ante festum Apostolorum *Petri & Pauli*, per *Willielm. de Hailecoat*, & *Willm. de Trobevill* prædictis Electo & Wille.

Item consimiles Literas habet *Galfrus de Lezig.*

Consimiles Literas habet *Guido Lezig.*

} Et eodem die missæ fuerunt eidem *Galfr. & Guidoni* ista duo paria Literarum per *Imbertum de Mont-ferrant*, & *Rad. de Bakep.*

Item sciendum quod præscripta quatuor paria Literarum duplicata fuerunt.

The King likewise issued these Writs to the Abbot and Covent of *Wantham*, St. *Albans* and *Merton*, upon their allegiance to him, and under the pain of his displeasure, and seisure of their Lands Tenements, Persons, not to suffer any monyes in their custody belonging to the Bishop of *Winchester* Elect, or *William de Valencia* his brothers, to be carryed thence, or transported out of the Realm to his prejudice.

Claus. 43 H.3.  
m. 6. dorf.  
De denariis a-  
restandis.

**R**EX Abbati & Conventui de *Wantham*, salutem. Quia Nolumus quod denarii Venerabilis Patris *A. Winton*. Electi, et *Willemi de Valencia* fratrum nostrorum deferantur extra Regnum nostrum, ad nostrum vel ejusdem Regni dispendium vel gravamen, vobis sub debito fidelitatis et amicitiarum quibus nobis tenemini, Mandamus districte inhibentes, ne sicut vos ipsos, et terras, et tenementa quæ tenetis in Regno nostro diligitis, permittatis aliquam pecuniam prædictorum fratrum nostrorum quæ est in deposito in domo vestra extrahi, vel a loco illo per prædictos fratres nostros vel alios sine Mandato nostro speciali. Scituri quod in proximo missuri sumus aliquem ad vos ex parte nostra pro negotio prædicto. Et ita vos in hac parte habeatis, quod pro defectu vestri ad vos terras et tenementa vestra graviter capere non cogamur. Teste Rege apud *Wintoniam*. 8. die Julii.

Eodem modo mandatum est Abbati & Conventui Sancti *Albani* & Priori & Conventui de *Merton*.

After which the King & his Counsil resolving to banish the Poictovin Clergymen out of the Nation, and not to imprison them in *England*, issued this Writ to the Constables of the Castles of *Winton* and *Dover*, of the banishment and transportation of the Archdeacon of *Winton* out of the Realm, and to see he carryed away no monyes with him.

Claus. 43 H.3.  
m. 9. dorf.

**Q**uia non est voluntas Regis aut Consilii sui arrestare, aut carcere detinere aliquem Clericum, Mandatum est Constabulario Castri Regis *Winton*. quod sine dilatione accedat ad Archidiaconum *Winton*. & dicat ei ex parte Regis & Consilii sui, quod sine mora creat Regnum *Anglia* per Portum *Dover*. cum competentis familia, et cum rationabilibus expensis suis, et hoc nullatenus omittat, quia Rex et Consilium suum Nolumus quod ipse ad præsens in *Anglia* moretur aliquomodo, nec quod redeat sine licentia Regis speciali. Et has literas continentes voluntatem Regis et Consilii sui prædictus Constabularius eidem Archid. ostendat. Teste Rege apud *Westm*. 24. die Octobris.

Per Consilium Regis.

Et Mandatum est Constabulario Castri *Dover*. quod cum idem Archid. ad Portum *Dover*. venerit, ipsum cum convenienti familia, et rationabilibus expensis suis transiret permittat et curialiter et caute explorari faciat, quod magnam pecuniam secum non abducatur. Teste ut supra.

Per Consilium Regis.

Mat. Paris Hist.  
p. 946.  
Recessit Herle-  
us Papæ nunci-  
us ab Anglia.

Imminente quoque festo Assumptionis gloriosæ Virginis, *Herleus* Domini Papæ Clericus, specialis Consiliarius & Notarius, quem advenientem in *Angliam* ipse Papa maxima potestate armaverat, cum vidisset Regni perturbationem, tacite et prudenter recessit ab *Anglia*, donec pacis aura et unitatis scilicet aspiraret.

Denarii inter-  
cepti electi  
Wintoniensis.

Interim oppidanus *Doverra* custos littoris diligentissimus, & transeuntium indagator infallibilis, multos onustos invenit numismate, qui alienigenis desideratos deculerunt, quos ut liberius transirent, ille quam citius exoneravit. Et tunc tem-  
poris



poris indentæ sunt mille marcæ, de denariis electi *Wintoniensis*, quas ibidem deposuerat, et datæ sunt quatuor Militibus ad stipendia et viatica, ut *Romam* adeuntes, Papæ causam *Barnagii Angliæ*, ex parte Regis et Magnatum, sine moræ dispendio et ambagibus disputationis, breviter et compendiose nuntiarent, monstrarentque per cedula vacuas et Bullatas, quas post mortem Magistri *Berardi de Nimpha*, in ejus cista invenerant, quam multis et multismodis *Romani* student terram inquinare machinationibus. Quas pro cedulas, sicut indentæ sunt secum portaverunt Bullatas.

The King on the Archbishop of *Tuam* Petition in *Ireland*, (preferred thereunto by the Popes Provision) whereupon the King refused to grant him his Temporalities, at last by the Popes mediation, granted his Bayliffs and Officers licence to till and manure the Temporalities of the Archbishoprick, but to lay up and sequester all the profits thereof, till he should personally come to the King and make his Oath of Fealty to him; which he having done, the King issued this Writ to his Chief Justice and Escheator in *Ireland*, to restore him his Temporalities, with the profits thereof.

**R**EX *Alano la Zouche* Justic. *Hiberniæ*, & *Willmo de Bakpuz* Escaetori suo *Hiberniæ*, salutem. Cum alias vobis nostris Literis dederimus in mandatis, quod permitteretis Ballivos Magistri *Walteri* quondam Decani Sancti *Pauli London.* de quo Dominus Papa providit Ecclesiæ *Tuamensi*, inhabitare domos et excolere terras ad Archiepiscopatum prædictum pertinentes, et in excolendo eas profectum ipsius Archiepiscopi facere prout melius viderent expedire; Ita quod exitus eorundem, et redditus dicti Archiepiscopatus, tam per vos et vestros, quam per dictos Ballivos colligerentur, et in certis locis infra eundem Archiepiscopatum deponerentur, et salvo custodirentur sine diminutione aliqua donec idem Archiepiscopus ad nos venisset, et fidelitatem nobis fecisset. Et dictus Archiepiscopus jam ad nostram præsentiam personaliter accesserit, et fidelitatem nobis feceret quam facere tenebatur; Nos ipsum in favorem et gratiam nostram recipientes, reddidimus ei Archiepiscopatum prædictum cum prædictis exitibus, a tempore prædictarum Literarum nostrarum vobis transmissarum, et omnibus possessionibus et temporalibus ad eundem Archiepiscopatum pertinentibus. Et ideo vobis mandamus, quod eidem Archiepiscopo de prædicto Archiepiscopatu, & domibus, redditibus, & exitibus prædictis, & omnibus aliis possessionibus & temporalibus ad eundem Archiepiscopatum plenam se finam sine dilatione habere faciat. Teste Rege apud *Westm.* 6. die *Novembris*.

Pat. 42 H. 3.  
m. 17. dor.  
Hibern.

The King having granted the Archbishop of *Ardmach* in *Ireland*, license to go to *Rome* about his affaires, where he was confirmed in his Archbishoprick, did at the Popes special request, grant him this extraordinary unaccustomed favour, as to order his Chief Justice and Escheator in *Ireland* to restore his Temporalities to him, before he came to him in person and had made his Fealty; provided that they should sequester the profits thereof in some safe place, till he came in person to the King, and did his Fealty to him for his Archbishoprick.

**R**EX dilecto & fideli suo *Alano la Zouche* Justic. *Hiberniæ*, & Magistro *Willmo de Bakpuz* Escaetori suo in *Hiberniæ*, salutem. Cum Magister *Abraham* quondam Archipresbyter in Ecclesia *Armachana*, nunc præfectus in Archiepiscopum ejusdem Ecclesiæ, pro diversis Ecclesiæ suæ negotiis moram trahat in *Curia Romana*: Ac Dominus Papa nobis scripserit deprecando, quod temporalia ejusdem Archiepiscopatus in manu nostra existentia, eidem velut Archiepiscopo *Armachano* restitui faciamus, cum ab eodem

Pat. 42 H. 3.  
m. 13. incus.  
Pro Archiepiscopo  
*Armachano* nensi.

Domino Papa beneficium confirmationis adeptus sit; volentes in hac parte eisdem gratiam facere specialem, quia in negotiis nostris multum nobis probasse poterit, et valere, quamquam consuetum non fuerit restituere alicui. *Placito* tertio nostra temporalia sua donec ad nos venerit personaliter, et nobis fidelitatem fecerit debitam et consuetam. Nobis mandamus, quod permittatis Ballivos ejusdem Archiepiscopi inhabitare domos et excolere terras ad ipsum Archiepiscopatum pertinentes, et in excolendo eas proferam ipsius facere prout melius viderint expedire. Ita quod exitus eorumdem terrarum et redditus ipsius Archiepiscopatus, tam per vos et vestros, quam per predictos Ballivos colligantur, et in certis locis infra eundem Archiepiscopatum deponantur, et salvo custodiantur, sine dilatione aliqua donec idem Archiepiscopus ad nos venerit personaliter et fidelitatem nobis fecerit quam facere tenetur, ut tunc de restituendis sibi exitibus supradictis ei faciamus gratiam si nobis placuerit, vel eos ad opus nostrum retineamus. In cujus, &c. Teste meipso apud *Westm.* 6. die *Februarii*, Anno Regni nostri 42.

*Per Regem & Consilium suum.*

The King by his Counsils advice, as supreme Patron and Governour of the Church of *England*, made this Declaration of the Law of *England*, concerning the Right of Patronage and Advowsons, belonging to Archbishops, Bishops, Barons, and other Patrons.

Pat. 42 H. 3.  
m 21. incus.  
Quædam Lite-  
ra provisæ de  
jure Patrona-  
tus.

**R**EX Omnibus ad quos, &c. salutem. Super jure patronatus et presentationibus ad beneficia Ecclesiastica faciendis in Regno nostro *Anglie*, et in Ecclesia *Anglicana*, quædam speciales consuetudines observantur, inter quas et illa sibi vendicat locum, si videlicet Manerium aliquod cum pertinentiis & libertatibus suis, cuiquam Laico vel Clerico, seu mulieribus aut personis quibuscumque Ecclesiasticis vel secularibus, quocunque modo sive scilicet ad tempus, vel ad firmam, vel ad sustentationem, vel pro dotaliis, seu quibuscumque modis aliis assignetur, jus presentandi ad Ecclesiam in hujusmodi Manerio sitam per assignationem hujusmodi, cum Manerio semper transit, nisi specialiter fuerit in assignatione illa jus presentandi reservatum vel exceptum. In Maneriis vero Episcoporum, ubi jus patronatus, et jus instituendi habent, jus patronatus cum Maneriis ipsis secundum consuetudinem supradictam, semper transit, unde vacantibus Episcopatibus et Abbatibus, tam nos quam Magnates nostri, ad quos custodia Maneriorum tempore vacationis pertinet, jus presentandi ad Ecclesias in ipsis Maneriis sitas obtinemus, instituendi jure apud *Petropolitanum*, vel alios ad quos devolvitur jus spirituale remanente: licet enim Episcopi in suis Diocesis, aut etiam Abbates Pontificale jus habentes Ecclesias Maneriorum suorum conferant eo, quod in ipsis jus patronatus, & jus instituendi convenient, jus tamen patronatus habent ratione Maneriorum suorum, vel Baroniarum suarum, quæ si ab ipsis evincantur, aut si aliis cum suis pertinentiis, ut prædictum est, assignentur, jus presentandi cum ipsis Maneriis transire, jure instituendi apud ipsos ratione officii Pastoralis extunc tantummodo remanente. In cujus, &c. Teste Rege apud *Westm.* 13. die *Marci*.

*Per Consilium Regis pro negotio Walteri de Meriton.*

The King sending *John Clavell* to *Rome* this year, about his own and the Kingdoms affaires, engaged to defray his expenses there, by this Patent.

R E X

**R**EX Omnibus, &c. Cum dilectus Clericus noster Magister *Johannis Clarell*, ad instantiam nostram proficiscatur in Nuncium nostrum ad Curiam *Rothomensem* pro negociis nostris & Communitatis Regni nostri, & nihil ad præsens de nobis percipiat; Ipsumque eundo ad Curiam illam, ibidem morando & redeundo, magnas & sumptuosas oporteat facere expensas pro negociis prædictis, nos de consilio Procerum de consilio nostro, concedimus ei & bona fide promittimus, quod de expensis quas fecerit in Curia prædicta per assentionem Magistri *Roberti Capellani* Domini Papæ, vel aliorum Nuntiorum nostrorum cum præfato Magistro *Johanne* proficiscentium, satisfacemus eidem, et ipsum in hac parte conserhabimus indemnum. In cujus, &c. Teste Rege apud *Westm.* 4. die *Augusti*.

Pat. 42 H. 3.  
m. 3. intus.  
Pro Magistro  
Johann. Clarell.

The King having approved of the election of the Bishop of *Dum* in *Ireland*, and received an Oath of Fealty from him, commanded the Archbishop of *Ardm* to consecrate him, and the Chief Justice of *Ireland* or his Lieutenant to restore his Temporalities to him immediately, out of his special grace.

**C**um *A.* Archiepiscopus *Ardmachanus*, Magistrum *Thomam Lidel*, electum in Episcopum *Dumens.* iustitia exigente cassaverit, & jam paratus sit Autoritate Metropolitana dictæ Ecclesiæ providere de discreto viro Magistro *Reginaldo* Archid. *Dumens.*, si *Regius* interveniat assensus, sicut per Literas suas Patentes Regi significabit, Rex ipsum Archidiaconum regimini dictæ Ecclesiæ utilem et idoneum attendens, eidem ad instantiam præfati Archiepiscopi, accepto ab eo Sacramento fidelitatis, assensum Regium addidit et favorem, Rex volens igitur gratiam sibi facere specialem, mandat *Stephano Longespeye* Justic. *Hibernia*, vel ejus locum tenenti, quod si prædictus Archiepiscopus ipsum Archidiaconum duxerit confirmandum, eidem post confirmationem illam Temporalia dicti Episcopatus, sine dilatione restituat. In cujus, &c. Teste Rege apud *Westm.* 21. die *Octobris*.

Pat. 42 H. 3.  
m. 3. intus.  
Pro electo Du-  
mens. Hibern.

Et mandatum est eidem Archiepiscopo, ut quod suum est in hac parte exequatur. Teste, &c. ut supra.

The Bishop of *Rochester* being at *Rome* to complain against Archbishop *Bonifacio*, and there impleading and drawing some persons out of the Realm, against the Privilege of the King and Kingdom, his Beasts were thereupon distrained, and his Bayliffs enforced, and had day given them to answer this his contempt in the Kings Court, as this Record attests.

**C**um Vic. *Kanc.* nuper mandatum Regis recepit ad distringendum *L. Rossensem* Episcopum per terras & Catalla sua, quod sit coram Rege à die Paschæ in tres septimanas, ad respondendum Regi, quare contra privilegium Regi et Regno suo indultum, ne aliqui de Regno ipso extra illud trahantur in placitum, trahit *Rogerm de Northwode*, *Thomam Sorang*, et alios plures in huius Regis originali contentos in placitum extra Regnum prædictum, et Ballivi dicti Episcopi Regi in Curia sua, super hoc securitatem invenerunt. Mandatum est Vic. prædicto, quod averia dicti Episcopi ea occasione capta deliberari faciat, usque ad diem prædictum. Teste Rege apud *Westm.* 3. die *Aprilis*.

Claus. 44 H. 3.  
m. 10. dorso.  
Pro Episcopo  
Rossensi.

Et prædicti Ballivi invenerunt securitatem per *Johannem de Estwode*, *Willielmum le Juens*, *Willielmum Angbennud*, qui omnes sunt de Com. *Kanc.*

The Bishop putting in security soon after, not to prosecute those persons in the Court of *Rome*, the King thereupon issued this Writ to supersede the Sheriffs proceedings against him for this offence, till the Bishops return from *Rome*.

Quia



Claus. 42 H. 3.  
m. 9. dorso.

**Q**uia *L. R. ffensis* Episcopus fecit Regem Iecorum per *Ab. l. de Sancto Maritino, Richardum de Wested, Johannem de Estwode, & Henr. de Bradford*, de Com. *Ejex*, quod non trahet amplius in placitum extra Regnum Regis contra privilegium Regi & Regno suo, à sede Apostolica indultum *Rogrum de Northwood, Willielmum de D'aling, Henr. Lovell, Simonem fil. Simaris, Thomam Soreng, Walterum Steperant, & quosdam alios Laicos de Regno Regis*. Mandatum est Vic. *Kanc.* quod districti onem si quam fecit per præceptum Regis et Iudicium Curie Regis, super prædictum Episcopum vel homines suos occasione prædicta, penitus relaxet, usque ad reditum prædicti Episcopi in Angliam. Et si qua Catalla ceperit occasione prædicta, ipsa sine dilatione Ballivis dicti Episcopi restituat. Teste Rege apud *Westm.* 8. die Maii.

*Per Consilium Johannis Mansell, Hugonis le Biged, & Rogers de Thorke.*

The Bishop of *Durham* had likewise day given him in the Kings Court, to shew before the King and his Counsil, what right he had or pretended to the sequestration of the Benefices belonging to the Bishoprick of *Karliste*, during the vacancy in the Kings hands.

Claus. 42 H. 3.  
m. 7. dorso.  
Pro Episcopo  
Dunelm.

**Q**uia Venerabili Patri *Waltero Dunelmensi* Episcopo Rex præfixit diem in Octab. Sancti Michaelis prox. futur. ut personaliter vel per sufficientem Atturatum suum, veniat coram Rege et Consilio suo ubicunque tunc fuerit Rex in Anglia, ad ostendendum plenius jus, quod ratione Ecclesie sue *Dunelm.* vendicat in sequestris Ecclesiarum sue Diocesis ad Episcopatum *Karliol.* spectantium in vacationibus ejusdem Episcopatus. Mandatum est Vic. *Northumbria*, quod dicta sequestra in eodem statu in quo sunt sine aliqua immutatione inde faciend. usque ad prædictum diem in pace esse permittat. Et si quam debitoribus proventuum dictorum sequestrorum fecerit districti onem, illam interim relaxet. Teste Rege apud *Oxon.* 23. die Junii.

The Pope having upon the Kings former Letters and request, prorogued the over-harsh Conditions tendred to him and his son touching the Kingdom of *Sicily*, only till 5 *pr'mber*, which he signified to him by *Arlot* his Notary, yet the King craved a longer time of prorogation from him and his Cardinals by these Letters, till his Commissioners should arrive at the Popes Court.

Claus. 42 H. 3.  
m. 5. dorso.  
De facto Sicil.

**D**omino Papæ Rex salutem, cum reverentia & honore. Cum nuper discretum & prudentem virum Magistrum *Arlotum* Notarium vestrum ad nos duxeritis pro facto *Sicilia* dirigendum, idem Magister negotium sibi in hac parte à vobis commissum, nobis Curialiter exposuit, ut decebat, & tempus suspensionis pœnarum in privilegio concessionis vestre, nobis & *Edmundo* filio nostro factæ de Regno *Sicilia* contentarum, & tempus reservationis juris præfati filio nostro super dicto Regno, per idem privilegium acquisiti auctoritate vestra, pro reformatione negotii Regii prædicti, usque ad Kalendas Septembris proximas prorogavit, asserens se potestatem non habere prorogandi ulterius terminum supradictum. Et quia propter hoc & alia agenda nostra Nuncios nostros ad vestram præsentiam, ex parte nostra et Magnatum nostrorum in proximo transmittemus; Sanctitati vestre duximus supplicandum, quatenus terminum illum usque adventum Nunciorum nostrorum prædictorum favorabiliter dignemini prorogare, ut nobis munificentia vestra gratiam sentiamus more solito fructuosam. Teste Rege apud *Westm.* 27. die Julii.

In eadem forma scribitur Venerabili *Cetui* Cardinalium, rogando, quod favorabiliter annuere et erga Dominum Papam diligenter procurare dignentur, ut prorogatio termini quam præfatus Magister *Arlotus* fecit in hac parte, usque adventum Nunciorum Regis prædictorum ad Curiam

**Curiam prozegetur.** Ita quod Rex inde eis fortius astringatur ad merita gratiarum. Teste ut supra.

The King having employed the Bishop of *Hereford* to *Rome* in his business concerning the Realm of *Sicily*, and authorized him to take up monies from Merchants in those parts, and engage the King for it, to prosecute that affair, and he expending more monies, and binding the King in more Obligations then he expected to foreign Merchants, who dayly demanded monies from him, he thereupon by advice of his Counsil, sent this Writ to give him a speedy account of all monies and Obligations concerning that affair:

**R**EX P. *Herefordensi* Episcopo, salutem. Cum dudum nobis agentibus in *Wasconia* mitteremus vos ad Curiam Romanam pro negotio Regni *Sicilia*, et daretis vobis potestatem per Literas nostras, ad pecuniam a Mercatoribus mutuo recipiendam pro expeditione negotii predicti, et pro expensis vestris, multas vobis perdonationes debitorum quæ nobis debuisse fecerimus. Ac insuper quandam summam pecuniæ vobis commiserimus in Localibus in Garderoba nostra pro expensis vestris, vos nihilominus, ut intelleximus, obligastis nos diversis Mercatoribus in magna pecuniæ quantitate pro expensis predictis. Et cum in adventu vestro in *Angliam* a Curia predicta per multum tempus receperitis omnes exitus provenientes de pecunia Crucis et Decimæ, tam in *Hibernia*, quam in Diocesisbus *Hereford*, *Wigorn*, *Coventr*, et *Litchf*, pro expensis vestris factis in Curia predicta, per quod credebamus a predictis Mercatoribus liberari, et multi Mercatores ad nos venientes cum Literis nostris et vestris insisterint penes nos pro pecunia habenda, quam vobis mutuo tradiderunt, de quo non modicum admiramur; volentes super receptis et obligationibus vestris in hac parte plenius certiorari; Vobis mandamus ex parte nostra, & mandatum de Consilio nostro firmiter injungentes, in fide qua nobis tenemini, & sicut honorem vestrum, & omnia quæ in Regno nostro habetis diligitis, sitis in propria persona vestra ad nos *London*, in quindena Sancti *Michaelis* instantis, computum vestrum reddituri de obligationibus et receptis vestris predictis, vel talem et tam sufficientem loco vestri mittatis qui vices vestras supplere et pro vobis sufficienter respondere valeat in hac parte, ut audita computatione predicta, sciamus utrum per nos aut per vos satisfieri debeat Mercatoribus predictis. Scituri pro certo, quod nisi hoc feceritis, nos de bonis et catallis vestris in *Anglia* satisfactionem illam fieri faciemus. Teste Rege apud *Westmonasterium* 28. die *Julii*.

Claus. 42 H. 3.  
m. 5. dorso.  
Littera directæ  
*Herefordensi*  
Episcopo.

The Pope for his own advantage, to engage the King of *England* in his business and Wars for wresting the Kingdom of *Sicily* and *Apulia* from *Manfred* and the rightfull owners, which his differences and Wars with the King of *France* obstructed, pressed the King to, and mediated a Peace between *France* and *England*, of which the King gave him this account, desiring his assistance for the compleating and ratification of the Treaty and League began between them, by sending a special Legate into *France* for that purpose, such as his Agents should nominate.

**M**emorandum, quod omnes istæ Literæ subscriptæ tam Clausæ quam Patentis de negotiis *Romana* Curie confectæ fuerunt per Magistrum *Rostandum*, qui illas secum portavit ad Curiam, & hoc totum factum est de Consilio M. Comitis *Leycestria*, R. Comitis *Marescalli*, P. de *Subaudia*, J. Comitis *Warr*, *Johannis Mansell* Thesaurarii *Eborum*, *Johannis filii Galfridi*, *Petri de Monte forti*, & aliorum de Consilio Regis.

Claus. 42 H. 3.  
m. 4. dorso.

R E X

Claus. 42 H. 3.  
m. 4. dorso.  
De negotiis  
missis ad Curi-  
am Romanam.

**R**EX P. Sancti Georgii ad *Velum Aureum* Diacono Cardinali, salutem. Cum pro arduis negotiis quæ Regnum nostrum & nos respiciunt venerabiles Patres *Ebradun. & Taresuf.* Archiepiscopos, & discretum virum Magistrum *Roffandum*, Domini Papæ Capellanum, ad *Romanam* Curiam destinemus, dilectionem vestram rogamus affectu quo possumus ampliori, quatenus dictis Nunciis super hiis quæ ex parte nostra, vobis exponunt fidem indubitam adhibere velitis, ipsos solita benevolentia in promovendis nostris negotiis adjuvantes. Teste Rege apud *Westm.* primo die *Augusti*.

Consimiles Literæ diriguntur unicuique Cardinali, per se, & singulis procuratoribus & ceteris amicis Regis in Curia *Romana*. Et istæ Literæ sunt Clausæ.

Ibidem.

**V**enerabilibus Patribus sacrosanctæ *Romane* Ecclesiæ Cardinalibus, *Henricum* Rex *Angliæ* salutem cum omni reverentia & honore. Scimus multis & infallibilibus documentis, quod sacrosancta *Romana* Ecclesia piissima mater nostra vigilantissimo studio & propensiore cura considerat ea quæ incolumitatem respiciunt Regni nostri, quod ostendit evidentissime hiis diebus; nam nuper per Religiosum virum fratrem *Mansuetum* Domini Papæ Pœnitentiarium & Capellanum, sedes Apostolica de quiete nostra sollicita, nos multipliciter monuit & induxit, ut cum illustri Rege *Franc.* pacis fœdera iniremus. Nos igitur attendentes, quod ex parte ista toti Christianitati nonnulla commoda per Dei gratiam poterunt provenire, una cum dicto fratre Nuncios nostros sollempnes in *Franc.* curavimus destinare, qui post tractatus varios certam formam pacis cum sepedicto Rege *Franc.* ordinarunt. In qua licet in quibusdam nostra conditio aggravetur, tamen ratum habemus et gratum, quod est super hoc ordinatum. Cum igitur toto mentis desiderio affectemur, ut per providentiam sedis Apostolicæ tractatus hujusmodi compleatur; Sinceritati vestræ omni affectu quo possumus supplicamus, quatenus quod circa tractatum pacis, tam pie, tam laudabiliter inchoastis, feliciter consummare velitis, nobis concedentes Cardinalem, quem Nuncii nostri nominaverint in Legatum, ut per ipsius industriam dicta par ad honorem Dei et Ecclesiæ *Romane* firmetur; ex hoc enim honori Sacrosanctæ *Romane* Ecclesiæ accrescet plurimum, si per ipsum par ista a cunctis devotis Ecclesiæ affectata proveniat, ut per istius pacis exitum auctor pacis nos pacem tribuat quæ exsuperat omnem sensum. Teste ut supra.

Ibidem.

**D**omino Papæ Rex *Angliæ* salutem, cum reverentia & honore. Regi gloriæ & gratiæ largitori, ac vestræ Sanctitatis Clementiæ gratiarum refundimus actiones, qui pacem faciens in sublimibus suis, animum vestrum erga nos excitare dignatus est, divinitus vobis inspirans, ut illa antiqua et vetus controversia inter nos et illustrem Regem *Franciæ*, longis temporibus agitata, quæ innumerabilium provinciarum populos traxit in exterminium et ruinam, per mansuetudinis vestræ gratiam dissolvatur, unde cum jucunditate animi ac cordis jussu dicere possumus; vos qui locum Dei tenetis in terris, portare pacem, & illuminare patriam populo vobis subditis procurare quietem, ut per vos altissimus glorificetur in cœlu, pax munifetur in terris hominibus benevolæ voluntatis. Ecce enim Pater Clementissime, quod nuper per Religiosum virum fratrem *Mansuetum* Pœnitentiarium & Capellanum vestrum, cujus mansuetudo & providentia apud nos & Regni nostri majores grata est plurimum et accepta, qui sibi commisso negotio diligenter, fideliter insistit et prudenter, quasi per cingulum pacis nos multipliciter monuisset, ut cum serenissimo Rege *Franciæ* pacis fœdera iniremus. Cujus exhortationibus salutiferis & honestis acquiescentes omnino cum prædicto fratre in *Franciam* sollempnes Nuncios curavimus destinare, qui post tractatus varios certam formam pacis cum sepedicto Rege *Franciæ* ordinarunt. In qua licet nonnullis Articulis conditio nostra gravari quoddammodo videatur, tamen nobis acceptabile, et gratum existit quicquid cœlestis dispensatio super hoc duxerit providendum. Sperantes exinde,



exinde, ut per ipsius pacis proventum Ecclesia Dei de variis laboribus respirabit ad pacem, & annuntiabit Dominus Annum placabilem ut mirabiles elationes maris quibus *Petri* navicula fluctuare videtur, mirabilis in altis Dominus cessare faciet statuens procellam in auram. Cum igitur totis medullis animo affectemus, ut per sedis Apostolicæ providentiam quæstionis præfatæ scrupulus complanetur. Sanctitati vestræ cum affectione quam possumus supplicamus, quatenus quod circa tractatum pacis, tam pie, tam laudabiliter inchoastis foeliciter consummare curetis, nobis concedentes Legatum quem Nuncii nostri duxerint nominandum, ut per ipsius industriam dicta par ad honorem Dei et Ecclesiæ Romanæ firmetur; ex hoc enim honore Sacrosanctæ Romanæ Ecclesiæ accrescet plurimum si per ipsum par ista a cunctis devotis Ecclesiæ affectata proveniat, ut per ipsius pacis exitum auctor pacis nobis pacem tribuat quæ exsuperat omnem sensum. Telle ut supra.

After which he gives this account to the Pope of *Arlus* his Notaries demands to him, and his answer and proceedings thereupon, and his Parliaments promise to ayd him in this affair, upon his reforming their grievances at home, which he assented to; and the Popes mitigation of his over-harsh conditions, upon such terms as his Commissioners should propound and agree, which he earnestly entreats him to yield to, by this high complemental Letter, and his Letters of Procuracion to his Commissioners.

**D**omino Papæ Rex *Anglia*, salutem. Quociens recolimus immensas & infinitas gratias quas non nostris exigentibus meritis, sed suæ liberalitatis instinctu sedes Apostolica, nobis fecit & indefessa vicissitudine jugiter faciens gratias gratis superaddit, nos pro tantis beneficiis recognoscimus debitores. Ecce enim quod nuper venerabilem virum Magistrum *Arlotum* Subdiaconum & Notarium vestrum ad nos misistis pro negotio Regni *Apulia*, qui sub certa forma reformationem secum attulit conditionum quarundam in privilegio Apostolico confecto super hoc contentarum, petens in primis, quod cum illustri Rege *Francie* reformaremus omnino, ita quod ex illa pace mille Milites per annum, vel quingenti per biennium nobis in subsidium dicti negotii provenirent. Super quo per Dei gratiam taliter est processum, quod non restat nisi ut per favorem sedis Apostolicæ iste Articulus debiti effectum, sicut Religiosus vir frater *Manfredus*, qui istis interfuit vestræ Clementiæ plenius explicabit. Secundo petit, ut liberemus Ecclesiam in quadam pecuniæ quantitate, quod aliter nequissimus facere nisi sicut Nuncii nostri vobis exponant, scilicet Decimam quam Prælati Regni *Anglia*, *Templarii* et *Hospitalarii* pro triennio præterito nobis debent, dando Ecclesiæ insolutum, daturi opem et operam efficacem ut dicta quantitas exigatur. Tertio quoque dictus Magister *Arlotus* petit, quod usque ad certam summam de Regno nostro commune subsidium haberemus. Super quo Magnates & Proceres nostros, instantes & diligenter requisivimus, qui post multos tractatus nobis unanimiter responderunt, quod si de ipsorum Consilio Regnum nostrum vellemus in melius reformare, et vos condiciones in privilegio vestro contentas quas nimis difficiles reputant mitigare velleris, ipsi nos ad prosecutionem dicti negotii adjuvarent. Super quo, nos & filius noster primogenitus ipsorum ordinationi statum Regni nostri & nostrum submisimus, volentes, ut circa Regnum nostrum ordinent quicquid viderint expedire; & jam in multis procedere laudabiliter inceperunt, propter quod firmiter credimus & tenemus, quod dummodo mansuetudo vestra condiciones istas temperet sicut Nuncii nostri vobis exponant, dictum negotium per Magnatum nostrorum et totius Communitatis auxilium ad finem perveniet exoptatum; unde Sanctitati vestræ, cum devotione qua possumus supplicamus, quatenus attendentes, quod ex sincera

Claus. 43 H. 3.  
m. 4. dorso.

affectione istud negotium assumpsimus conditiones prædictas, sicut Nuncii nostri petent, dignemini mitigare. Teste ut supra.

Claus. 43 H. 3.  
m. 4. dorso.

**D**omino Papæ Rex *Anglia* salutem, cum reverentia & honore. Cum ad prosecutionem negotii Regni *Sicilia*, modis omnibus intendamus, parati circa hoc congerere vires nostras. Sanctitati vestræ supplicamus, quatenus pensantes quæ Nuncii nostri vobis exponunt, ex parte nostra conditiones in prædilecto vestro contentas mitigare velitis. Etsi, quod absit, quæ per dictos Nuncios offerimus ad prosecutionem dicti negotii sufficere non credatis, Venerabilibus Patribus *H. & R. Ebradunen. & Tarentas.* Archiepiscopis, & viro Religioso fratri *J. Militiæ Templi* in *Anglia*, Magistro *Johanni Clarell*, ac Nobilibus viris *Petro Braunchi*, & *Wilhelmo de Hotentoff*, Militibus nostris, plenam & liberam concedimus potestatem, ac speciale mandatum nomine nostro & *Edmundi* nati nostri illustris Regis *Sicilia*, tractandi vobiscum de componendo super negotio memorato, occasione cujuscunque juris nobis & dicto filio nostro competentis in Regno prædicto, secundum quod eis videbitur expedire. Ratum habituri et firmum quicquid ipsi vel major pars eorum super hoc duxerint faciendum. In cujus rei testimonium, nos & dictus *Edmundus* filius noster sigilla nostra præfentibus duximus apponenda. Teste meipso apud *Westm.* primo die *Augusti*.

Ibidem.

**D**omino Papæ Rex *Anglia*, pedum oscula beatorum. Sanctitati vestræ notum facimus, quod nos constituimus Venerabiles Patres *Ebradunen. & Tarentas.* Archiepiscopos, & discretum virum Magistrum *Rostandum*, Domini Papæ Subdiaconum & Capellanum, Procuratores nostros et Nuncios speciales, (all Foreigners, and the Popes own Creatures, so inconsiderate and over-earnest was the King to gain *Sicily* upon any terms for his Son, after so many costly engagements in that affair) dantes eis potestatem & speciale mandatum, tractandi vobiscum nomine nostri & *Edmundi* nati nostri Regis *Sicilia*, de conditionibus meliorandis et mitigandis contentis in prædilecto Apostolico confecto super concessione Regni *Sicilia*, ac obligandi nos et dictum *Edmundum*, Regnumque nostrum sub quibuscunque pactis et pœnis, ac jurandi in animas nostras de ipsis servandis. Ratum habituri et firmum quicquid per ipsos actum fuerit seu etiam procuratum. (A strange unlimited Authority given to these Foreigners.) In cujus, &c. ut supra.

Consimilis Litera emanavit sub nominibus Religiosi viri fratris *J. Militiæ Templi* in *Anglia*, & discretorum virorum Magistri *Johannis Clarell* Clerici, *Petri Braunchi*, & *Wilhelmi de Hotentoff* Militum. In cujus, &c. Teste ut supra.

Ibidem.

**D**omino Papæ Rex *Anglia*, pedum oscula beatorum. Sanctitati vestræ notum fecimus, quod Venerabiles Patres *H. Dei gratiæ Ebradunen.* Archiepiscopum, & *G.* electum *Eborum*, & dilectum Clericum nostrum Magistrum *Johannem Clarell*, nostros constituimus Procuratores & Nuncios, ad petendum prorogationem terminorum in privilegio confecto, super concessione Regni *Sicilia* contentorum, et ad petendum reformationem et meliorationem conditionum in dicto privilegio contentarum; dantes eisdem plenam potestatem et speciale mandatum, obligandi nos et Regnum nostrum sub quibuscunque pactis et pœnis, ac jurandi in animam nostram de ipsis servandis. (strange unusual clauses and powers.) Ratum habituri et gratum quicquid per ipsos tres vel duos ex ipsis super hoc actum fuerit vel etiam procuratum. In cujus rei testimonium sigillum nostrum duximus apponendum. Teste ut supra.

Ibidem.

**D**omino Papæ Rex *Anglia*, salutem. Cum de fidelitate & industria nobilis viri *Rogeri de Lintyn* Militis nostri plenius confidamus, ipsum associamus Nunciis & Procuratoribus nostris quos pro negotio Regni *Apulia* ad Sanctitatis vestræ præsentiam destinamus, volentes ut super omnibus dictum negotium contingentibus parem & plenam cum aliis Procuratoribus habeat potestatem. Teste meipso apud *Westm.* primo die *Augusti*.

Domino

**D**omino Papæ Rex *Anglia*, salutem. Cum pro bono statu Regni nostri, & pro pace inter nos & illustrem Regem *Francia* firmanda Legato Cardinali plurimum egeamus. Sanctitati vestræ cum affectu quo possumus supplicamus, quatenus aliquem de fratribus vestris Cardinalibus nobis in Legatum concedatis. Nos enim ad hoc speciales Procuratores & Nuncios constituimus Venerabiles Patres *Ebradun*, & *Tarentas*. Archiepiscopos, & discretum virum Magistrum *Rustandum* Capellanum vestrum. Ratum habituri et firmum quicquid per ipsos tres vel duos et ipsi actu fuerit seu etiam procuratum. In cujus, &c. Teste ut supra.

Claus. 41 H. 3.  
m. 4. dorso.

Consimilis Litera emanavit sub nominibus Religiosi viri fratris *J. Militie Templi* in *Anglia*, Magistri *Johannis Clares*, & Nobilium virorum *Petri Brannebe*, & *Willielmi de Hastenot*, Militum Regis, nulla tamen facta distinctione in hac clausula: Ratum, &c. sic hoc modo, Ratum habituri et firmum quicquid per ipsos super hoc actu fuerit seu etiam procuratum. In cujus, &c. Teste ut supra.

**D**omino Papæ Rex *Anglia*, salutem. Cum pro bono statu Regni nostri, ac pro pace firmanda inter nos & illustrem Regem *Francia*, Legato Cardinali plurimum egeamus, Venerabiles Patres *H. Ebradun*, & *G. electum Eborum*, & discretum virum Magistrum *Johannem Clarel*, nostros constituimus Procuratores ad petendum Legatum. Ratum habituri quicquid per ipsos tres vel duos et ipsi super hoc actu fuerit seu etiam procuratum. In cujus, &c. Teste ut supra.

Ibidem.

The King to satisfy the Popes demands, and the easier to get in the Dismes the Pope had granted him to gain *Sicily*, which the Archbishops, Bishops, and Religious persons in *England* refused to pay, assigned thirty thousand Marks thereof to the Pope, by this Instrument.

**D**omino Papæ Rex *Anglia*, salutem. Cum Venerabiles Patres Archiepiscopi & Episcopi, ac Religiosi viri *Templarii* & *Hospitalarii* Regni nostri, Decimam triennii præteriti nobis ab Apostolica sede concessam, non solverint et nos Ecclesiæ *Romane* occasione Regni *Sicilia* in nonnullis pecuniarum summis tenemur affrici, prædictam Decimam nobis debitam usque ad summam triginta millium *Marcarum* vobis et Ecclesiæ *Romane* concedimus in solutem, promittentes, quod in exactione ipsius vos iuvabimus bona fide. In cujus, &c. Teste ut supra.

Claus. 42 H. 3.  
m. 4. dorso.

The King to gain an Ayd from his Nobles in Parliament, and engage them in the affairs of *Sicily*, was not only content to ratify their Ordinance made at *Oxford* for the good Government of the Realm, but to crave the Popes confirmation thereof; as very beneficial to him and his Heirs, (though he afterwards revoked, and was absolved from it by the Pope, as most prejudicial and dishonorable to him and them; when his hopes of *Sicily* were frustrated) as this Writ attests.

**D**omino Papæ Rex *Anglia*, salutem. Scriptum esse audivimus, quod illa Civitas ordinatissima dicitur, in qua quisque proprios nescit affectus. Hoc hodie in reformatione & ordinatione Regni nostri apertissime comprobatur. Nam nostri Proceres et Magnates sua postponentes negotia propter nostra, suis præteritis negotiis nostris et Regni invigilant toto posse, unde cum ordinationem ipsorum nobis et heredibus nostris plurimum fructuosam, habeamus gratam non immerito et acceptam; Sanctitati vestræ cum omni affectione qua possumus supplicamus, quatenus favorem sedis Apostolicæ huiusmodi ordinationi dignemini impartiri; fulcietes eandem vestræ auctoritatis robore et consensu. In cujus, &c. Teste ut supra.

Claus. 43 H. 3.  
m. 4. dorso.



\* Mat. Paris  
Hist. p. 958.  
Rex Angliæ  
absolvitur à  
juramento per  
Papam.

Soon after there arising a difference between the King and his Barons about the Provisions made at *Oxford*, which he and the Prince had taken an Oath to observe,  
\* *Rex autem quia juraverat cum Edwardo primogenito suo et Barnagio Provisiones Oxonienses, se inviolabiliter servaturum, et poenituerat eum jam jurasse taliter, metuens quodammodo notam perjurii, misit ad Papam secreto, rogans, ut ab hoc se juramento absolberet, quod facillime impetravit.* Which easie dispensation with Oathes, and their violations though never so solemnly made, ( if they concerned not the Popes own honour or interest, in which cases no dispensations would be granted ) was a great occasion to advance their usurped power, as well as filthy lucre.

How grossly this Pope cheated King *Henry* of all his monies and expectations in this affair of *Sicily*, after all his negotiations, and how much the *Sicilian* and *Apulian* Bishops and Nobles slighted his Papal Authority, *Matthew Paris* thus relates.

Mat. Paris Hist.  
Angl. p. 949.  
Coronatio  
Manfredi in  
Regem Apuliz.

Eodem insuper tempore, cepit *Curia Romana* non mediocriter vilescere, eo quod *Apulia* Prælati & Magnates contra voluntatem Papæ, elegerunt sibi in Regem, & coronari fecerunt *Manfredum*, filium Imperatoris *Frederici*; quia non solum ipsum *Manfredum*, sed et totum genus suum *Papa* cum tota *Curia Romana* contemptibilem habuit et exolum. Insuper creavit *Rex Apulia* Archiepiscopos et Episcopos sine assensu ipsius Papæ, imo potius eo invito, qui omnes communiter plus ipsi Regi quam Papæ obediebant, et contempta Papali prohibitione, Regi honorem et reverentiam exhibebant. Magnates etiam nulla facta de *Edmundo* filio Regis *Angliæ* mentione, ( cui *Papa* Regnum *Apulia* contulerat, et per Episcopum *Bononiensem* annulo quodam investierat ) ligantiam fecerat, et homagium, eidem *Manfredo* et Civitatum et Castrozum fassinam fecerunt plenariam. Unde *Rex Angliæ* non immerito graviter conqueustus est, quod *Papa* tam argumentose multum Regni sui thesaurum ob illud Regnum *Apulia* obtinendum in vanum habuerat, et secus quam decuit cum suis multipliciter Cardinalibus attraxerat. Attamen Nuncios suos in *Angliam* destinatos, utpote fratrem *Johannem de Diva*, & Magistrum de *Sene*, Episcopum *Bononiensem*, Archiepiscopum *Messanensem*, & alios complures, qui adveniant quasi procuratores negotii *Edmundi* filii Regis expediendi super Regno *Apulia*, *Rex* commemoratus honorifice suscepit, et procuraciones a religiosis optimas extorqueri permisit.

\* Mat. Paris p.  
958, 959.

The very next year Pope *Alexander* dying, and *Urban* the 4th. succeeding him, \* post coronationem suam, auxilio *Crucesignatorum*, fugavit exercitum Romanorum, quem *Manfredus* intruserat in patrimonium *Sancti Petri*. Hincque ad quartum heredem contulit *Carolo* fratri Regis *Francorum* Regnum *Siciliæ*, & ex tunc Reges *Siculorum* gestare ceperunt arma Regis *Franciæ*, eo pacto, ut *Manfredum* inde expelleret, quod & factum est. And so King *Henry* and his Son were both cheated of their monies and the Realm of *Sicily*.

An. 1258. all the Nobility of *England* sent Messengers to the Pope with a notable Letter concerning the businesse of *Apulia* and *Sicily*, undertaken by the King without their advice; and their proceedings against the Bishop elect of *Winchester*, and his flight out of the Realm, refusing to stand to his tryal, and their resolutions not to readmit him into it again, to prevent future troubles and mischiefs; wherein they mind the Pope of the Kings Oath to observe the Provisions at *Oxford*, which he secretly dispensed with upon the Kings motion.

Mat. Paris Hist.  
Angliæ, Edit.  
Londini p. 978.  
Nuncii destina-  
ti ad Papam  
per Angliæ uni-  
versitatem.

Destinantur Nuncii solennes ad Dominum Papam ex parte Regni et totius *Angliæ* universitate, qui nuncia suo Domino Papæ plenarie intimarent, et quam citius possent, non expectantes aliquam disputationem vel disceputationem, remearent. Unus autem eorum obiit *Parisiis*, videlicet, vir. sacundissimus & piissimus *Petrus Branchi*, unde alii, quasi attoniti obstupuerunt, dolentes & desolati, arreptum tamen iter continuaverunt, in juncta sibi constanter peracturi. Causam autem itineris eorum et scriptum a *Barnagio*

Barnagio transcriptum audire qui cupit, in *Libro Additamentorum* invenire prævalebit. Where it is thus recorded.

**S**anctissimo patri in Christo *Alexandro*, divina providentia Sanctæ universalis Ecclesiæ summo Pontifici, communitas Comitum, Procerum, Magnatum, aliorumque Regni *Angliæ*, cum subjectione debita, pedum oscula beatorum. Nuper vestra sanctitas, tam per literas quam per venerabilem virum Magistrum *Arloium* Subdiaconum & Notarium, nos multipliciter monuit & induxit: ut Dominum nostrum illustrem Regem *Angliæ*, in prosecutione Regni *Siciliæ* jubaremus; sibi commune subsidium super hoc faciendum. Licet ante idem Dominus noster Rex, absque nostro consilio et assensu, immo nobis reclamantibus et invidis, hoc negotium assumpsisset, quod sibi impossibile propter difficultatem conditionum, et alia quæ Statum nostrum respiciebant, penitus credebamus. Ob reverentiam tamen Apostolicæ Sedis & vestræ, Domino Regi duximus respondendum, quod si procerum et magnatum suorum consilio, Regnum suum in multis multipliciter reformatum, vellet in melius reformare; et hos conditiones in privilegio vestro contentas, vices ipsius Regis excedentes, quodammodo mitigare velletis, quod iuxta mitigationem et reformationem huiusmodi, optatus eventus negotio speratus, ipsi præberemus et operam et effectum: ut Rex negotium quod sine nobis assumerat, per vestrum auxilium possit perducere ad effectum. Cæterum præfatus Dominus Rex attendens impossibile pondus negotii memorati, & Statum Regni sui imbecilem, voluit & expresse concessit, ut de procerum et magnatum consilio (sine quibus Regnum suum gubernare non poterat, nec negotium prosequi memoratum) dicta reformatio proveniret. Hoc videlicet modo, ut duodecim ex parte ipsius electi, & alii totidem ex parte Communitatis nominati, disponderent, statuerent, ac etiam ordinarent super melioratione & reformatione Regni *Angliæ*; & ipsum Regnum contingentibus, prout eis melius (expediens) videretur. Promittentes tam ipse quam Dominus *Edwardus* primogenitus suus, affirmantes propriis juramentis, quod per prædictos viginti quatuor vel maiorem partem eorum ordinatum existeret, inviolabiliter observaret. Facturi & procuraturi securitatem omnimodam, quam ipsi viginti quatuor vel major pars eorum, super hoc fieri providerent. Verum cum inter duodecim ex parte Domini Regis electos, electus *Wintoniensis* & fratres sui nominati fuissent, idem electus quasi salutis suæ immemor, & invigilans perturbationi Regni & dispendiis, potius quam reformationi, Regem ipsum sollicitavit, & toto posse induxit; eidem immensam promittens pecuniâ (etiam usque ad exinanitionem substantiæ & facultatum *Wintoniensis* Ecclesiæ) ut sperto juramento proprio, a promissionibus huiusmodi cessaret; in Regni sui gravè dispendium, & irreparabile detrimentum. Cumque per hanc viam desiderium intentionis suæ explere non posset, ad alia se convertens, Dominum *Edwardum* & quosdam alios de Nobilioribus totius Regni animavit, & quantum in se fuit stimulavit, ad subversionem totius Regni; quasi in necem ejusdem & lapsum irreparabilem conjurasset. Ut de illo posset verè dici, *Est vir qui turbavit terram, & concussit Regnum*. Nam cum ad reformationem qui nunc nominati fuerant, studio vigilantiori intenderent, prædictus electus & fratres sui, nunc per subterfugia, nunc per alias cavillationes varias, eventum reformationis huiusmodi retardabant; *Sed mentita est sibi iniquitas*; Quia quanto plus conabantur, negotium impedire, tanto ferventius & conatantius alii zelo reipublicæ inflammati, instanti vigilia & propensiori cautela, illud promoveri studebant. Attendentes, quod firma coherencia fidelis esse non potuit, ubi non est tenax unio voluntatum; & ipsorum conglutinatio animorum. Sed quid ultra? Prædictorum electi & fratrum suorum, tam graves erant excessus & grandes, quod clamor pauperum ad cælum ascenderet contra ipsos. Ipsorum enim Ministri et Officiales, qui potius prædones et satellites dicebantur, undique depredabantur pauperes: insidiabantur simplicibus, movebant impios, opprimebant innocentes, exultabant in rebus pessimis, lætabantur cum

Additamentum  
Matthæi Paris.  
p. 215, 216.  
Litteræ missæ  
à Communitate  
Angliæ Domino Papæ.

male

male fecissent, peccata populi comedentes luxuriabantur in lachrymis viduarum; in nuditate pupillorum, in oppressionibus subditorum gaudentes. Et in tantum ipsorum effrenata rabies invaluerat, quod nec sub ipsis minores vivere poterant, nec cum ipsis conversari pares, nec super ipsos impares majores. Nos igitur attendentes, quod respublica corpus quoddam est, quod divini muneris beneficio vegetatur, & summæ æquitatis nutu agitur, & regitur quodam moderamine rationis; nec expedit quod in uno corpore dissonantia sit membrorum: dictos electum & fratres, tanquam turbatores quietis & tranquillitatis Regni totius, post multas instantias & frequentes monitiones vocavimus, & vocari per Regem fecimus, ut iudicio sisterent, suis querelantibus responsuri, iuxta consuetudinem Regni et leges. Ita quod duo ex ipsis quos malle ererent, reliquis duobus remanentibus: qui pro se et aliis responderent, ac si sibi magis expediens crederent, Regnum omnes ererent. Qui suis culpis exigentibus subire iudicium formidantes, maluerunt exire quam iudicii rigorem expectare. Sed nec adhuc nobis & Regno nostro, super hoc plenè non tantum existeret in Electus, (cui totiusurbationis materiam merito imputamus) rediret in *Angliam*: cujus præsentia subita posset evertere, quicquid nostra sollicitudo multis vigiliis & infinitis laboribus studuit ordinare. Unde fixum est propositum omnium, et accensum desiderium singulorum; quod illo acto schismaticis homo dissensionis et scandali, inter nos deinceps nullatenus conderetur. Quia igitur præfatus Electus & fratres, Regem & Dominum *Edwardum* infatuverunt, adeo quod non solum insolentia remanebant penitus impunita, sed quod pejus est, & verecundum dicere terribileque audire, si quis contra ipsos vel eorum alterum differet in iudicio questionem, Rex qui delinquentem punire & delictum corrigere tenebatur, ipsos in suis facinoribus nutriendos contra conquirentem mirabiliter turbabatur: & cui Iudex debebat esse propitius, ad eorum suggestionem fiebat adversarius, & nonnunquam terribilis inimicus; ita quod fulciti Regis potentia & favore, quos volebant opprimebant: Communitates & libertates Ecclesiarum damnabiliter violando, homines incarcerando, Clericos vulnerando, in præjudicium coronæ (cui soli competit huiusmodi incarcerationio.) Laxatis habenis nequitie debacchando per Regnum, pro sua libito voluntatis. Unde si (quod absit) electus rediret in *Angliam*, pejora prioribus probabiliter formidamus. Sanctitati vestræ igitur omni affectione qua possumus, supplicamus, quatenus sicut unitatem & pacem Regni *Angliæ* (quod semper vobis extitit devotum & existit) diligitis, sæpe dictum electum ab Administratione *Wintoniensis* Ecclesiæ, quæ et munificentia Sedis Apostolicæ sibi concessa fuerat, amoveatis omnino. Et magis expedit, quod istud fiat sine scandalo, de vestra plenitudine potestatis, quam (quod Deus avertat) occasione ipsius pejora contingant; et nos vestri devotissimi, aliud facere compellamur. Scituri pro certo, quod etiam si Dominus Rex et Regni majores hoc vellent, Communitas tamen ipsius ingressum in *Angliam* jam nullatenus sustineret. Potius enim se virent in ipsum, quam quod ipsius intolerabilem sævitiam expectarent. Quin immò, omnibus regnicolis onerosum, & toti Regno dispendiosum existeret; si proventus de quo Regnum infestare disposuit, perciperet. Quod et omnes qui qualitatem negotii noverant asseverant. Et certe (Clementissime Pater et Domine) hoc satis credimus sine scandalo faciendum: cum non sit in Episcopum consecratus; sed tantum sibi Administratio est concessa. Super his autem et aliis, quæ nuncii nostri latores præsentium, Sanctitati vestræ exponunt, fidem indubitatam adhibere velitis: petitiones nostras quas per ipsos vobis offerimus (si placeat) ad exauditionis gratiam admittentes. Et nos.

*R. de Clare Glouernia & Herefordia.*

*S. de Manseris, Lagria,*

*E.*



E. Bigod Mareſcallus Anglia.  
H. de Bohun, Hertfordia & Eſſexia,  
W. Albemarle.  
I. de Placeto, Warwici Comites.  
H. Bigod, Juſticiarius Anglia,  
P. de Sabaudia,  
I. Filius Galfridi,  
Jacobus de Andel. & Petrus de Monteforti.

Vice totius Communitatis, præſentibus literis ſigilla noſtra appoſuimus, in teſtimonium prædictorum. Conſervet incolumitatem veſtram altiffimus, per tempora longiora.

Magnates igitur formidantes ne Electus *Wintonienſis* Romam properaret, et inſiſſita promiſſa Papæ et Cardinalibus pecunia, ſuam procuraret conſecrationem: ut ſit efficacior eſſet ad nocendum: elegerunt ſibi quatuor milites peritos, et ſacundos, et fide dignos: qui hanc prænotatam Epistolam Romam deferrent: et Papæ et toti Curie præſentarent Romanæ. In cujus tenore continetur, ut eiſdem fides adhibeatur indubitata. Habebant autem de denariis electi memorati, Mille Marcas abſconditis pro eorum nuncioꝝum labore, ad ſua viatica, et alia ſibi neceſſaria exhibenda. Tranſalpinaturi cum veniſſent Parisios, infirmatus unus eorum videlicet, (*Petrus Brancho*) obiit. Unde non mediocriter doluerunt: nihilominus alii tres tantum iter inceptum continuaverint. Et cum Romam perveniſſent, cauſam ſui itineris Domino Papæ plenius monſtraverunt: addeſtes quædam alia enormia, & maxima facinora, quæ perpetraverant prædicti Electus & fratres ejus; videlicet de homicidiis, rapinis, & variis injuriis, & oppreſſionibus, nec voluit Rex imperus eorum refrænare. Nec prætermiſerunt \* injuriam magnam quam fecerant magiſtro *Eustachio de Len*, Officiali Domini *Cantuarienſis* Episcopi, ubi vel omnes dicti fratres vel major pars dicitur interfuiſſe: Pro qua offeſſa maxima, excommunicati fuerunt omnes qui tanto facinori interfuerunt per totam provinciam *Cantuarienſem*, & *Oxonii* coram univerſitate. Recitatumque eſt, quod unus fraterum (ſcilicet *Galfridus*) Coquum Regis aſſavit: & excogitatis tormentis, uſque ad mortem cruciavit.

See Mat. Paris  
p. 919.

\* See here p.  
765. to 789.

Ad quorum auditum, omnes audientes aures continentes obſtupuerunt.

Moreover the Barons certified this barbarous deteſtable fact of his to the Pope: \* Contigit retroactis paucis temporibus, quod *Johannes* filius *Galfridi* Juſticiarii *Hibernia*, vir quidem præclarus genere, divitiis, & potentia, contulerat unam Eccleſiam cuidam Clerico ſuo. Electus autem *Wintonienſis* hoc audiens, vendicans in eadem patronatum, vehementer iratus, juſſit ejici eundem Clericum, & ſi contradiceret, turpiter & violenter abſtraheretur, viliterque in vilem locum præcipitaretur. Cum vero Miniſtri ejusdem Electi, dictum Clericum ejicerent de Eccleſia truculenter, eo quod ipſe appellaret, occidere ipſum præſumpſerunt, & quosdam de Miniſtris ejusdem Clerici baculando, vulneraverunt, convitiis & injuriis aſſecerunt, & à domibus excludentes, Eccleſiamque ſpoliantes, aliquos eorum ita inhumanè tractaverunt, quod contabefcentes infra paucos dies interierunt. Iſtud deteſtabile factum, Romano erat Pontifici per Barones ſignificatum. Hæc autem cum audiſſet Dominus *Johannes*, iratus, nec mirum, conqueſtus eſt Regi. Sed Rex, ſicut conſueverat, ipſius Electi reatum pallians excuſavit, ſupplicans attentius, ne ipſum Electum in tam gravi delicto accuſaret aut ſcandalizaret, vel aliquam moveret quæſtionem. Superſedit igitur dictus Dominus *Johannes*, expectans tempora ultioni commodiora. Cernens igitur in præſentiarum, quod ſuperbia *Pictavenſium* declinaret, dictam querimoniam innovavit, appellans quosdam *Pictavenſes*, Miniſtros ſcilicet Electi *Wintonienſis* de tam enormi facto, et Electum ipſum de præcepto.

Mat. Paris Hist.  
p. 944, 945.  
Sævitia electi  
Winton. in  
quendam Clericum.

I ſhall next preſent you with two Bulls of Pope *Alexander* the 4th, the Originals whereof I found in the *White Tower Chappel*, the latter of them with his Leaden Seal yet thereto annexed.

The

The Dean and Chapter of *Sarum* to gratifie this Pope, bestowed a Prebendary in their Church upon *Blasius* his Nephew and Chaplain; whereupon the Pope by this Bull commanded them to exchange for any other Prebend he should make choyce of, and induct him into possession thereof, by himself or his Proctor, and for a reward of their kindnesse, reserved the gift of this Prebend by Provision to himself, and conferred it on *Blasius* by this his Bull of Provision, nulling all other grants thereof to him or any else by what Authority soever.

**A**LXANDER Episcopus servus servorum Dei. Venerabili fratri Episcopo, & dilectis filiis Decano & Capitulo *Sarishuriensis*, salutem & Apostolicam benedictionem. Ad gaudium plurimum votis nostris accedit, quod spes quam de sinceritate vestrae devotionis concepit nos non fallit, dum illos quos nobis affinitate conjunctos in charitatis visceribus continemus, benevolentia comprobamini prosequi gratiosa. Prout ex eo manifeste colligitur, quod velut obedientia filii nostra contemplationis obtentu dilectum filium *Blasium*, Nepotem et Capellanum nostrum, in Ecclesia vestra in fratrem et Canonicum admisistis, quandam Prebendam in eadem Ecclesia liberaliter conferendo. Volentes igitur nos in eodem Capellano, qui secundum opinionem communem laudabiliter tendit ad futura merita probitatis vobis & Ecclesiae praedictae amplius obligare, Universitatem vestram rogamus, monemus & hortamur attente, per Apostolica vobis scripta precipiendo mandantes, quatenus affectum vestrum nostro in hac parte cooptantes affectui & hujusmodi vestrae devotionis puritatem per laudabilem actionum studia de bono in melius ductu continuo dirigentes, dictam Prebendam praefato Capellano in illam quam ipse in Ecclesia praedicta duxerat acceptandam, pro nostra et Apostolica sedis reverentia liberati munificentia commutetis. Ipsumque vel Procuratorem suum, vel alium ejus nomine in ipsius possessionem inducatis, vel faciat induci. Ita quod operis efficacia patenter ostendat nos nostros uberiori ac pleniori benevolentia confovere, & nos qui super hoc exaudiri toto cordis affectu cupimus, vobis exinde speciales gratias referamus. Nos enim ex nunc Prebendam hujusmodi donationi sedis Apostolicae servamus, praefato *Blasio* conferendam, decernentes, scriptum et inane si secus de dicta Prebenda vestra vel quavis auctoritate a quoquam contigerit attemptari. (A high daring Pontifical Usurpation on the Deans and Chapters Right.) Dat. *Viterbii* 2. Idus *Junii*, Pontificatus nostri anno tertio.

He likewise sent this second Bull to the King, on the behalf of *Arlos* his Notaries Nephew, on whom the King had bestowed an annual pension, expressing therein *Arlos* affection and devotion to serve the King, and promote his affaires in the Court of *Rome*, to engage the King to a more bountifull reward of his services, on whom he had \* formerly bestowed many great and rich preferments, even to envy in the Court of *Rome*, as well as at home,

\* Herep. 855.

**A**LXANDER Episcopus servus servorum Dei. Charissimo in Christo filio nostro *H. Regi Anglorum* illustri, salutem & Apostolicam benedictionem. Recolit Regiae mansuetudinis bonitas quam fideliter & quam pure, \* sine improbitatis et cupiditatis nota, dilectus filius Magister *Arlosius* Subdiaconus & Notarius noster, quando ipsum olim in *Angliam* pro Ecclesiae ac tuis negotiis destinavimus, se erga te habuit, materiam iustae offensionis alicui non relinquens. Et ideo ne idem relinqueretur prorsus Regiae liberalitatis immunis, praeter munificentiae tuae morem dignum duxisti, postquam ad sedem est reversus Apostolicam, eum in suis prosequi aliquo munere gratiae specialis. Nam sicut idem Notarius nobis exposuit, dilecti filio *Arlosia* Nepoti ejus, secundum tertae quantitatatis prout in tuis Parentibus Literis contineri dicitur, obtulisti. Rogans pluries & per iterata scripta requirens, ut idem Notarius eundem Nepotem suum ad tuam praesentiam destinaret, merito quidem hoc tua benignitas cogitavit, quia sic plenius scires quibus laudibus apud nos, idem Notarius pietatem tuam in Deum, & devotionem quam habes ad Ecclesiam commendavit. De quibus personis

\* A false suggestion.



nibus ad diligendum te amplius nos & fratres nostros accendit. Nosces perfectius ipsius erga te ac filios tuos sinceritatis affectum, & te sibi reputares non modicum ad benevolentie vicissitudinem obligatum. Cum igitur idem Notarius non solum instantie tue, sed & quorundam collateralium tuorum exhortationibus acquiescens, præfatum Nepotem suum ad magnitudinem tuam mittat, Serenitatem tuam rogamus attentè, quatenus eum ob reverentiam Apostolicæ sedis & vestram, benignè suscipias, et ipsum qui non se ingerit, sed a te vocatus accedit, habeas prout tuam decet honorificentiam, et sicut præfati Notarii probata erga te sinceritas meruit commendatum. Ita quod idem Notarius fiat tibi ex debito devotior, et nos exinde reddamur tibi ad beneplacita promptiores. Dat. *Anagnia* 6. Idus *Septembris*, Pontificatus nostri \* anno quinto.

\* Anno Dom.  
1259. 43 H. 3.

Sigillum Plumbeum { *Alexander*  
*Papa Quartus.*

*Matthew Paris* renders us this account of Abbots withstanding the Kings obligations to satisfy the Popes demands, and of the great exactions, expenses of Abbots and Bishops in going to *Rome* to be confirmed, according to Pope *Alexanders* new Decree.

Eodem anno, videlicet decimoquinto Calendas *Augusti*, non procul à *Wintonia*, obiit *Richardus* Abbas *Westmonasteriensis*, vir quidem elegans, facundus, juris utriusque peritus, Canonici scilicet & Civilis, Regis specialissimus, in cujus etiam obsequio magnos & multos, tam in transmarinis, quam in cismarinis partibus, labores libenter consumpserat sumptuosos, &c. Sed quia virtutibus se solent vitia quædam adjungere, iste *Richardus* sigillum suum, & Conventus sui, scripto cuidam Regis apposuit, ut videlicet alii Abbates in eodem nominati, audacius sigilla sua apponerent, & liberius. Quod quidem scriptum tunc temporis confectum fuit, ut quidam Abbates superiores in *Anglia* sese obligarent pro Rege Mercatoribus transmarinis in pecunia non minima, promissa tamen eisdem Abbatibus & successoribus suis, securitate ejusdem pecunie à Rege persolvendæ, Ecclesiarumque suarum servanda indemnitate. Sed quia hujusmodi promissioni fides, non videbatur adhiberi indubitata, ipso solo in vanum consentiente, cæteri omnes viciliter restiterunt, et unanimiter contradixerunt, hoc divina superaddentes consilio, quia si per eos fieret hujus obligationis incroctus, aliorum etiam supponebatur per eorum exempla contractus. Hujus autem *Richardus* defuncti corpus, delatum est *Westmonasterium*, & in Ecclesia sua Conventuali honorifice sepultum.

Mat. Paris Hist.  
Angl. p. 942.  
Obitus Abbat.  
tis R. Westm.

Eligitur autem Dominus *Philippus* ejusdem Monasterii Prior, in ejusdem domus Abbatem. Quod cum audisset, vir consensum attulit, illam Domini Papæ gravissimam vehementer formidans constitutionem, scilicet, quod oportuit *Romam* personaliter adire, cum corporis et carnis oneraretur ipse magnitudine. Maluit enim, & melius fuit domi residere more pristino vivendo, quam pro dignitate temporali, tanto se exponere periculo. Attamen fratrum exhortatione, & legitima omnium convictus electione, eisdem gratanter adquevit. Ita tamen, quod pro confirmatione sua alios ad *Curtiam* destinarent. Profecti autem quidam de eminentioribus, propositis coram Domino Papa causis et exculationibus absentie electi sibi urgentioribus, contradicentibus Cardinalibus vir tandem potuerunt gratiam acquirere, data non modica pecunie quantitate. Quibus post negotia difficiliter expedita, redeuntibus, nunciatum est, eorum electum jam defunctum, aliumque in locum ejus quam citius subrogatum. Qui vehementer volentes, versus *Curtiam* iterum laborem festinanter resumunt præhabitu.

Philippus electus  
Abbas Westmon.  
moritur  
ante confirmationem.

The same year *Godfrey de Kimeson* Dean of *York*, was elected Archbishop of that See, and forced to travel to *Rome* for his confirmation: \* qui *Romam* corporaliter adiens, quamplurimis sumptibus, & gravaminibus consumptis, præterque laudabiliter negotio, quam citius remansit incolumis. Consecratus est *Romæ* Archiepiscopus

\* Mat. Paris 1  
Hist. Angl. p.  
942, 948, 950.  
Godfr. de Kimeson  
electus in  
Archiepisc. Ebor.  
& consecratus;  
See Tho. Stubbs  
Acta Pontiff.  
Ebor. col. 1726  
Godwins Catalogue  
of Bishops  
p. 463.



Eboracensis, qui à Domino Papa & universis examinatoribus condignis repositus & commendabilis, expletis laudabiliter negotiis Ecclesia Sancta, gubernatur remeavit opportunus. Tunc venit in Angliam à partibus transmontanis, Eboracensis Archiepiscopus, à Domino Papa consecratus. Et cum Londinum pervenisset, per medium urbem portari fecit crucem suam ante ipsum in propatulo elevatam, accedensque ad Regem, honorifice susceptus est, & inde ad partes tendens Angliæ Boreales, in suo gaudentes Archiepiscopatu pastor & pater suscipitur sublimatus. He Interdicted the whole City of York not long after, from the beginning of Lent till the invention of the Holy Crosse, I know not upon what quarrel.

Mat. Paris Hist.  
Angl. p. 944.  
Convocantur  
Prælati Angliæ  
Oxoniz.

Circa idem tempus, convocati fuerunt Prælati Angliæ universaliter, ut Oxonia convenientes, Anglicana Ecclesiæ vacillantibus, et multipliciter impulsæ, ne penitus caderet, statum reformarent. Convenerant autem ibi quatuor Episcopi ad hoc specialiter deputati, scilicet *Norwicensis* & *Cicestrensis*, alique duo, quorum nomina non recolo. Qui convocaverunt exemptos omnes Abbates, & alios alterius ordinis, vel eorum idoneos Procuratores, scire volentes, si eorum statutis vellent acquiescere, & eorum defensionem & sustentationem uniformiter adherere. Sed quia quidam excusatione absentes, quidam in assensu dubitantes, nullum tunc potuerunt dare responsum, recesserunt omnes, imperfectum relinquentes negotium.

Mat. Paris Hist.  
Angl. p. 952.  
H. de Weng-  
ham eligitur in  
Episc. Winton.  
See Godwin in  
the life of  
Wengham.

The same year, Anno 1259. the Monks of *Winchester*, compertientes quod Rex nullum quem eligerent in Episcopum acceptasset, nisi sibi charissimum, maxime post fratris sui *Athelmari* exilium, elegerunt sibi in Episcopum & suarum pistorum animarum, Dominum *Henricum de Wengham*, Domini Regis Cancellarium. Ipse autem considerans rem fuisse litigiosam, & incertam, noluit adhuc electioni de se factæ plenè consentire, licet Regem sibi invenire favorabilem non dubitaret. Afferuit enim se tantæ dignitati, et custodiæ animarum insufficiens, nec Theologia aliisque divinis Scripturis edoctum, aut ut decet, renitentem. Tandem tamen aliquantulum consentiens, libenter a Domino Rege, sed conditionaliter, suscipitur, videlicet, si frater suus uterinus *Athelmarius* præelectus, posset a Domino Papa gratiam impetrare consecrationis, ipsemet præ omnibus aliis fieret in eadem Ecclesia *Wintoniensi* institutus. Si verò non, salvo jure fratris sui sustentationis, loco ipsius, sit ille subrogatus.

But the Bishoprick of *London* becoming voyd, (*Fulco* Bishop of *London* dying of the Plague) *Wengham* made no bones to accept thereof, notwithstanding his insufficiency, and want of learning and knowledge in Divinity, and withall procured these Letters Patents from King *Henry*, by advice of his Counsil, (in imitation of the Popes *Commendats*, then grown very common) to hold and retain all his former Ecclesiastical dignities and Benefices, whereof the King was Patron, together with his Bishoprick, for so long time as the Pope should please to grant him a dispensation, whose dispensation alone would not barre the King to present to those dignities and Benefices, being all voyd in Law by making him a Bishop.

Pat. 43 H. 3.  
m. 6. intus.  
Pro H. Electro  
London.

**R**EX Venerabilibus patribus Archiepiscopis, Episcopis ad quos præsentibus litterarum pervenerint, in quorum diocesis Venerabilis Pater *H. London*, Electus Ecclesiastica beneficia tempore suæ promotionis ad eundem Episcopatum obtinuit, salutem. Fructuosa & diuturna obsequia quæ præfatus Electus diu nobis impendit, & ipsius fidelitatem, & industriam, nec non & affectionem quam erga nos gerit diligentius attendentes; Nos de Consilio Magnatum de Consilio nostro concedimus eidem Electro; Quod decanatus, dignitates et omnia alia beneficia Ecclesiastica subscripta, quæ tempore dictæ promotionis suæ de patronatu nostro obtinuit, retinere possit libere, plene et pacifice, quamdiu ipsa per indulgentiam Domini Papæ valeat retinere; videlicet, Decanatum Sancti *Martini London*, cum collationibus Ecclesiarum & Præbendarum ad eundem Decanatum pertinentium; Decanatum de *Tottenhal*, *Coventry*, & *Lichf.* Dioc. cum collationibus Præbendarum ad eundem Decanatum spectantium, Ecclesiam de *Auilliers* ejusdem Dioc. quæ est Præbenda de *Bruges*, Ecclesiam de *Worefeld* ejusdem Dioc. Ecclesias de *Kirkcym*, & de *Preston*, in *Augmodernesse* *Eborum* Dioc. quæ sunt in Archidiaconatu *Richmondia*, Ecclesiam de *Grymmesby* *Lincoln*.

*Lincoln. Dioc.* Promittimus etiam eidem bona fide et concedimus, quod dictos Decanatus Sancti Marini London. de Tottenham. seu etiam predicta Beneficia Ecclesiastica, quæ ex patronatu nostro ante suam promotionem optinuit nulli conferri faciemus, nec ad dicta beneficia aliquem presentabimus, quamdum ipsa per indulgentiam Domini Papæ valeat retinere. In cujus, &c. Teste Rege apud Westm. 18. die Julij.

Per H. le Bigod. Justiciarium Angl.

He had the like Patent to retain his Benefices and Ecclesiastical preferments in Ireland. This is the very first Patent of a *Commenda retinere*, granted by the King to any Bishop elect I have yet met with, being made by advice of the Lords of his Council and Judges, which makes it more considerable: This *Wingham* was then Chancellor of England, and retained all these preferments and Benefices, though unlearned, unworthy, together with his Bishoprick, to maintain his Worldly Pomp, Grandure, with the total neglect of his peoples souls, and his Pastoral duty, the least of his care, thoughts, and of most *Commendatories* in that age and succeeding times.

*Adomar* Bishop elect of *Winton* being forced to fly the Realm by the Barons as you have heard, and the See continuing voyd; the King seizing the Temporalities and stock thereof, granted 5000. Sheep, 200. Cowes and 10. Bulls to this Bishop of *London* elect, (first chosen Bishop thereof) to stock the Bishoprick of *London*, warranting them against the Bishops of *Winchester*, provided alwayes, that if *Adomar* should recover possession of his Bishoprick they should be restored to him.

\* See Godwin's Catalogue of Bishops, p. 147. & Spelman's Glossarium Cancellarium Catalogo,

**R**EX *Nicholas de Handlo*, Custodi Episcopatus *Winton*. salutem. Sciatis quod pro laudabili Servitio, quod dilectus Clericus noster *Henricus de Wingham*, *London*. Electus diu nobis impendit, concessimus ei de instauro Episcopatus *Winton*. quinque Millia Ovium, ducentas Vacas, & decem Tauros, de dono nostro ad instaurandum inde Episcopatum suum *London*. Quod quidem instaurem eidem *London*. Electo versus quemcunque Episcopum vel Electum *Winton*. seu alium Warrantizabimus, & ipsum inde indemnem conservabimus. Hoc tamen excepto, quod si contingat *Adomarum* fratrem nostrum possessionem Episcopatus *Winton*. recuperare & optinere, Nos necessario eidem fratri nostro instaurem predictum restituere tunc volumus, quod idem Electus *London*. de tanto instauro, vel de rationabili pretio ejusdem nobis respondeat. Et ideo vobis mandamus, quod eidem *London*. Electo, vel ejus certo Attornato predicti, quinque Millia Ovium, CC. Vacas, & decem Tauros liberari faciatis. Et nos liberationem illam vobis in compoto vestro allocari faciemus. In cujus, &c. Teste Rege apud Westm. 4. die Augusti. Duplicata est ista litera.

Pat. 43 H. 3. m. 4. intus. Pro H. London: Electo.

Per ipsum Regem & Consilium suum.

The King by reason of the vacancy of the Bishoprick of *Winchester*, presenting one to a parcel of Tithes which the Bishops held and disposed of, and the Archbishops Official refusing to admit him, the King issued this Writ to the Gardian of the Bishoprick to admit him thereunto, and put him into possession thereof, and maintain him therein, if the Official persisted in his refusal.

**R**EX *Nicholas de Handlo* Custodi Episcopatus *Winton*. salutem. Cum ad separatas decimas de *Ethenswell*, nuper presentaverimus dilectum Clericum *Richardum de Wintonia*, & Magister *Constantinum de Mildhall* Offic. Venerabilis Patris *B. Cantuariensis*. Archiepiscopi, in Episcopatu predicto ipsum Clericum nostrum ad dictas decimasmittere, & in Corporealem possessionem eorundem inducere distulerit, in nostri contemptum, et dicti presentati nostri prejudicium et gravamen. Licet eidem Offic. per inquisitionem, quam inde fecit constiterit, quod dictæ decimæ vacant per mortem *Andree de Bramford*. quondam possessoris earundem & ad nostram spectant donationem ratione dicti Episcopatus vacantis, & in manu nostra existentis, eo quod Episcopi *Wintonia* qui pro tempore fuerint dictas decimas cum vacassent quicumque voluerint sine reclamacione alicujus contulerunt. Et jam mandaverimus iterato eidem Officiali, quod Clericum nostrum memoratum ad dictas decimas admittat & in corporealem possessionem earundem sine dilacione & difficultate

Pat. 43 H. 3. m. 12. dorso.

re qualibet inducat. **V**obis mandamus firmiter præcipientes, quod nisi dictus Officialis id sine dilatione fecerit, ad mandatum nostrum, vos eundem Clericum nostrum in plenam possessionem Decimarum supradictarum cum festinatione inducatis, et ipsum in possessione earundem manuteneatis et defendatis, ne nobis aut Episcopis dicti loci futuris, vel etiam dicto præsentato nostro præjudicetur in hac parte, cum Episcopi ejusdem loci qui pro tempore existerunt dictas decimas in singulis vacationibus earundem cuicunque voluerunt, sine inquisitione vel institutione inde facienda conferre consueverint, sicut per inquisitionem quam dictus Offic. inde fieri fecit est compertum, & nos eundem Episcopatum in suis juribus & libertatibus dum fuerit in manu nostra conservare teneamur. In cujus, &c. Teste Rege apud *West.* 4. die *Aprilis*.

The King having approved, and the Pope afterwards confirmed the election of the Archbishop of *Tuam* in *Ireland*, and certifying the King thereof, he thereupon issued these Patents for the restitution of his Temporalities.

Pat. 43 H. 3 m. 6. intus.  
Pro Archiepiscopo Tuamensi de restitutione temporalium Hibernia.

**R**EX *Stephano Lungespee* Justic. *Hibernia* & Magistro *Willielmo de Bakepuz*, Eschaetori *Hibernia*, vel alteri eorum salutem. Cum Venerabilis Pater *Thomas* quondam *Elfin*. Episcopus, postulatus in Archiepiscopum *Tuamensem* confirmatus sit à Domino Papa, sicut per Literas ejusdem Domini Papæ nobis inde directas accepimus, nos postulationem illam et confirmationem ratam habentes et acceptam, reddidimus eidem Archiepiscopo prædictum Archiepiscopatum, cum omnibus pertinentiis suis. Et ideo vobis mandamus, quod eidem Archiepiscopo de Archiepiscopatu prædicto, cum omnibus temporalibus & possessionibus ad eundem Archiepiscopatum pertinentibus plenam seisinam sine dilatione fac. In cujus, &c.

Ibidem.

**R**EX omnibus tenentibus de Archiepiscopatu *Tuamensi* in *Hibernia*, salutem. Cum Venerabilis Pater *Thomas*, quondam *Elfinens*. Episcopus postulatus in Archiepiscopum *Tuamensem* confirmatus sit à Domino Papa, sicut per Literas ejusdem Domini Papæ nobis inde directas accepimus, nos postulationem illam & confirmationem ratam habentes & acceptam, reddidimus eidem Archiepiscopo prædictum Archiepiscopatum, cum omnibus pertinentiis suis. Et ideo vobis mandamus, quod eidem Archiepiscopo tanquam Domino vestro in omnibus quæ ad prædictum Archiepiscopatum pertinent intendentes sitis & respond. In cujus, &c. Teste Rege apud *Westm.* 20. die *Julii*.

Et mandatum est *Stephano Lungespee* Justic. *Hibernia*, & Magistro *Will. Bakepuz* Eschaetori *Hibernia*, vel alteri eorum, quod eidem Archiepiscopo de Archiepiscopatu prædicto, cum omnibus temporalibus & possessionibus ad eundem Archiepiscopatum pertinentibus, plenam seisinam sine dilatione habere faciant. Teste ut supra.

What transactions, Letters passed between the King, Pope, and others concerning the Dismes, &c. granted him by the Pope, and affairs of *France* and the Kingdom of *Sicily*, and what accounts were given by the Bishop of *Hereford* and *Russland*, of the monies received and disbursed by them out of these Dismes to foreign Merchants and others, these ensuing Records inform us.

Claus. 43 H. 3 m. 8. dorso.  
De respectu pro Richardo de Grey.

**Q**uia Rex collectionem decimæ & pecuniæ provenientis de bonis ab intestato morientium in Regno Regis, & de bonis indistinctè legatis, & etiam pecuniæ in Terram Sanctam Legatæ, quas Dominus Papa Regi concessit in subsidium Terræ Sanctæ, de Consilio Magnatum qui sunt de Consilio suo prorogavit, donec per nuncios suos quos nuper misit ad Curiam Romanam plenius certioratus fuerit, qualiter in negotio prædicto fuerit procedendum: Mandatum est *W. Bathon.* & *Wellensi* Episcopo, quod demandam quam facit, *Richo de Grey*, de C. lib. quas *Reginald. de Mohun*, in Testamento suo legavit in subsidium Terræ sanctæ, & quas idem *Richu* ei debuit, ponat in respectum, donec aliud à Rege habuerit in mandatis. Teste Rege apud *Westm.* 8. die *Septembris*.

Ibidem.

**D**omino Papæ Rex *Anglia*, salutem. Cum reverentia & honore. Quia de quibusdam negotiis inter Regem & illustrem Regem *Francia* prælocutis plenius certiorari



certiorari Rex oportebat, priusquam super aliis, quæ per Magistrum *Petrum Lemé- vicesf. & Anselmum de Bellencr.* Clericos & Nuncios Venerabilium Patrum *Ebredun- men & Tarentasf.* Archiepiscoporum, & Magistri *Roffandi* Capellani Domini Papæ Re- gi super facto *Sicilia*, & aliis tam literis quam vivâ voce, Sanctitas Papæ significare Regi plenum daret responsum; propter quod etiam quosdam de Majoribus Regni & consilii Regis in *Franciam* Rex transmisit festinanter; prædictos Clericos Rex re- tinuit usque ad reditum nunciorum Regis prædictorum. In quorum reversione abs- que mora ulteriori per ipsos Clericos, vel per alios sollempnes Nuncios Regis cer- tum super præmissis Papæ beatitudini significavit responsum, maximè autem super facto regni *Sicilia* efficaciter prosequendo, vel penitus dimittendo. Qua- propter Clementiæ Papæ Rex supplicat attente, quatenus hanc mo- dicam moram, si placet, excusatam habens, circa præmissa nihil inte- rim immutet. Teste Rege apud *Windsf.* 16. die *Marci*.

R EX *Ebredun.* Archiepiscopo, salutem. Super laboribus & variis anxietatibus quibus estis pro negotiis nostris in Curia *Romana* procurandis multipliciter Par. 43 H. 3. m. 8. dorso. lacessiti, sicut per operis efficaciam manifestè perpendimus, grates vobis referimus quas valemus. Et quia tractatus pacis inter nos & Regem *Francia* prælocutæ, à qua negotium *Sicilia* multum dependet, ulteriorem quam credebamus cepit dilatio- nem, Clericos vestros, qui nuper ad nos ex parte Domini Papæ & vestra venerunt, ad vos remittere distulimus, quousque plenius certiorati essemus de pace prædicta, si- cut ipsi vobis poterunt plenius intimare, quibus super hiis & aliis negotiis nostris quæ vobis exposuerint fidem adhibere velitis, statum & beneplacitum vestrum nobis sæpius demandantes. Teste Rege apud *Windsf.* 24. die *Maii*.

Consimiles Literæ diriguntur Archiepiscopo *Tarat.* Magistro *Roffando*, & Ma- gistro *J. Clarell*, & ista quatuor paria Literarum tradita fuerunt duobus Clericis dictorum Archiepiscopi *Tarat.* & Magistri *Roffandi* deportanda.

R EX Venerabilibus patribus *H. Ebredun. R. Tarat.* Archiepiscopis, Magistro *Ru- stando*, & Magistro *J. Clarell* vel eorum aliquibus qui præsentés fuerint in Curia salutem. Super laboriosa & sollicita diligentia quam apposuistis & apponitis circa negotia nostra in Curia *Romana* expedienda grates vobis referimus copiosas. Et quia tractatus pacis inter nos & Regem *Francia* prælocutæ, à qua negotium *Sicilia* multum dependet, ulteriorem quam credebamus cepit dilationem, Clericos vestros, qui nuper ad nos ex parte Domini Papæ & vestra venerunt, ad vos mittere distulimus quousque plenius certiorati essemus de pace prædicta, sicut vobis per alias literas no- stras quas vobis per eosdem Clericos direximus significavimus, unde dilectum & fide- lem nostrum *Willielmum Bonquer* ad prædictam Curiam mittimus, pro prædicto ne- gotio & aliis secretis negotiis ibidem expediendis, quæ idem *Willielmus* vobis expo- ner, cui super hiis fidem adhibeatis, & ea ad optatam produci procuretis effectum, prout præfatus *Willielmus* vobis ex parte nostra plenius intimabit; tantum super hoc facientes, quod vobis exinde ad gratiarum merita fortius astringamur; statum autem vestrum & negotiorum nostrorum in Curia nobis crebro significetis. Teste Rege apud *Windsf.* 24. die *Maii*.

Ista Litera tradita fuit *Willielmo Bonquer* deportanda, & est Litera duplicata.

Domino Papæ, salutem cum reverentia & honore. Super gratiis multimodis nobis & *Edmundo* nato nostro, maximè de Regno *Sicilia* & aliis nos & hono- rem nostrum contingentibus, à vestræ Sanctitatis Clementia favorabiliter impensis vobis ad gratiarum actiones assurgimus, cum devotione speciali; vestræ Paternitati significantes, quod pax inter Regem *Francia* illustrem & nos aliquantulum cepit dil- ationem à qua magna pars subsidii prædicti Regni *Sicilia* dependebat. Super quo Sanctitati vestræ attentius supplicamus, quatenus ob causam prædictam, & alias quas dilectus & fidelis noster *W. Bonquer* Miles & Marescallus noster, vobis ore tenus ex parte nostra plenius exponat, memoratam gratiam vestram apud nos & prædictum natum nostrum, tam egregiè & liberaliter inchoatam, necnon & benignè continua- tam, sine piissimo consummare dignemini, & eidem super negotio *Sicilia* & facto *Winton.* & ad ea pertinentibus, necnon & aliis negotiis nostris & Regni nostri plenam fidem adhibere velitis. Teste meipso apud *Westm.* 20. die *Maii*, Anno Regni nostri 43.

R E X

Pat. 43 H. 3.  
m. 8. dorso.

**R**EX Venerabili Patri *P. Sancti Georgii ad Velum Auri* Diacono Cardinali salutem, & sinceræ dilectionis affectum. Ex veridica tam dilecti Militis nostri *Willielmo Bonquer*, quàm aliorum Nunciorum nostrorum relatione didicimus, quod vos negotia nostra & Regni nostri sincero animo amplectentes, ipsa non minus quam vestra totis studuistis viribus promovere, unde Paternitati vestræ, quas possumus et si non quas debemus gratiarum referimus actiones, rogantes, quatenus quid voluntati vestræ placuerit, quod per nos valeat expediri nobis significari velitis. Scituri, quod si in aliquibus vobis responderemus ad votum nobis gratum esset plurimum & acceptum. Negotia verò nostra tam Regni *Anglia*, quàm Regni *Sicilia*, & alia pro quibus ad Curiam Romanam præfatum *Willielmum* destinavimus, vobis recomendamus, supplicantes attente, quatenus negotia illa solita benignitate promovere dignemini. Et his quæ vobis ex parte nostra dicet fidem adhibere velitis. Teste ut supra. Eodem modo scribitur Cardinalibus, videlicet *Albo Cardinali*, *Johanni Geym*, *Ottobono*, *Ottomano*, *H. de Senibier*, *R. Hanniball*.

Ibidem.

**S**ANCTISSIMO in Christo Patri Domino *Alexandro Dei gratia Summo Pontifici*, *Henricus* eadem gratia Rex *Anglia*, &c. salutem, cum reverentia & honore. Noverit Paternitas vestra, quod Venerabiles Patres *Ebradunen*, & *Tarentas*. Archiepiscopos, Magistrum *Rustandum* Subdiaconum & Capellanum vestrum, *Willielmum Bonquer* Militem nostrum, & Magistrum *Johannem Clarell*, nostros constituimus Procuratores ad petendum Legatum in *Angliam* destinandum pro negotiis Regni *Sicilia*, & aliis negotiis in *Anglia* expediendis, prout eis injunximus & nobis viderint expedire. Ratum habituri & gratum quicquid ipsi vel aliqui ex ipsis qui præsentibus fuerint super præmissis duxerint faciendum. In cujus, &c. Teste Rege apud *Westm.* 20. die *Maii*. Eodem modo scribitur *Cetni* Cardinalium, & per eadem verba sine ratihabitione. Teste, &c.

Item duo paria Literarum tradita fuerunt *Willielmo Bonquer*.

Claus. 43 H. 3.  
m. 13. dorso.

**V**ENERABILI *Cetni* Sanctæ *Romana* Ecclesiæ Cardinalium, Rex *Anglia* salutem, & sinceræ dilectionis affectum. Quia de quibusdam negotiis inter Regem & illustrem Regem *Francia*, prælocutus Rex plenius certiorari volebat priusquam Domino Papæ super hiis quæ per Magistrum *Petrum Lemovicen*, & *Anselmum de Belencr*, Clericos & Nuncios Venerabilium Patrum *Ebradunen*, & *Tarentas*. Archiepiscoporum, & dilecti Clerici Regis Magistri *Rustandi*, ejusdem Domini Papæ Capellani, super facto *Sicilia*, & aliis tam Literis quàm vivâ voce Regis significat, certum Rex daret responsum, propter quod etiam quosdam de majoribus Regni & consilii Regis in *Francia* Rex transmisit, Rex prædictos Clericos retinuit, usque ad redditum dictorum Nunciorum Regis. In quorum reversione absque mora ulteriori per eosdem Clericos, vel per alios Nuncios Regis solemnes, Domino Papæ & eis super præmissis certum responsum suum Rex significavit, & maxime de negotio *Sicilia*, cum effectu proseguendo vel penitus dimittendo. Unde eos attentius Rex rogat, quatenus apud Summum Pontificem diligenter instare velint ne hanc moram, modici temporis gravem habeat vel molestat. Et quod super facto *Sicilia*, vel aliis Regem seu Regnum Regis tangentibus nihil interim immutetur. Teste Rege apud *Windsf.* 16 die *Martii*.

The King having demanded an account of the Bishop of *Hereford* the year before, of the monies received by him in *England* and *Ireland* for the Disme granted him by the Pope, and of the several Obligations and Debts he had obliged him and several Abbeys to foreign Merchants, in great sums of money, and how they were expended, and receiving an imperfect account thereof from his Procurator, enjoined him to make an exact account thereof, and to come in person into *England* for that end, by a certain day, under pain of seising all his Temporalities and Goods in *England*.

Claus. 43 H. 3.  
m. 15. dorso.

**R**EX *P. Herefordensi* Episcopo, salutem. Cum nuper vobis mandaverimus, quod personaliter vel per certum Procuratorem in *Angliam* veniretis, ad certificandum nos super variis et immensis obligationibus quibus nos et Regnum nostrum, ne non et quamplures domos Religiosos Regni diversis Mercatoribus in Curia *Romana* pro facto *Sicilia* multipliciter astrinxissis, et ad quorum manus pecunia de prædictis obligationibus debent, et ad cujusmodi negotia expedienda fuerit apposta, et ad reddendum compotum de tota pecunia quam recep-

sis

sis in partibus transmarinis et cismarinis, et etiam de tota pecunia per vos collecta et recepta de Decima et negotio Crucis, tam in Hibernia, quam in Dioc. *Coventr. Wigorn. et Hereford.* vos per infirmitatem & impotentiam corporis vestri super adventu vestro in *Angliam* excusastis, promittentes vos tales Procuratores loco vestro missuros, qui nobis in præmissis sufficienter respondeant. Et cum Decanus vester *Hereford.* nuper venisset coram nobis & Consilio nostro apud *London.* offerens se pro vobis de prædicta pecunia Crucis & Decimæ compotum redditurum, ipse tantum reddidit compotum de pecunia Crucis & Decimæ ad opus vestrum recepta in *Hibernia.* & in Dioc. prædictis, asserens se de obligationibus per vos factis in Curia Romana non posse ita distincte sicut petivimus respondere, unde nobis supplicavit, quod aliquem diem diffusum, vobis super hoc prængere dignaremur, quo personaliter venire possitis in *Angliam* nobis de prædictis obligationibus responsuri. Quapropter habita super hoc deliberatione, cum Magnatibus de Consilio nostro, transcriptum compoti quem prædictus D-canus reddidit vobis mittimus præsentibus interclusum, quo viso & plenius intellecto, utrum prædictum compotum acceptandum, vel aliquid eidem addendum, seu inde minuendum duxeritis nobis per Literas vestras Patentes, & per latorem præsentium significetis, quia a diversis Mercatoribus ad pecuniam sibi reddendam de obligationibus prædictis per vos factis sumus cotidie graviter anxiati, de quibus oportet nos et Regnum nostrum, sub celeritate qua fieri poterit liberari. Nos de Consilio prædictorum Magnatum nostrorum, Vobis mandamus firmiter injungentes, super omnia quæ in Regno nostro tenetis, quod omni dilatione & excusatione postpositis infra Quindenam Paschæ prox. venturam in *Angliam* veniatis. Ita quod in Quindena illa sitis in propria persona coram nobis & Consilio nostro, ubicunque tunc fuerimus in *Anglia* ad respondendum nobis, & ad plenius certificandum nos & Consilium nostrum de omnibus receptis & expensis per vos factis in Curia prædicta, & de omnibus obligationibus supradictis, de quibus præfatus Decanus respondere non potuit, ut prædictum est. Et prædictum diem ita diffusum de consilio nostro vobis assignamus ne ulteriorem dilationem quærere possitis in hac parte. Scituri, quod per consilium prædictorum Magnatum nostrorum provisum est, quod nisi ad prædictum diem veneritis in *Angliam*, Episcopatus vester cum omnibus bonis et catallis vestris in *Anglia* in manum nostram capietur ad satisfaciendum inde Mercatoribus supradictis: Quid autem super præmissis facere volueritis nobis sine dilatione remandetis. Teste Rege apud *Wyndesore*, 26 die Novembris.

A just retribution for this Bishop, who invented, promoted these fraudulent Obligations, to the oppression of his fellow Bishops and Abbots, and it seems converted much of it to his own private use, for which he was now called to a strict account.

**M**emorandum, quod Commissarii Episcopi *Hereford.* & Magistri *Rostandi* in negotio Crucis & Decimæ in *Wigorn. Coventr. Hereford.* Civitatibus & Dioc. receperunt in universis per duos annos de pecunia Crucis & Decimæ 3155. Marc. 12. d. Expensis inde liberaverunt *Maynsto Spina* & sociis suis, Civibus & Mercatoribus *Florent.* 2247. Marc. 10. s. 10. d. de debito quatuor Marcarum. In quibus Episcopus *Hereford.* eidem fuerat obligatus in Curia Romana pro Domino Rege. Item liberaverunt eisdem 100. Marc. de mandato Magistri *Rostandi*, pro damnis expensis & interesse. Item liberaverunt *Dentys & Baldes*, Civibus & Mercatoribus *Florent.* de mandato Magistri *Rostandi*, 450. Marc. Item in expensis dictorum Collectorum per duos annos 300. Marc. quas assignavit eis Magister *Rostandus* per Literas suas. Item in aliis expensis factis prædicta pecunia carianda & securè conducenda usque *London.* per plures vices & Nunciis missis in *Hiberniam* & *Walliam*, & expensis dictorum Collectorum versus *London.* per plures vices 51. Marc. 8. s. 2. d.

Summ. Total. Lib. 2  
& Expens. 2148. Marc. 19. s.

Claus. 43 H. 3.  
m. 15. dorf.  
Compotus Decani Hereford.  
quem reddidit  
pro Episcopo  
Hereford.

Et sic debentur 5. Marc. 9. s. quos debet Magister *Alex.* Canonicus *Hereford.* qui fuit receptor totius pecuniæ prædictæ. Et sciendum est, quod omnia ista plenius patent



patent in compoto facto coram Domino Archidiacon. *Essex.* & Dominis *Philippo Luvel*, & *Willielmo Bonquer*, sigillis eorum signato quem quidem compotam parati sumus ostendere incontinenti.

Memorandum, quod *Walterus Marfill* Civis & Mercator *Florentin*, missus in *Hiberniam* per Dominum Regem, & Dominum Episcopum *Hereford*. recepit à Magistro *Laur. de Summercote*, Commissario dicti Episcopi, & Magistri *Rostandi*, & Collectore pecunie Crucis & Decimæ in *Hibernia* 1000. Marc. Item recepit ab eodem 619. Marc. 2. s. 6. d. ob. qu. de bona moneta. Item recepit ab eodem 36. Marc. 2. s. 11. d. ob. de alia moneta ad pondus. Item recepit idem *Walterus* à Magistro *Thoma Nywtesden* substituto dicto Magistro *Laur.* in *Hibernia* 400. Marc. ut idem *Walterus* confitetur. Et sciendum, quod dictus Magister *Laurentius* missus fuit in *Hiberniam* per Dominum Regem, & plenam reddidit rationem de omnibus receptis suis coram prædictis Domino Archidiacono, & Dominis *Philippo Luvel*, & *Willielmo Bonquer*.

Summ. Total. recept. dicti *Walteri* in *Hibernia* } 3055. Marc. 5. s. 6. d. qu.

De hac autem summa lib. dictus *Walterus Mayneto Spina*, & sociis suis Civibus & Mercatoribus 1752. Marc. 2. s. 6. d. de debito quatuor millium Marcarum, in quo Dominus *Hereford*. erat eis obligatus pro Domino Rege. Et sic habuit dictus *Maynetus* de pecunia Crucis & Decimæ, tam de tribus Episcopatibus prædictis, quam de *Hibernia*, quatuor millia Marc. & centum Marc. pro damnis expensis & interesse de mandato Magistri *Rostandi*. Et sciendum, quod Dominus *Papa* assignavit pecuniam Crucis et Decimæ in *Hibernia*, et tribus Episcopatibus, ad solvendum dictam pecuniam, sicut patet per *Litteras Apostolicas* quas paratas habemus incontinenti. Dictus vero *Walterus Marfill* debet de pecunia recepta in *Hibernia* 1300. Marc. 43. s. qu. & alii socii sui debent 450. Marc. de pecunia trium Episcopatum. Et sic debet in universo illa societas 1753. Marc. 3. s. qu. unde computaverant, & plenam rationem reddiderunt ut dicunt coram Consilio Domini Regis, Magistro *Rostando*, & Domino *Philippo Luvel*; & si non computaverint repetatur ab eis.

\* See Mar. Paris Hist. p. 917. Episc. Heref. multiplicibus meritis exigentibus, tuipiter infirmatus, morboea polypo, vel quadam specia lepra percussus, sauciatur.

Nos vero Decanus & Offic. *Hereford*. Procuratores Domini *Hereford*. Episcopi, nihil scimus de obligationibus factis in Curia *Romana*, nec inde computare aliquo modo possemus: Unde supplicamus, quod assignetur dies & competens dilatio dicto Domino Episcopo, saltem usque in Quindenam Paschæ, ut personaliter de dictis obligationibus possit computare, quia ad istam diem sibi assignatam venire non potuit, sine magno periculo corporis sui, propter \* longam & gravem infirmitatem, quam habuit & nondum fuit ita fortis quod venire potuit. Et ad diem quæ sibi assignabitur personaliter veniat omnibus negotiis & occasionibus prætermisissis, & plenam rationem reddet de omnibus, & voluntati Domini Regis & Consilii sui pro posse suo libenter satisfaciet.

What Proctors the King imployed to the Pope, and what monies they borrowed to promote the Kings affaires in the Court of *Rome*, concerning the peace with *France* and other affaires in the 44. year of his Reign, these Records will in part discover.

Claus. 44 H. 3. pars 2. m. 3. dorso. Pro Rege & Archidiacono Leodiens. & Wil. Bonquer, de mutuo contrahendo in Curia Romana

\* Many of the Cardinals and Pope: Officers had pensions from the King to expedite his affaires.

**R**EX Archidiacono *Leodiens.* salutem. Mittimus vobis *Litteras Hugoni Simonetti* dicti *Mace* Civis & Mercatoris *Florent.* de Centum Libris à sociis suis in Curia *Romana* percipiend. ad expensas vestras. Quapropter vobis mandamus, quod una cum dilecto & fideli nostro *Willielmo Bonquer*, cui hoc idem mandamus ad prædictam Curiam festinanter accedatis, ad negotia nostra quæ vobis & ei injunximus diligenter expedienda. *Litteras* autem Domini *Papæ* quas vobis mitti petivistis, per quas Dominus *Papa* promissit se missurum nobis Legatum si peteretur, & quod nihil immutaret de negotiis nostris, usque adventum solemniū Nunciorum nostrorum ad Curiam, vobis ad præsens mittere nequivimus, eo quod *Litteræ* illæ fuerunt in *Anglia*, & nos in recessu latoris præsentium apud Sanctum *Andom.* Cæterum ad expensas Archiepiscopi *Ebredun.* de tempore præterito & futuro, & de servitio faciendo in Curia, ac de \* feodis solvendis illis quibus tenemur in Curia prædicta, ad præsens providere nequivimus, sed cum in *Angliam* revertimus ordinabimus, de aliquibus ad prædictam Curiam mittendis qui potestatem habebunt ad præmissa facienda.

Item

Item sub eadem forma scribitur *Willielmo Bonquer*.

Item Literæ Patentes prædicti *Hugonis Simonetti* *Mace* de Centum Libris liberandis in Curia *Romana* prædicto Archidiacono, & etiam Literæ clausæ ejusdem *Hugonis* una cum Literis Regis præfatis Archidiacono & *Willielmo Bonquer* directis, traditæ fuerunt *Johanni de Braban* Nuncio Reginæ, eisdem Archidiacono & *Willielmo* liberand.

**M**emorandum, quod die Sanctæ *Margaretæ* Virginis, Anno &c. 44. Magister *Johannes de Frassinone* restituit Regi quandam Literam Patentem, per quam Rex dederat ei potestatem, Anno &c. 39. ad contrahendum nomine Regis mutuum 40. Marc. de quibuscunque Mercatoribus ad quædam negotia Regis expedienda in Curia *Romana*, de quo quidem mutuo nihil recepit.

Claus. 44 H. 3.  
m. 12. dorso.  
De quadam Li-  
tera restituta  
Regi.

**S**anctissimo in Christo Patri & Domino *A. Dei* gratia Summo Pontifici, *H. eadem* gratia Rex *Angliæ*, Dominus *Hiberniæ*, &c. Super gratiis multimodis & beneficiis immensis nobis & nostris, necnon *Willielmo Bonquer* Militi nostro, & aliis Nunciis nostris à vestra liberalitate & munificentia favorabiliter impensis, Sanctitati vestræ, ad quas valemus assurgimus gratiarum actiones, vobis significantes, quod quanquam pax inter illustrem Regem *Francia* & nos jamdudum prælocuta aliquamdiu cepit dilationem, sicut alias vobis significasse meminimus, ipsam tamen pacem cum ipso Rege effectualiter inivimus, & nuper ante festum Nativitatis Dominicæ *Parisi*. firmavimus, ad laudem Dei et Ecclesiæ *Romanæ* commodum et honorem, prout Venerabilis Pater *H. Ebrudin.* Archiepiscopus, *Th. Arch. Lodiensis.* & dictus *W. Bonquer*, quos pro negotiis arduis nos & Regnum nostrum tangentibus ad vestræ Sanctitatis præsentiam transmittimus, vobis poterunt apertius intimare, quibus si placet super hiis fidem adhibere. ac favoris gratiam benignitate solita impertiri velitis eisdem. Teste meipso apud *Parisi*. 28 die *Decembris*, Anno &c. 44.

Claus. 44 H. 3.  
m. 5. dorso.  
Pro Rege.

**R**EX *R. Sancti Angeli*, &c. salutem. Super gratiis multimodis, &c. eodem modo quo Papæ scribitur omnibus Cardinalibus, verbis tamen competenter mutatis.

Ibidem.

Item eodem modo scribitur Venerabili *Cæteri* Cardinalium, verbis tamen competenter mutatis.

**R**EX Papæ salutem, cum reverentia & honore. Cum Nuncios nostros ad sedem Apostolicam dudum misisse proposuissemus, & hoc hucusque distulerimus occasione tractatus pacis inter nos & illustrem Regem *Francia*, jamdiu prælocutæ quæ nuper *Parisi*. circa festum beati *Nicholai* completa fuit penitus & firmata, à cujus consummatione pacis expeditio Nunciorum nostrorum versus Curiam vestram plurimum dependebat: Sanctitatem vestram affectuose duximus exorandam, quatenus inoriam dictorum Nunciorum occasione prædicta habere dignemini excusam. Nos autem prædictos Nuncios nostros ad vestræ Sanctitatis præsentiam cum celeritate qua possumus destinabimus, qui negotia nostra Paternitati vestræ plenius explicabunt, quos si placet in præmissis recommendatos habeatis. Teste Rege apud *Parisi*. 19. die *Decembris*, Anno 44.

Ibidem.  
Pro Rege.

Eodem modo verbis tamen competenter mutatis scribitur Cardinalibus, & Magistris *Jordano*, & *Ayloto*, traditæ fuerunt Literæ *Nicholao Vaxti Jannensi* eunti ad Curiam, videlicet *Albo* Cardinali, fratri *H. de Sancto Caro*, Domino *J. Gaisan*, Dominis & *Hobon*, *Ottomano*, & *Richardo Hannibal*.

The King issued this Prohibition to the Collectors of the Dismes granted him by the Pope, not to collect it from his Clerks therein named till further order.

**R**EX Magistro *Waltero de Sudbyr* & sociis suis Collectoribus Decimæ in Dioc. *Norwic.* salutem. Cum nuper de consilio Procærum qui sunt de Consilio nostro inhibuerimus Collectoribus Decimæ prædictæ per *Angliam*, ne fiat aliqua collecta de Decima illa sine mandato nostro speciali, donec de hoc et aliis negotiis nostris, pro quibus ad Curiam *Romanam* Nuncios speciales destinavimus certiorati fuerimus. Vobis firmiter inhibemus, ne à Magistro *H. de*

Claus. 44 H. 3.  
m. 14. dorso.  
Inhibicio de  
Decima.

*Wingham*, vel *Ad de Cestreton* Clericis nostris, seu quibuscunque aliis Clericis beneficiatis in Dioc. prædicta, aliquid ratione Decimæ prædictæ exigatis, donec aliud a nobis super hoc receperitis in mandatis. Telle Rege apud *Westm.* 4. die Junii.

The King by his antient Prerogative having the custody of the Archbishoprick of *York*, and presenting *John Mansell* to a Prebendary in that Church, which it seems an *Italian* layd claim to, by pretext of a Provision from the Pope, and complained that *Mansell* had beaten him at *York*, for which the Pope intended to deprive him of his Prebendary; thereupon the King writ this Letter to the Pope in defence of the Rights of his Crown, and on *Mansell's* behalf, assuring him that the suggestion against him was false upon his own knowledge.

Claus. 44 H. 3.  
pars 2. m. 5.  
dorso.  
Pro Rege &  
Magistro Jo-  
hanne Mansell.

**S**anctissimo, &c. *H. &c.* Cum ad nos et Progenitores nostros temporibus retroactis, dum Cathedralis Ecclesias Regni nostri vacare contigerit collatio Præbendarum ac beneficiorum Ecclesiarum ipsarum de plano pertinuerit, maxime a tempore quo Cathedralis Ecclesia supradicta vacare ceperint, usque ad tempora quibus succedentes Episcopi aut electi temporalia quibus sunt hujusmodi Præbendarum et beneficiorum advocaciones annexæ de nostra manu reciperent, prout moris est in Regno nostro. Ac nos vacante nuper Ecclesia *Eborum*, per mortem bonæ memoriæ *Sewalli* ejusdem loci Archiepiscopi, Præbendam de *Fenton*, quæ tempore vacationis illius vacavit per resignationem Magistri *J. Cancellar. Ebor.* cui præfatus *Sewallus* receptis à nobis temporalibus ipsam statim contulerat dilecto Clerico nostro Magistro *J. Mansell* contuleramus, injungentes sibi de consilio & voluntate Procerum nostrorum, ne in elusionem juris nostri, sibi quod sibi ex nostra collatione fuerat adquisitum cederet, seu aliquatenus renunciaret, per quod res ipsa ad manus cujusquam deberet, ubi nostri juris derogatio ex alterius collatione sequi vel subesse videretur: Sanctitatem vestram rogamus, et requirimus attente, ut cum nostri honoris et juris defensorum Nos præ cæteris mortalibus præcipuum reputemus, et primum nostram in hac parte justitiam sobere velitis, non sustinentes ejus subversionem seu læsionem procurari, vel a quoquam subministrari, aut etiam Clerico nostro memorato gravamen aliquod super eadem, aut occasione ejusdem inferri. Nec si placet, credatis illis qui vobis falso suggererunt, nos velle præfatum Clericum nostrum Præbendam illam dimittere, & quod Literæ nostræ vobis inde porrectæ à nostra non emanarunt conscientia, quia negotium istud quod ad *Cozonam* et dignitatem nostram pleno jure et consuetudinario pertinet, non possemus etiam si vellemus, absque exheredatione nostra, et gravi præjudicio nostro et hæredum nostrorum relinquere indefensum. Cæterum cum Sanctitatem vestram, nuper per Literas vestras intellexerimus motam esse erga præfatum Clericum, pro eo quod verberationem cujusdam Procuratoris Nepotis Domini *Pelestrini* quæ apud *Eborum* dicebatur facta fuisse, debuerat procurasse, Paternitati vestræ præsentibus denotamus, quod si dictus Procurator verberatus aut malè tractatus fuerit, dicto loco: Eo tempore quo hoc fieri dicebatur, fuit dictus Clericus nobiscum *London.* personaliter nostris inter cæteros negotiis occupatus. Placeat igitur Sanctitati vestræ ipsum in parte ipsa excusatum habere quem penitus super hoc innocentem novimus & immunem. Paternitatem vestram pro certò scire volentes, quod si aliquis inventus fuerit in Regno nostro, vel invenire possit hujusmodi verberationis ope vel consensu culpabilis, ipsum tanquam personæ, et honoris nostri præcipuum offensorem puniri acriter faciemus. Telle, &c. apud Sanctum *Dionis.* 17 die Januarii, Anno &c. 44.

Eodem modo & sub eadem forma scribitur *Cenai* Cardinalium, & *R. Sancti Angeli* Diacono Cardinali, usque illam clausulam, Cæterum cum, &c.

The



The Pope and Cardinals proceeding in the caſe of *Manſell*, notwithstanding the Kings Letters on his behalf, and affirming the Cardinals Nephew to be lawfull Prebend by the Popes provision, the King thereupon iſſued this memorable Writ to the Lords of his Counſil, to engage them and the Prince in defence of the antient Rights of his Crown againſt the Popes uſurpations thereon, and to write a Letter to the Pope to revoke all proceedings at *Rome*, tending to diſinherit him and his heirs of their antient right, therein ſet forth.

**R**EX Dilectis & fidelibus ſuis, magnatibus de Conſilio ſuo in *Anglia* ſalutem. Cum vacantibus Cathedralibus et Conventualibus Eccleſiis Regni noſtri in manu vel Cuſtodia noſtra exiſtentibus, collatio Præbendarum, et beneficiorum Eccleſiarum ipſarum dum vacaverint ſecundum morem Regni noſtri hactenus approbatum ad Cororiam et dignitatem noſtram pleno jure pertineat, in cujus etiam poſſeſſione continua hactenus exiſtimus, noſque vacante dudum *Eborum* Eccleſia per mortem bonæ memoriæ *Sewal*, ejusdem loci Archiepiſcopi Præbendam de *Fenton*, tunc vacantem Clerico noſtro dilecto, Magiſtro *J. Manſel* contulerimus; quidam nepos Domini *Preneſſini* Cardinalis aſſerens, Præbendam illam ſibi auctoritate Apoſtolica collatam præſatum Clericum noſtrum ſuper eadem multipliciter impetit, et moleſtat, et eo ſerventius quod Archid. *Richmund*, Magiſter *Johannes de Exon*, Cancellar. *Eborum*, et Magiſter *Willielmus Lovell* Canonicus de *Rypon*, tam nobis quam prædicto Clerico noſtro inter ſe opponunt, ad ſubverſionem Juris noſtri et exheredationem noſtram manifeſtam, aſſerentes eundem Clericum intruſorem eſſe, et nepotem dicti Cardinalis verum ipſius Præbendæ poſſeſſorem. Et quia in hujusmodi vacationibus antiquum Regni noſtri ſtatum immutari aut Jura noſtra ſubverti vos etiamſi vellemus minime ſuſtinere deberetis, ac nos nuper Domino Papæ et Cardinalibus Literas noſtras ſpeciales dixerimus pro conſervatione Juris noſtri in hac parte, qui nec præciſibus noſtris annuere, nec deſerre voluerunt ut audivimus, dicentes, Literas ipſas præter noſtram et veſtram voluntatem et ſcientiam emanare. Nos perpendentes ex hujusmodi cauſæ proceſſu in Curia *Romana* nobis exheredationis periculum futuris temporibus imminere, Vobis mandamus, quatenus ſecundum tenorem Cedula præſentibus intercluſæ verbis competenter mutatis, Domino Papæ et Cardinalibus ſcribatis; et ad hoc ſimiliter faciendum dilectum noſtrum primogenitum *Edwardum*, cujus intereſt, una vobiſcum Jura Regni noſtri tueri diligenter inducatis. Mandantes nihilominus prædictis Archid. Cancellar. et Magiſtro *W. Lovell*, quod ab inquietatione prædicti Clerici noſtri et Juris noſtri impugnatione penitus deſiſtant, quodque in parte iſta per ipſos temere actum aut attemptatum fuerit conſeſſum ſtudeant revocare, ſicut noſtram et heredum noſtroꝝum indigationem voluerint evitare. Teſte apud Sanctum *Andew*, decimo octavo die Maii. Anno 44.

Clauf. 44 H. 3.  
pars 2.  
m. 2. dorſo.  
Pro Magiſtro  
Johanne Manſell.

**S**anctiſſimo, &c. *H.* eadem gratiâ Rex *Anglia*, &c. Cum ſicut alias Sanctitati veſtræ ſcripſimus, ad nos et progenitores noſtros temporibus retroactis, dum Cathedralibus aut Conventualibus Eccleſiis Regni noſtri vacare contigerit collatio Præbendarum, et beneficiorum Eccleſiarum ipſarum plene pertineret a tempore videlicet quo Eccleſiæ hujusmodi vacare cœperint, uſque ad tempora quibus ſuccedentes

Clauf. 44 H. 3.  
pars 2.  
m. 3. dorſo.  
Pro Rege.

Episcopi seu alii Prælati temporalia quibus erant hujusmodi collationes annexæ, de manu nostra receperunt prout mox est in Regno nostro. Nos vacante dudum *Eborum* Ecclesia per mortem bonæ memoriæ *Sewall*, ejusdem loci Archiepiscopi, Præbendam de *Fenton*, quæ prædictæ vacationis tempore vacavit Clerico nostro dilecto Magistro *J. Mansell* contulimus, quæ tamen nihilominus ut intelliximus, auctoritate Apostolica collata est cuidam Nepoti Domini *Penestrini*, in gravem læsionem Juris Regii, et nostram ac nostrorum exheredationem manifestam. Cum igitur in hujusmodi vacationibus, antiquum Regni nostri statum immutari, aut Jura nostra subverti sustinere non possumus, sicuti nec debemus, præsertim cum magnates et Universitas Regni nostri etiam si nos contemplatione præfati Domini Cardinalis dissimulare vellemus, hoc nulla ratione sustinerent: Sanctitatem vestram iterato requirimus et rogamus, quatenus, cum vos Juris et honoris nostri præcipuum defensores agnoscamus, ea specialiter in parte ista scire et servare velitis illa, \* non sustinentes ulterius hujusmodi Collationem nostram per dictum Nepotem, aut alium seu alios quoscunque aliquatenus impediri, sed dictum Clericum nostram ipsius præbendæ pacifica juxta Regni nostri consuetudinem permittatis possessione gaudere, scituri si placet, quod ex eo quod hactenus per Nepotem dicti Cardinalis factum est in hac parte, non modica in Regno nostro murmuraciones et scandala sunt suborta, prout Magister *Galfridus de Everl*. Clericus noster vestræ paternitatis auribus poterit explicare; quem in hac parte nostri contemplatione si placet habere dignemini propensius commendatum. Teste ut supra 25. die *Februarii*.

Sub eadem forma scribitur *Cetui* Cardinalium, verbis tamen compenter mutatis. Item Domino *I. sancti Nicholai* in Carcere *Tulliano*, *O. sanctæ Mar.* in via lata Diac. Domino *O. sancti Adriani*, Diac. Card. Domino *H. titulo sanctæ Sabine* Presbytero Cardinal. Item *I. sancti Laurenc.* in *Lucina* Presbytero Cardinal. Item Magistro *Jordano* Vicecanc. *W. Bonquetor.* & Magistro *Richardo* de sancto *Gorono*.

The King likewise sent this Mandate to his chief Justice, not to permit any Clerkes presented to benefices or dignities belonging to him, during the vacancies of Bishopricks, to be ejected out of them, or molested by any, which was principally intended against such who pretended title to them by Provisions from the Pope, in opposition to the Kings Title.

Claus. 44 H. 3.  
pars 3.  
m. 2. dorf.

Mandatum est *Hugoxile Bigod* Justic. Anglia, quod *Richard. de Sar.* Clericum Capellæ Regis in possessione Ecclesiæ suæ de *Esston*, manuteneat et defendat; non permittens eum a dicta possessione violenter ejici, nec ipsum nec alios Clericos suos in eodem Episcopatu de collatione Regis tempore vacationis ejusdem beneficia habentes ab aliquibus indebite molestari. Et quod districte ex parte Regis mandet *Galfr. de Ferring.* quod de inquietatione prædictorum Clericorum penitus desistat, sicut indignationem Regis vitare voluerit in hac parte. Teste, &c. apud *S. Andam.* 27. die *Marci.* Anno &c. 44.

*Per ipsum Regem & Johannem Mansell.*

There being a contest between the King and the Bishop of *Ely*, concerning two contradictory Bulls of the Pope, granting those indistinct Legacies to the Bishop which he had formerly granted to the King towards the recovery of *Apulia*, the Bishop deceasing, the King sequestered his goods by vertue of the Popes Bull, till he & the Lords of his Council should hear and determin the cause arising upon the construction of those Bulls, and the Bishops will which they interpreted.

R E X

**R**EX *Hugoni le Bygod*, Justic. *Anglia* salutem: Cum redemptiones votorum Crucenignatorum, & indistincte Legata nobis à sede Apostolica in subsidium Regni *Apulia*, dudum fuerunt concessa, & venerabilis Pater *H. Elyensis* Episcopus consimilem gratiā de indistincte Legatis ab eadem sede ad exhonerationem debitorum Ecclesie sue sibi postmodum asserat esse concessam, ac Magistri *H. de Kilkenny*, & *Guydo* Rector Ecclesie de *Byrmyngham*, qui se gerunt pro executoribus bonae memorie *W. Elyensis* Episcopi, quamplura bona quae fuerant ipsius Episcopi indistincte Legata distraxerint, & ea adhuc distrahere seu diripere non desistant, ut audivimus, in praedictum indulgentiae nostrae praedictae. Volentes tam juri nostro quam juri praefati Episcopi si quod habeat in praemissis, cum indemnitate nostra & sua secundum quod tenemur prospicere, Vobis mandamus, quod per visum & testim: offic. praedicti Episcopi & Magistri *Roberti de Melkyle*, executoris memoratae gratiae nobis factae, omnia bona quae fuerunt praedicti Episcopi defuncti de indistincte Legatis ubicunque fuerint & ad quorumcunque manus devenerint, in aliquo salvo & tuto loco custodiri faciatis, usque ad instans festum Pentecostes, ut tunc de consilio Magnatum nostrorum qui sunt de consilio nostro, sciatur utrum bona praedicta ad nos, vel ad praedictum Episcopum, seu ad ordinationem praedictorum Executorum debeant pertinere: Teste &c. apud *Noyan*.

Claus. 44 H. 3.  
pars 2.  
m. 4. dorso.

The further proceedings and resolution in this case of the Bishop of Ely's sequestrations, are thus recorded:

**P**rovisum fuit die Sabbati prox. post festum sancti *Edmundi Martyris* apud *Westm.* Coram Justiciario Capitali, Episcopo *Wygorn. Philippo Basset*, *J. de Crokehale*, Thesaurario Regis, & aliis de Consilio Regis, quod quia executores Testamenti *W. quondam Elyensis* Episcopi, protulerunt testamentum ejusdem Episcopi, signatum sigillo suo & sigillis Episcoporum *Wygorn. & London.* & aliorum Executorum ejusdem Episcopi *Elyensis*, in quo testamento continebatur, quod plenam potestatem dederat praedictis *Wygorn. & London.* Episcopis, Magistro *Henr. de Kilkenny*, & *Guidoni de Castro Bernardi*, & coexecutoribus suis de bonis suis omnibus, & de Testamento suo disponendi, mutandi, augendi, & minuendi prout salutis animae suae expedire viderint. Et quia etiam in dicto Testamento plura sunt certis personis & locis assignata, quae nondum sunt soluta, & etiam qui dicti executores securitatem fecerunt Regi, per *Henricum de Bathonia*, Magistrum *Henricum de Kilkenny*, & Magistrum *Guidonem de Castro Bernardi*, qui manceperunt coram praedicto Justic. & aliis de consilio Regis, quod si quid ad Regem pertinere debeat de bonis dicti defuncti, inde ei plene respondebunt, inhibeatur per Literas Regis Episcopo *Elyensi*, qui Literas Apostolicas impetravit de habendis indistincte Legatis in Testamento praedicto, ne illam prosequatur impetratorem, maxime cum indistincte Legata si haberi debeant, prius fuerint Regi à Papa concessa in Regno *Anglia*, & similiter fient Literae inhibitoriae Decano *Wellsensi*, & Collegae suo, ne aliquid occasione impetrationis Episcopi praedicti de bonis praefati defuncti attemptare praesumant, sed sequesterum quod fecerunt, de dictis bonis penitus relaxent. Ita scilicet quod in apertione Archarum quae signatae sunt autoritate praedicti Decani & Collegae sui, sint aliqui vel aliquis ex parte Regis, per quos constare possit quid in eisdem fuerit contentum, ut visis illis, per haec & alia melius sciri possit si quid inde ad Regem debeat pertinere. Et si praedicti Decanus & Collega suus mandatis Regis in hac parte non obtemperaverint, aut dictam liberationem faciendam dictis depositariis non denunciaverint, depositarii bonorum praedictorum liberationem bonorum eorundem faciant modo subscripto, videlicet Prior Sanctae Trinitatis *London.* per visum & testimonium Vicecomitis *London.* Prior die *Bernwell*, per visum & testimonium Vicecomitis *Cantabr.* Prior de *Ely.* per visum & testimonium *Roberti de Insula*, Magister *Hospit. de Kipiet* juxta *Dunelm.* per visum & testimonium Prioris de *Finkhale*.

Claus. 44 H. 3.  
pars 1.  
m. 19. dorso.

Et mandatum est dictis depositariis & visoribus, quod fideliter constare faciant Regi vel *H. Bigod*, Justic. *Anglia*, quid & quantum, vel quanti valoris de bonis dicti defuncti sequestratis inventum fuerit, apud ipsos depositarios, & praedictis Magistris *Henrico & Guidoni* liberatum.

REX



Pat. 44 H. 3  
m. 13. dorf.  
Pro Magistro  
Henrico Kilkenny,  
& sociis suis  
executoribus  
Testamenti W.  
quondam Eli-  
ensis Episcopi.

**R**EX Magistro Henrico de Kilkenny, & Guydoni de Castro Bernardi, & aliis Executoribus testamenti W. quondam Elyensis Episcopi salutem. Cum omnia indistincte Legata in Regno nostro & etiam alia in subsidium *Terra Sancta* Legata, ad nos ex indulgentia sedis Apostolicæ dudum nobis inde concessa totaliter pertineant, & venerabilis Pater H. Elyensis Episcopus & ejus offic. a vobis ut accepimus exigunt utraque hujusmodi Legata de bonis dicti defuncti in præjudicium dicti concessionis nobis factæ, **Vobis Mandamus super omnia quæ habetis in Regno nostro districte inhibentes, ne præfato Episcopo vel ejus Offic. aut aliis quibuscunque aliquis hujusmodi Legata de bonis ipsius defuncti solvatis, nec super hiis quæ ad nos in hac parte pertinent alicujus examen, in præjudicium dictæ concessionis nobis factæ absque nostro mandato speciali subire præsumatis.** Taliter vos in hac parte habentes quod pro defectu vestri ad vos graviter capere non debemus. Teste H. le Bygod Justiciario nostro Angliæ apud Westm. 22. die Novembris.

The Nobles being highly incensed against *Adomar* Bishop Elect of *Winchester*, who voluntarily fled out of the Realm to avoid their Justice and fury, the King thereupon writ this Epistle to the Pope, to provide for him elsewhere, and not to confirme him in his Bishoprick of *Winchester*, to prevent disturbances, scandals, discontents, and preserve the peace of the Realm, which ought to be preferred before all private respects and obligations to him.

Claus. 44 H. 3  
pars 2.  
m. 4. dorf.  
Pro Rege.

**S**ANCTISSIMO, &c. H. eadem, &c. Ea præcipue pia Mater Ecclesia providere solet quæ & saluti conveniunt subditorum, & scandali materiam tollunt, et dissidii fomitem ac plebis furorem in commune periculum non accendunt. Cum igitur *Adomarus* frater noster uterinus qui se gerit pro Episcopo *Winton*. Regnum nostrum voluntarie sit egressus, cujus præsentiam, etsi jure propinquitatis qua nobis attinet nisi demeruisset deberemus specialiter affectare, commune Regni et plebis commodum utilitati præfati A. præponere cupientes, sanctitatem vestram affectione qua possumus requirimus & rogamus, quatenus ad nostram & Regni nostri tranquillitatem, & ad vitandum enorme periculum, quod nobis & Regno nostro occasione ipsius posset imminere, prædictum fratrem nostrum ad aliquem alium locum, ubi sine nostra & Regni nostri turbatione valeat immorari, ex solita sedis Apostolicæ Clementia velitis, ut ex vestra circumspectione felici Regni gubernacula, quæ sub tranquillitate ab annis teneris ad tempora moderna consilio & favore Ecclesiæ Romana deduximus, non contentionis incommodum et dissidii periculum hiis diebus vergere non cogatur. Nec si placet adulantium suggestionibus credatis, qui Priores Literas nostras vobis inde directas præter voluntatem Regiam emanasse dixerunt, quia nunquam vobis adeo acerbè scriptimus quin cordis nostri visceribus acius inhaereret. Propter quod non solum affectione carnali nos agente, verum etiam imminente gravi discrimine, & aliis incommoditatibus prædictis quæ cor nostrum non mediocriter exuberant, & conturbant diligenter attentis, malumus & spontanea voluntate prælegimus fraterna carere præsentia, quam ea frui solito more, per quod nobis & Regno nostro & consorti nostræ liberisque nostris, à quibus nostræ dependet solatium recreationis, intestinæurbationis angustia relinquatur. Aliud etiam nos angit intrinsecus, quod præfatus A. nos contra præfatam consortem nostram multipliciter provocavit, & primogenitum à filiali devotione subtrahendo nostræ voluntati contrarium reddidit & rebellem, in continuam nostræ & Regni nostri tranquillitatis turbationem, prout venerabilis Pater H. Ebradun. Archiepiscopus, Th. Leodiens. & Willms Bonqueor. Miles noster, quos ad vestram præsentiam dirigimus vobis poterunt intimare, propterque non absque gravissimo scandalo et periculo evidenti, nec non et propter publicam priorem Regni nostri et aliorum tam majorum quam minorum indignationem exigentibus culpis suis, non potest nec debet restitui ad regimen Ecclesiæ supradictæ. Teste, &c.

Per ipsum Regem.

The

The King likewise constituted special Proctors in the Court of *Rome*, to appeal against his Brother *Adamari* Proctors there, endeavouring his restitution by the Popes power or mediation.

**R**EX Omnibus &c. Sciatis, quod dilectum Clericum nostrum Magistrum *Richardum* de Sancto *Gerono*, Procuratorem nostrum constituimus ad appellandum à fratre *Valesco*, de ordine *fratrum Minorum*, Executore super restitutione *Adamari*, qui se gerit pro *Winton*. Electo ad Ecclesiam seu Episcopatum *Winton*, à sede Apostolica, ut dicitur, deputato, ratione nostri iuris et interesse, et Regni nostri propter quadam gravamina nobis et Regno ab eodem fratre de facto, cum de Jure non posset illata, et ad appellandum ne dictus frater de cetero, contra nos ad Regnum nostrum seu nostros subditos, aut aliquem seu aliquos eorundem occasione præmissa in nostrum præjudicium et gravamen procepat, salvis aliis appellationibus pro nobis et Regno nostro à dicto fratre ad sedem Apostolicam interjectis. Ratum habentes, & gratum quicquid dictas *Richardus* in præmissis nomine nostro duxerit faciendum. In cujus, &c. Teste meipso apud Sanctum *Dionysium* in *Franc.* 16. die *Januarii*, Anno Regni nostri 44.

Pat. 44 H. 3.  
pars 2. m. 4.  
incus.  
Pro Rege.

P. R. Com. Glouc. W. Com. Albe-  
marl. & I. Mansell.

**S**anctissimo &c. *H.* eadem &c. Noverit vestra providentia sanctitatis quod nos dilectum Clericum nostrum Magistrum *Richardum* de Sancto *Gerono*, nostrum constituimus & ordinamus Procuratorem, ad impetrand. contradicend. & Judices eligend. in Curia vestra, & specialiter ad impetrand. super appellationibus à fratre *Valesco*, de ordine *Minorum* executore super facto *Winton*, à vestra Clementia ut dicitur, deputato nomine nostro ad sedem Apostolicam interjectis & qualibet eorundem, Ratum & gratum habentes quicquid præfatus *Richardus* in præmissis nomine nostro duxerit faciendum. Ratis nihilominus manentibus aliis procuratoriis aliis à nobis factis prædictæ Curia vestra commorantibus. In cujus, &c. Teste ut supra.

Pat. 44 H. 3.  
pars 2. m. 4.  
incus.  
Pro rege de pro-  
curationibus.

Consimiles Literas & sub eadem forma habet Magister *Finatus* de Procuratorio suo videlicet ad impetrand. ut supra.

**S**anctissimo &c. *H.* &c. Noverit vestra providentia sanctitatis quod vos dilectum Clericum nostrum Magistrum *Richardum* de Sancto *Gerono*, nostrum constituimus & ordinamus Procuratorem ad prosequend. appellationem, & appellationes à fratre *Valesco* de ordine *Minorum*, Executore super facto *Winton*, à vestra Clementia, ut dicitur, deputato nostro nomine ad sedem Apostolicam interjectam, & interjectas contra *Adamarium* qui se gerit pro *Winton* Electo, & ad opponend. se pro nobis & Regno nostro Baronibus & hominibus nostris contra prædictum *Adamari*. ne restituatur ad Ecclesiam seu Episcopatum *Winton*. & ne proficiatur eidem. Ratum &c. In cujus &c. Teste ut supra.

Ibidem.

Item Magister *Robertus de Baro*, habet divisim tales Literas & in eadem forma quales supradicti Magister *Richardus* de sancto *Gerono* & Magister *Finatus* habent divisim ad impetrand. contradicend. & judices eligend.

**S**anctissimo, &c. Rex, &c. Noverit vestra prudentia sanctitatis quod nos dilectos & fideles nostros Magistrum *Angelum* Canonicum Camerarium, & Magistrum *Robertum de Baro*, nostros constituimus & ordinamus procuratores, utrumque ipsorum in solidum, ita quod non sit potior conditio occupantis ad prosequendum Apellationem, & Appellationes à fratre *Valesco* de ordine *Minorum*, Executore super facto *Winton*, à vestra Clementia, ut dicitur, & interjectas, contra *Adamarium* qui se gerit pro *Winton*. Electo, & ad opponendum se pro nobis & Regno nostro Baronibus & hominibus nostris contra prædictum *Adamarium*, ne restituatur ad Ecclesiam seu Episcopatum *Winton*. & ne proficiatur eidem. Ratum &c. In cujus &c. Teste ut supra.

Ibidem.

Consimiles Literas & per eadem verba habent Magister *Robertus de Baro*, & Magister *Richardus* de Sancto *Gerono* conjunctim.

The

The King issued this Prohibition to the Dean of *St. Pauls London*, not to hold Plea of any Chattels which concerned not Matrimony or Testament, to the prejudice of his Crown and Temporal Courts.

Claus. 44 H. 3.  
pars 1. m. 12.  
dorso.

**R**EX Decano Sancti *Pauli London*. salutem. Prohibemus tibi ne teneas placitum in Curia Christianitatis de Catallis, quæ *Gregorius de London*. Laicus, sicut per quosdam fideles nostros accepimus, erigit coram te in Curia Christianitatis Auctoritate Literarum Domini Papæ a Prioratu de *Bermundes* qui à prædecessoribus nostris Regibus *Anglia* fundatus existit, nisi Catalla illa sint de Testamento vel Matrimonio, quia placita de Catallis quæ non sunt de Testamento vel Matrimonio spectant ad Coronam et dignitatem nostram. Inhibuimus enim Priori & Conventui dicti Prioratus, ne super hujusmodi Catallis Ecclesiasticum examen coram vobis vel alio Iudice Ecclesiastico in præjudicium jurisdictionis ad Coronam et dignitatem nostram spectantis subire præsumant. Teste Rege, &c. de ordinatione *Walteri de Morten*.

The King issued this Writ to the Barons of *Devor*, and other Ports, to search for and apprehend all *Italian* Clerks and Laymen, and all others that should bring any Bulls from *Rome* prejudicial to him and his Realm, and not to permit any to arrive with Horses and Armes in the Realm, without his special license, and to arrest all such as should there land, till they received further order from him.

Claus. 44 H. 3.  
m. 12.  
De Scrutatione  
facienda per  
omnes Portus.

**R**EX Baronibus & Ballivis suis *Devor*. salutem. Mandamus vobis in fide qua nobis tenemini firmiter injungentes, quod caute explorari et scrutari faciatis si qui Clerici vel Laici *Italici*, vel alii cujuscunque ordinis cum Bullis Papalibus nobis aut Regno nostro præjudicialibus applicuerint in Portu vestro, et si quos cum hujusmodi Literis ibidem applicare contigerit, ipsos cum Literis illis ibi arrestari faciatis donec aliud inde præceperimus. Nullatenus etiam permittatis aliquos cum equis & armis ingredi Regnum nostrum per Portum vestrum sine Licentia nostra speciali. Et si quos cum equis, & armis applicare contigerit in Portu vestro, ipsos cum equis & armis illis arrestari faciatis donec aliud inde a nobis habueritis in mandatis. Taliter vos in hac parte habentes, quod pro defectu vestri dampnum in hac parte non incurramus quod vobis possit aut debeat imputari. Teste Rege apud *Westmonasterium* 6. die *Julii*.

Eodem modo Mandatum est Baronibus per omnes Portus.

The Bishop of *London* having made a sequestration of the fruits of a Benefice in *Essex*, and certain persons by force and armes violating the sequestration, and selling, dissipating and wasting the goods sequestred, the King thereupon by his Ecclesiastical prerogative issued this Writ to the Sheriff of *Essex* to remove and enquire of the force, and imprison such as were found guilty of it, and to permit the sequestration to be further disturbed.

Claus. 44 H. 3.  
pars 1. m. 12.  
dorso.  
Pro Episcopo  
London.

**R**EX Vic. *Essex*. salutem. Monstravit nobis *H. London*. Episcopus, quod cum fructus Ecclesiæ de *Fitchingfeld* suæ Diocesis nuper ob certas causas sequestrasset, quidam maligno spiritu ducti vi & armis dictum sequestrum temerè violarunt, fructus sequestratos ibidem vendendo, dissipando & consumendo in Dei & Ecclesiæ contemptum & scandalum manifestum. Et quia Sacrosanctæ Ecclesiæ in querelis suis deesse non possumus, sed potius jura et libertates ejusdem manu tenere et defendere, volumus ut debemus: Tibi præcipimus, quod in propria persona tua visis literis accedas ad Ecclesiam prædictam, & vim omnem contra dictum sequestrum suum ibidem existentem sine dilatione amoveri facias, non permittens sequestrum illud ab aliquibus ulterius violari, & facta diligenti inquisitione, qui dictum sequestrum ut prædictum est violaverunt, omnes illos quos inde culpabiles inveneris sine dilatione attachies, ita quod habeas corpora eorum coram nobis in crastino Sancti *Jacobi* ubicunque tunc fuerimus in *Anglia*, ad respondendum



dendum nobis de transgressione prædicta, & habes ibi hoc breve. Teste Rege apud  
Westm. 11. die Julii.

The Official of the Bishop of *Durham*, and Archdeacon of *Northumberland*, citing 40. Burgesses of *Newcastle upon Tyne* out of the Town, contrary to ancient custom, to remote places, to appear before them at their Courts and Visitations from day to day, to their great expence, impoverishing, undoing, and enforcing them by Ecclesiastical processe and censures to take Oathes at their pleasure to answer to, and inquire upon Articles against their wills, otherwise then they were accustomed, to their great detriment, and against his royal Crown and dignity, the King upon complaint thereof made, issued this memorable severe Prohibition to them to forbear such proceedings and Oaths for the future.

**R**EX Offic. Episcopi *Dunelm.* salutem. Monstraverunt nobis Burgenses nostri novi Castri super *Tynam* graviter conquerendo; Quod cum ipsi nunquam extra Burgum suum ad loca remota coram suis Ordinariis comparere consueverint, ad respondendum super quibuscunque Articulis, vos ut eos sumptibus et laboribus fatigatis, ipsos vocari faciatis ad loca remota ad respondendum coram vobis super diversis Articulis. Et jam Quadraginta de *Burgensibus* illis citari fecistis quod compareant coram vobis apud *Derlington* in crastino sancti *Jacobi* super incertis responsuri. Ipsos etiam per distractionem Ecclesiasticam compellatis de die in diem ad præstand. Sacramenta pro voluntate vestra ipsis inibitis, aliter quam facere consueverunt, in grabe damnum ipsorum, detrimentum et depauperationem Burgi nostri prædicti, ac in præjudicium Coronæ nostræ et Regiæ dignitatis. Ita quod per hujusmodi Compulsionem et injustas Citationes, prædicti Burgenses nostri tantis fatigantur laboribus et expensis, quod quidem ex ipsis miserabiliter coguntur mendicare. Quia igitur tantas injurias tam nobis quam eis illatas diutius sustinere non possumus, sicut nec debemus, vobis sicut indemnitate diligitis, et ne ad vos graviter capere debeamus, firmiter inibemus, ne præfatos Burgenses nostros per citationes aliquas ad loca trahatis remota, vel eos ipsis inibitis compellatis ad aliquas recognitiones seu attestaciones per eorum Sacramenta faciendas, nisi \* in causis in quibus debent et hucusque præstare consueverunt; scituri pro certo, quod si secus egeritis, dissimulare non possumus quin de consilio Magnatum nostrorum festinum remedium ad hoc apponi faciamus. Teste Rege apud 17. die Julii.

Eodem modo inhibiturum est Archid. *Northumbrie*, ne Burgenses prædictos per coercionem Ecclesiasticam compellat ad præstand. Sacramenta coram eo super incertis et indistinctis, aliter quam facere debent, et facere consueverunt, temporibus retroactis. Teste ut supra.

He likewise issued this memorable Writ to the Bishop of *Durham* himself, to command his Officials and Ministers to cease from such oppressions, Visitations, Articles, Oaths and proceedings against these Burgesses, contrary to their ancient custom, and against his Crown and dignity, as such Ecclesiastical usurpations were then reputed.

**R**EX Episcopo *Dunelm.* salutem. Monstraverunt nobis Burgenses nostri de *Novo Castro* super *Tynam*; Quod cum ipsi nunquam extra Burgum suum ad loca remota coram suis ordinariis seu eorum Offic. comparere consueverunt, ad respondendum super aliquibus Articulis ipsos non contingentibus, quidam Offic. et Ministri vestri Auctoritate vestra, Burgenses illos, ut eos sumptibus et laboribus graviter fatigent, vocari faciunt ad loca remota ad respondendum super diversis Articulis incognitis et ipsos non contingentibus. Et quod Magister *Rogerus de Sison*. Offic. vester n. l. de *Burgensibus* illis jam citari

Claus. 44 H. 3.  
pars 1. m. 12.  
dors.  
Prohibitio pro  
Burgensibus  
Novi Castri  
super *Tynam*;

\* To wit of Matrimony and Testament only.

Claus. 44 H. 3.  
pars 1. m. 12.

Nota.

estari fecit, quod compareant coram eo apud *Derington* in crastino Sancti Jacobi, super incertis et indistinctis responsuri. Ipsos etiam per coercionem Ecclesiasticam compellit de die in diem pro voluntate sua ad præstandum Sacramentum, aliter quam facere consueverunt, in grave dampnum ipsorum, detrimentum et depauperationem prædicti Burgi nostri, et in præjudicium Cozonæ nostræ et Regiæ dignitatis. Ita quod per huiusmodi compulsionem et injustas citationes prædicti Burgenles tantis fatigantur laboribus et expensis, quod quidam eorum miserabiliter coguntur mendicare. Quia igitur tantas injurias tam nobis quam ipsis illatas ditius suscinere nolumus, sicut nec debemus, vos rogamus, et sub debito fidelitatis et dilectionis quibus nobis tenemini, vobis firmiter injungimus, quatenus prælatos Offic. et Ministros vestros ab oppressionibus prædictorum Burgenlium nostrorum de cetero penitus desinere faciatis. Ita quod per eosdem Offic. & Ministros ad loca non trahantur remota, nec ad recognitiones seu attestaciones per eorum Sacramenta faciendas compellantur. Nos enim aliter omittere non possumus quin de consilio Magnatum nostrorum festinum remedium ad hoc apponamus. (It being the Kings and Nobles duties to relieve the Subjects against such vexations, oppressions, illegal Oaths and proceedings of Bishops and their Officials.) Teste, &c.

There being a difference between the King and Bishop of *Durham*, concerning the sequestred profits of benefices belonging to the Bishoprick of *Karlsol*, the King by this Writ commanded them to be delivered to the Bishop.

Pat. 44 H. 3.  
pars 1. m. 5.  
Pro Episcopo  
Dunelm.

**R**EX Abbati de novo Monasterio, salutem. Quia de consilio magnatum qui sunt de consilio nostro, recognovimus, & reddidimus pro nobis & Hæredibus nostris Deo & beato *Cuthberto* & venerabili Patri *Waltero Dunelm.* Episcopo & successoribus suis, & Ecclesiæ suæ *Dunelm.* ut jus dictorum Episcopi, & Ecclesiæ suæ sequestrum Ecclesiarum quas Episcopus *Karlsolen.* & Ecclesia sua habent usibus suis propriis in Episcopatu *Dunelm.* assignatas. De quo quidem sequestro totam pecuniam proveniente de duabus vacationibus Episcopatus *Karlsolen.* prox. præteritis de consilio prædictorum Magnatum per manus Vic. nostri *Norhumbria* & *Johannis de Estlington* ex parte nostri, et per alias duas ex parte prædicti Episcopi colligi præcipimus, et in Abbacia vestra sub sigillis prædictorum quatuor reservari, donec inter nos et ipsum discuteretur ad quem vestrum pertinere deberet sequestrum prædictum. Vobis mandamus quatenus totam prædictam pecuniam de sequestro prædicto provenientem, & in Abbacia vestra depositam prædicto Episcopo vel ejus certo Nuncio sine dilatione deliberari faciatis. In cujus &c. Teste Rege apud *Westm.* 3. die *Augusti*.

A controversie happening between *Boniface* Archbishop of *Canterbury* and *Peter de Bruis*, concerning the return of the Kings Writs in the Wapentage of *Langebergh*, the King issued this Writ of *Superseasus* to the Sheriff, to suspend all proceedings till the cause should be heard before him and his Council.

Claus. 44 H. 3.  
pars 1.  
m. 13. dorso.

**R**EX Vic. *Eborum*, salutem. Monstravit nobis *Petrus de Bruis*, quod cum ipse & prædecessores à multis retroactis temporibus habuerint returnum brevium nostrorum in Wepentag. suo de *Langebergh*. de omnibus infra dictum Wepentag. existentibus, Idem *Petrus* occasione cujusdam Mandati nostri tibi directi de returno brevium nostrorum habere faciendo *B. Cantuar.* Archiepiscopo in terris & feodis suis in Balliva tua impeditus est, quo minus habere possit returnum brevium nostrorum in hiis qua dictum Wepentag. contingunt, sicut habere debet & temporibus retroactis habere consuevit. Quia vero intentionis nostræ non fuit prædictum *Petrus* vel alium jure aut libertate sua injustè & sine judicio disseisire, tibi præcipimus, quod executioni dicti Mandati nostri de prædicto returno faciendo quoad quæ sunt in Wepentag. prædicto supersedeas usque a die Sancti *Johannis Baptista* in unum mensem, ut tunc de Consilio nostro utrique parti exhibeatur justitiæ complementum. Teste Rege apud *Westm.* 20. die *Junii*.

Per Com. *Glonc.* Justic. & *J. Mansell*, & alios de Consilio Regis.

The

The King having presented a Chaplain to the Chapel of *Havering*, caused him to give security and pledges for the Ornaments of the Chapel, and faithfull discharge of his duty therein.

**H**ENRICVS de Sancto *Albani* Capellanus presentatus ad serviendum in Capella Regis beate *Maria de Havering*, invenit plegios ad servand. Ornameta prædictæ Capellæ sibi Commissa, et ibidem fideliter divina celebrare: videlicet, *Willus de Hurst*, *Adam le Parker*, *Willus Savare*, *Johannes Wiger de Stapilford*, *Richus le Feure de Stapilford*, *Willus la Person de Stapilford*.

Claus. 44 H. 3.  
pars 1. m. 13.  
dorfo.  
De Capellano  
presentato ad  
serviendum in  
Capella beate  
Mariæ de Ha-  
vering.

The Bishop of *Hereford* appearing before the King, upon a suggestion that he had proceeded to admit a Clerk pending a *Jure Patronatus*, against the Kings Prohibition and Right, and none appearing against him, was dismissed, and his dismissal thus recorded.

**P**ETRUS *Hereford*. Episcopus comparuit coram Rege apud *Merton*, in Octab. Sanctæ *Trinitatis*, ostensurus quare cum Rex nuper vacante Ecclesia de *Chetinton* eidem Episcopo inhibuisset, ne ad præsentationem alicujus personam aliquam ad prædictam Ecclesiam admitteret, vel sustineret aliquem Clericum possessionem dictæ Ecclesiæ ingredi: quousque discussum esset de jure Patronatus inter Regem, et quosdam alios qui jus Regis in advocacione dictæ Ecclesiæ vendicabant, nullus comparuit contra ipsum, & ideo recessit sine die. Teste Rege apud *Westm.* 5. die *Junii*.

Claus. 44 H. 3.  
pars 1. m. 14.  
dorfo.  
Pro Hereford.  
Episcopo.

*Per Consilium.*

The Kings promise to prefere one of his Queens Chaplaines to the next Benefice or Prebend in his gift, that should fall voyd within the Bishoprick of *Offory* in *Ireland*, is thus registred.

**R**EX promisit *Willielmo* Capellano Reginæ, quod si in præsentì vacatione Episcopatus *Offory* in *Hibernia*, contingat aliquod beneficium Ecclesiasticum Præbendale vel aliud, spectans ad Patronatum dicti Episcopatus vacare, Rex illud conferret *Willmo* prædicto. Teste Rege apud *Westm.* 4. die *Junii*.

Claus. 44 H. 3.  
pars 1. m. 14.  
dorfo.  
Pro Willielmo  
Capellano Re-  
ginæ.

The King writ this Letter to the Pope on behalf of the Bishop of *Burdeaux* duly elected and approved by him, desiring his confirmation of him for the peace and safety of those parts, he having confidence of his fidelity towards him,

**S**anctissimo in Christo Patri Domino *A. Dei gratiâ summo Pontifici*, *H. eadem* gratia, &c. salutem, cum reverentia & honore. Cum nuper vacante Ecclesia de *Bardegat*, in *Vasconia*, convenientibus ejusdem Ecclesiæ Canonicis ad tractandum de futuri Pontificis Electione, major & sanior pars ejusdem Capituli Magistrum *Fortune* Archidiaconum, *Xancton* Clericum nostrum, de terra nostra *Vasconia* oriundum, sibi duxerit in Pastorem eligendum, Nos ejusdem Magistri promotionem eo affectuosius amplexantes, quod sub alis nostris educatus, nostris diutius intendebat obsequiis, & quod tranquillitatem terræ nostræ *Vasconia*, & relevationem Ecclesiæ supradictæ, variis turbationibus & angustis retroactis temporibus per insolentiam non mediocriter oppressæ, ex ipsius Creatione credimus provenire: Sanctitatem vestram affectuose rogamus, quatenus causis supradictis ac personæ meritis quam motibus, scientia, circumspectione provida & conversatione laudabili novimus insignitum, ponderatis ac favorabiliter intellectis, ipsum ad sedem Apostolicam accedentem specialiter habere velitis recommendatum, gratiam quam circa Electionem de eo factam secundum Deum et justitiam poteritis nostræ petitionis obtentu, favore benevolo eidem impendentes, ut pro eo quem meritis suis exigentibus apud vos favore benevolo prosequimur, vobis assurgere debeamus ad uberrimas gratiarum actiones. Teste Rege apud *Westm.* 30 die *Maii*.

Claus. 44 H. 3.  
pars 1. m. 14.  
dorfo.

*Per H. le Bigod. Justic.*



The Bishop of *Durham* had further day given him concerning his sequestration of the Benefices of the Bishoprick of *Carlisle* within his Diocese, of which before, p. 942.

Claus. 44 H. 3.  
pars 1. m. 14.  
De sequestro  
Ecclesiarum  
Episc. Karleol.

**M**emorandum quod dies datus est Episcopo *Dunelm.* à die S. *Johannis Baptistæ* in unum mensem super sequestro Ecclesiarum Episcopi *Karleslen.* in Episcopatu *Dunelm.* I. a quod illud negotium interim remaneat in eodem statu, in quo nunc est. Teste Rege apud *Westm.* 22. die *May.* *Walterius de Marion.* præcepit illam irrotationem.

The Bishop of *Lincoln* Official in his absence committing the profits of a benefice, belonging to the King by the vacancy of the Bishoprick of *Winchester*, to which the King had presented his Clerk, to the Kings prejudice and disinherittance, thereupon the King issued this Writ to the Bishop, to right him against this prejudice.

Claus. 44 H. 3.  
pars 1. m. 2.  
dorso.  
Pro Wyberto  
de Kanc.

**R**EX Episcopo *Linc.* salutem. Cum nuper audita morte *Petri Ruffinol.* dilectum Clericum nostrum *Wybertum de Kanc.* vobis præsentaverimus ad Ecclesiam de *Adberbur.* vacantem per mortem ipsius *Petri*, quondam ejusdem Ecclesie Rectoris, & ad nostram donationem spectantem ratione Episcopatus *Winton.* in manu nostra existentis, & vos tunc in partibus *Franc.* nobiscum agentes ad nostram præsentationem Literas vestras de inquisitione Archidiacono *Oxon.* directas præfato Clerico nostro dederitis, ut inquisitionem inde factam Magistro *Roberto de Marisc.* Decano *Linc.* cui vices vestras in admissionibus & institutionibus præsentatorum commisit, ut dicitur reserret præfatus Archidiaconus *Oxon.* ad præsentationem Magistri *Galfredi de Feringes*, qui se gerit pro Offic. *Adomari*, quondam *Winton.* Electi, *Waltero de Briche* Clerico, in Coronæ et dignitatis nostre læsionem, et juris nostri præjudicium manifestum, custodiam ejusdem Ecclesie usque ad Pascha commisit. Quapropter vobis mandamus rogantes, quatenus cum ad vos pertineat subditorum vestrorum excessus corrigere, id quod præfatum Archidiaconum, contra nos & prædictum Clericum nostrum, taliter attemptatum est in hac parte sine dilatione revocare curetis, juri nostro, & præfati Clerici nostri super præmissis, tam prudenter & celeriter provisuri, quod per omissionem seu dissimulationem vestram, nobis aut hæredibus nostris dampnum vel exheredationis periculum futuris temporibus nequeat imminere. Teste, &c. apud *S. Andom.* 20 die *Martii*, Anno &c. 44.

Claus. 44 H. 3.  
par. 2. m. 4.  
dorso.  
Pro Wyberto  
de Kanc. &  
Willielmo de  
S. Geron.

**M**andatum est *Hugoni le Bigod* Justic. *Anglia*, quod cum Rex nuper ratione Episcopatus *Winton.* vacantis, & in manu Regis existentis contulerit, prout moris est in Regno *Anglia*, dilectis Clericis suis *Wyberto de Kanc.* Ecclesiam de *Alberbur.* & *Willielmo de Saveto Geron* Ecclesiam de *Srok*, vacantes per mortem quondam *Petri Ruffinol.* Ac quidam sicut Rex intellexit, in elusionem et præjudicium juris sui, præfatos Clericos suos impediunt quo minus assequi possint possessiones Ecclesiarum prædictarum. Mandatum est præfato Justic. quod si quam resistantiam aut impedimentum aliquod contra eosdem Clericos super possessione Ecclesiarum prædictarum, invenerit, idem Justic. juris Regis conservationi taliter in hac parte celeriter prospiciat, quod Regi aut præfatis Clericis nullum præjudicium seu dispendium inferatur, maxime cum ex hujusmodi impedimento et resistantia Regi et Hæredibus suis, processu temporis gravis posset exheredatio provenire. Teste, &c. apud *Insarch.* 16. die *Januarii*, Anno &c. 44.

The Pope having vacated the election of the Bishop elect of *Glasgow* in *Scotland*, and thereupon by his Papal Provision and power consecrated another to be Bishop, against the King of *Scotland*'s will, he and his Cardinals writ to the King of *England*, to write to the King of *Scotland* to restore the Temporalities to him without opposition; whereupon the King writ thus to the King and Queen to persuade them to comply

comply with the Pope without resistance, unless he could shew him some good right and reason to the contrary, and then he would acquiesce. The Pope then a Heaging a Right to present by Provision to all Bishopricks whose Elections he was pleased to null by right or wrong.

Claus. 44 H. 3.  
pars 2. m. 2.  
Pro Episcopo  
Glasg. Scot.

**R**EX Regi Scotia, salutem. Dum dudum postulatione de Magistro *Nicholao* Archid. de *Tyndal* in Ecclesia *Glasg.* facta, et postmodum per sedem Apostolicam cassata, Dominus Papa ad quem occasione dictæ postulationis cassata spectabat dictæ Ecclesiæ providere, Magistrum *Johannem de Cheyham* in Episcopum loci consecravit, ac idem Dominus Papa per litteras suas, quarum transcriptum vobis mittimus, nec non et omnes Cardinales nos specialiter rogaverunt, quod erga vos partes nostras interponere curaremus, ut prefato Episcopo qui plenam habet administrationem spiritualium, ut audivimus, Temporalia sua restitui faceretis. Nos quamquam honori & indemnitati vestre tanquam propriæ desideramus ut convenit providere, videntes tamen, quod id quod per Dominum Papam super præmissis actum est non poterit infirmari, dilectioni vestre bona fide durimus consulendum, quatinus eidem Episcopo liberaliter in hac parte faciatis quod ei secundum Deum et Justitiam fuerit faciendum. Et si videremus quod huius negotio de jure possetis resistere, aut aliquod commodum ex ipsa resistantia reportare, nos pro eodem Episcopo, licet de Regno nostro oriundus existat nihil vobis super hoc scripsissemus. Teste Rege apud sanctum Androm. 6. die Martii. Anno &c. 44.

Eodem modo scribitur Regine Scot. *Roberto de Brays*, & toti Consilio Scotia, tamen competenter mutatis.

The Bishop of Saint Andrews in Scotland, having procured some Bulls from Rome prejudicial to the King of Scotland, and dishonourable to the King of England, he thereupon issued these mandates to the Barons of Dovor and other Cinque-Ports, not to permit him to land in England, nor any other of his enemies coming from beyond the Seas or parts of Scotland, and to arrest them till further order.

**B**aronibus & Ballivis suis Dovor. & aliorum quinque Portuum salutem. Nuncius Magistri G. Episcopus Sancti Andree de Scot. quadam impetravit in Curia Romana in exheredationem dilecti et fidelis nostri A. Regis Scot. illustris, qui fidem nostram duxit in utroque, non sine nostro et ipsius Regis scandalo et debetore manifesto, propter quod sustinere nolumus quod Regnum nostrum ingrederetur, ad explorandum adventum ipsius Episcopi et suorum et aliorum emulorum nostrorum venientium de partibus transmarinis, aut de partibus Scotia mittimus ad vos W. de N. varlettum nostrum, vobis in fide qua nobis tenemini mandantes, quod eos omnes arrestare facias prout idem W. vobis injunxerit ex parte nostra donec aliud inde à nobis habueritis in mandatis, Teste, &c.

Carr. Fac.  
Claus. ab Anrio  
42 H. 3. usque  
50. Ibidem. 12.  
intus.

A Priory whereof the King was founder being much indebted, the King by this Writ enabled the Prior to improve a great wood and wast held in seefarme, and turn it into arable, allotting the Commoners a sufficient proportion of common, for the benefit of the Priory.

**E**gidio de Edrington, & aliis salutem. Cum Prioratus de N. à Progenitoribus nostris Regibus Anglia fundatus variis debitorum nexiis & oppressi-  
onibus involvatur, propter quod utilitati Prioratus ejusdem pie  
Compassionis affectu salubriter prospicere præoptamus, & de  
bosco vasto extra Villam de N. quod Prior & Com. de N. tenent ad feodi  
firmam

Ibidem.

firmam de *Rogero de Monte Alto* grande possit commodum, si redigeretur in culturam dicto Prioratui pervenire; Vobis mandamus, quod vos ambo, vel alter vestrum qui ad hoc citius vacare poterit, ad boscum Vastum illud personaliter accedatis, & viso bosco Vasto illo convocatisque propter hoc coram vobis omnibus compatriotis vicinis, jus aut proprietatem ratione communi vel aliter sibi vendicantibus, ibidem diligenter provideatis, quod assignata prædictis vicinis & compatriotis rationabil. commun. secundum quantitatem terrarum & tementorum suorum adjacentium, dicti Prior & Conventus totum residuum bosci & Vastæ prædicti in usus prædictorum Prioris & Conventus converti possit, ad exhibendum & alias faciendum quod suo commodo magis viderint expedire, taliter vos habentes in hac parte (quod) merito commendare possimus. Mandavimus enim Vic. nostro de *N.* quod ad certos diem & locum quos ei scire feceritis, prædictos vicinos & compatriotas propter hoc venire faciat coram vobis. In cujus, &c. Teste, &c.

The Bishop of *Norwich* refusing to take caution of one taken and imprisoned by the Sheriffe upon a *Capias Excommunicatum*, the King thereupon issued these Writs to the Bishop and Sheriffe, to receive his caution and release him.

Claus. 44 H. 3.  
pars 1. m. 6.  
dorfo.  
De excommu-  
nicato a priso-  
na deliberando.

**R**EX *Norwic.* Episcopo salutem. Ostensum est nobis ex parte *Eustachii de Kynebur.* quem per literas vestras patentes secundum consuetudinem *Anglia* per Corpus suum tanquam Claves Ecclesiæ contempnentem præcepimus Justiciari, quod licet vobis frequenter se obtulerit stare mandatis Ecclesiæ ut tenetur, vos tamen cautionem legitimam ab eo admittere recusastis, **de quo miramur quamplurimum et movemur.** Et ideo vobis mandamus, quod recepta ab eo hujusmodi cautione, ipsum *Eustachium* à dicta prisoa liberari mandetis. Quod nisi feceritis, Mandavimus Vic. nostro *Norff.* quod vos ex parte nostra moneat & inducat, quod dictum *Eustachium* in dicta forma deliberari faciatis, alioquin cautionem illam ab eodem *Eustachio* extunc recipiat, & ipsum à prisoa prædicta faciat deliberari. Teste Rege apud *Merlebur.* 15. die *Septembris.*

**R**EX Vic. *Norff.* salutem. Ostensum est nobis ex parte *Eustachii de Kynebur.* quem per Literas *Norwic.* Episcopi patentes secundum consuetudinem *Anglia*, per corpus suum, tanquam Claves Ecclesiæ contempnentem præcepimus Justiciari, quod licet eidem Episcopo frequenter se obtulerit stare mandatis Ecclesiæ, ut tenetur, dictus tamen Episcopus cautionem legitimam ab eo admittere recusavit, **de quo miramur quamplurimum, et movemur;** propter quod Mandavimus Episcopo prædicto, quod recepta ab eodem *Eustachio* hujusmodi cautione, ipsum à prisoa prædicta, mandet deliberari. **Quod nisi fecerit, tu ipsum ex parte nostra moneas et inducas, quod dictum Eustachium in forma prædicta deliberari faciat, alioquin cautionem illam ab eodem Eustachio extunc recipias, et ipsum a prisoa prædicta facias deliberari.** Teste ut supra. The King being supream Ordinary and Judge in such cases.

The Proctors of *Griffolino*, the Nephew of *Arlot* an *Italian*, being disturbed in their possession of the Church of *Ouslon*, the King issued this Writ to the chief Justice of *England*, to secure him, and his Proctors in the quiet possession thereof, without harm or injury.

Claus. 44 H. 3.  
m. 7. dorfo.  
Pro Griffolino  
Nepote Magi-  
stri Arloti.

**R**EX *Hugoni le Bygod*, Justic. suo *Anglia* salutem. Cum vacante nuper Ecclesia de *Ouslon* in *Insula de Haxiholme*, per mortem Magistri *Johannis de Effing-wold* quondam Rectoris ejusdem, qui decessit *London.* *Johannes Mansell* Thes. *Eborum* contulerit Ecclesiam illam *Griffolino* Nepoti Magistri *Arloti*, Norarii Domini *Papæ*, & quendam hominem nomine ipsius *Griffolini* in eadem Ecclesia infra quartum diem post decessum prædicti Magistri *Johannis* posuerit, & postmodum quendam procuratorem ejusdem *Griffolini* in Corporalem possessionem dictæ Ecclesiæ fecerit induci, ac *Rogerus de Munbray* secundum quod coram nobis & vobis & præfato



*Johanne Mansell* nuper promissit *London*; quosdam qui in præjudicium dicti *Griffolini*, & perturbationem possessionis suæ prædictæ in dictam Ecclesiam se intruserunt, amoverit ab eadem; & eidem jam mandaverimus quod ipsos seu alios qui jam de novo ingressi sunt Ecclesiam illam & domos ad eam spectantes, & se teneant in eisdem non permittentes dictum procuratorem aut alium nomine dicti *Griffolini* possessionem dictæ Ecclesiæ aut ad ipsam pertinentium obcipere, sine dilatione aliqua amoveat ab eisdem, & procuratores ipsius *Griffolini* una cum illis qui eis ex parte dicti *Johannis* assistent in possessione dictæ Ecclesiæ & pertinentium ad eandem, manuteneant & defendat, Vobis mandamus firmiter injungentes, quod nisi præfatus vel Ballivus summus Insulæ prædictæ id fecerit, vos id heri faciatis. Ita quod Procuratores præfati *Griffolini*, una cum illis qui ex parte prædicti *Johannis* assistant, manuteneantur & defendantur in possessione prædictæ Ecclesiæ & pertinentium ad eandem. Et quod nulla eis injuria aut molestia inferatur in hac parte: Teste Rege apud *Winton*. 25. die *Augusti*.

The King also issued the like Writ to the Sheriffe, to put his Proctor into possession of the Church, and to attach and imprison all those that should resist him.

Cum dilectus & fidelis noster *Johannes Mansell*, Thes. *Eborum* autoritate Apostolica contulerit *Griffolino* Nepoti Magistri *Arloti* Domini Papæ Notarii Ecclesiam de *Ouston*, quæ est de Patronatu Prioris & Conventus de novo Burgo; & quendam hominem suum in eadem Ecclesia nomine ipsius *Griffolini* infra quartum diem post mortem Magistri *Johannis de Esingwand* quondam Rectoris ejusdem, qui nuper decessit *London*. posuerit, & postmodum Procuratorem ejusdem *Griffolini* in Corporalem possessionem ejusdem Ecclesiæ fecerit induci. Ac quidam manu armata jam ingressi sunt Ecclesiam illam & in ea se teneant, non permittentes dictum Procuratorem, vel alium possessionem dictæ Ecclesiæ nomine præfati *Griffolini* obtinere. Tibi præcipimus, quod in propria personatua sine dilatione accedas ad Ecclesiam supradictam, & Procuratorem prædicti *Griffolini* manuteneas & defendas; & omnes illos quos resistentes inveneris attachies, ita quod corpora eorum habeas coram nobis in crastino Sancti *Jacobi* Apostoli ubicunque tunc fuerimus in *Anglia*, ad respondendum de transgressione prædicta, & habeas ibi hoc breve. Teste Rege apud *Westm.* 5. die *Julii*.

Claus. 44 H. 3.  
pars 1. m. 12.  
dorso.  
Pro *Griffolino*  
Nepote Magi-  
stri *Arloti*.

Per Justic. Johannem Mansell,  
in eadem forma fieri præcepit.

Eodem modo mandatum est *Rogero de Munbray*.

By this we may discern what Power *Arlot* and his Nephew had with the King and his Officers.

The Monks of St. *Swithins* at *Winchester* by reason of the afflictions and troubles of their house being disabled to abide there in quiet, or to addict themselves to contemplation and devotion, the King thereupon issued these Writs to several Abbots to entertaine some of them in their houses, till their afflictions and troubles were ended.

REX Abbati & Conventui *Rammsesey* salutem. Cum Prioratus Sancti *Swithini* *Winton*. à prædecessoribus nostris Regibus *Angliæ* fundatus, diversis litigiis & aliis afflictionibus & adversantibus, jamdiu existerit adeo perturbatus & prægravatus, quod Monachi ejusdem domus contemplationi debite juxta ordinis sui exigentiam nequeunt ibidem quietè intendere ut tenentur, sicut satis nostis, cupientes ad ipsorum tranquillitatem laborare, dilectionem vestram affectuose rogamus, quatenus *Robertum de Urnilla* Monachum dictæ domus admittere velitis commorandum vobiscum, ut divino Cultui quietius & devotius vacare possit, quousque de statu dicti Monasterii sui salubrius provideatur. Tantum facientes in hac parte quod vobis exinde ad speciales teneamur gratiarum actiones. Teste Rege apud *Windsf.* 11. die *Augusti*.

Claus. 44 H. 3.  
pars 1. m. 8.  
dorso.  
Pro Monachis  
*Winton*: missis  
per diversas  
Abbatias.

Eodem

Eodem modo scribitur Abbati & Conventui *Patri Glouc.* pro *Johanne de Urinilla*,  
Monacho *Winton.*

Eodem modo scribitur Abbati & Conventui de *Malwysse* pro *Willelmo de Sanis*,  
Monacho *Winton.*

\* Here p. 617,  
622.

*Llewellyn* Prince of *Wales*, having against his \* Truce and Oath entered into  
*England*, and wasted Churches, Monasteries with fire and sword, taken, detained di-  
vers Lands and Castles of the Kings and Earl of *Gloucester*, the Archbishop of *Can-*  
*terbury* thereupon issued this Mandate to the Bishop of *Wales* to excommunicate  
him and his complices, and interdict their Lands, till restitution and competent  
satisfaction given for those injuries.

Pat. 44 H. 3.  
pars 1. m. 6.  
dorso.

**B.** Permissione divina *Cantuar.* Archiepiscopus, totius *Anglia* primas, Venerabili  
in Christo patri *J.* Dei gratia *Landavensi* Episcopo, salutem, & sinceram frater-  
nitatis in Domino semper augmentum. Ad nostram noveritis audientiam pervenisse,  
quod cum inter serenissimum Dominum *H.* Dei gratia Regem *Anglia* illustrem, & su-  
os ex una parte, & *Llewellynum* filium *Griffini* & complices suos ex altera, usque ad  
certum tempus treugæ initæ & juramento ab utraque parte interposito firmatæ fuif-  
sent, nuper quidam complices & fautores *Llewellyni* prædicti nondum finitis treugæ  
memoratis maligno spiritu concitati, terram prædicti Regis *Anglia*, & suorum ho-  
stiliter invadentes, Ecclesias & Monasteria crudeli incendio destruxerunt, & homi-  
cidii atque rapinis ausu sacrilego in eis violata immunitate Ecclesiastica nequiter  
perpetratis pacem Regni *Anglia*, & prædictarum Conventionem Treugarum per-  
turbare, & frangere præsumpsere, contra ea quæ pro observatione pacis Regni *An-*  
*glia* in *Oxon.* Consilio provide sunt statuta temerè veniendo. Quia vero tanto-  
rum facinororum Patratores, ac illi quorum mandato, ope vel Con-  
silio prædicta maleficia sunt commissa, ipso facto sunt excommuni-  
cationis vinculo innovati, fraternitati vestræ in virtute obedien-  
tiæ firmiter præcipiendo Mandamus, quatenus in Civitate vestra  
et Diocesi prædictos sacrilegos, et illos qui eis in prædictis sceleri-  
bus perpetrandis opem vel consilium impenderunt, publice vel occul-  
te singulis Dominicis et festivis pulsatis Campanis, accensis can-  
delis tam diu excommunicatos nuncietis, et nunciari sollempni-  
ter facietis, donec de præmissis satisfactionem impenderint et abso-  
lutionem meruerint obtinere. Ad hæc cum præfatus *Llewellynus* et  
Complices sui terras, Villas et loca nobilis viri *R. de Clar. Com.*  
*Glouc.* in Diocesi vestra durantibus Treugis memoratis juramen-  
to firmatis occupaverint violenter; et adhuc detineant occupata,  
Et postmodum cum Venerabilis frater Dei gratia Bangorensis Episcopus pro pace  
inter Dominum Regem & dictum *Llewellynum* tractanda apud *London.* venisset per-  
sonaliter, quidam *Wallenses* non sine conniventia dicti *Llewellyni* vel mandato ut credi-  
tur, Castrum dicti Domini Regis de *Buel.* ceperunt proditoraliter, & homines e-  
jusdem Castri quod adhuc sic detinent occupatum, furore diabolico contra continen-  
tiam occiderunt Treugarum. Quia igitur verisimile manifestè videtur, occupati-  
onem dicti Castri & aliarum terrarum ac prædictorum perpetratiorem facinorum de  
mandato vel voluntate ejusdem *Llewellyni* processerunt, personaliter accedentes ipsum  
moneatis sub testimonio competenti & efficaciter inducere studeatis, vel infra octiduum  
instantis assumptionis beate *Mariæ* post monitionem vestram, quam si sui copiam de-  
negaverit in Ecclesia *Landavensi* publicè proponatis, Domino Regi & suis dictum  
Castrum, terras, villas et loca contra Treugas per ipsum & suos taliter occupata sine  
difficultate restituat & restitui faciat, & de dampnis & de injuriis illatis eis satisfac-  
iat competenter. Quod si monitis vestris parere contempserit, cum  
malum cui non resistitur approbetur, nec careat scrupulo socie-  
tatis occultæ qui manifesto facinorosi desinit obviare, vos erunt in  
poenam ipsius qui culpa se ostenderet non carere, omnes terras, vil-  
las et loca ditioni et potestati suæ supposita, nec non omnes ter-  
ras, villas et loca quas vel quæ per se vel complices suos duranti-  
bus

bus Treugis supradictis occupabit in Diocesi vestra interdicta Ecclesiastico supponentes, faciatis illud usque ad condignam præmissorum satisfactionem excessuum inviolabiliter observari. Inhibentes districtius, ne in eisdem terris, Villis et locis ditioni et potestati suæ suppositis, seu per ipsum et complices suos durantibus Treugis prædictis contra formam eorundem occupatis, sacramenta Ecclesiastica præterquam necessaria ministrentur. Quid autem super hiis feceritis nobis per vestras patentes Literas rescribatis. Dat. apud Lambeth in festo beati Petri ad vincula, Anno Dom. 1260.

Literæ Archiepiscopi Cantuar. directæ Landavensi & Menevensi Episcopis traditæ fuerunt Com. Glouc. transmittendæ eisdem Episcopis, & Literæ ejusdem Archiepiscopi directæ Bangoræ, & de Sancto Asapho Episcopis, liberatæ fuerunt Nicho. Wallen. & Gusioni, Nunciis Regis deferend. R. de Morino Mari, ut eis mitti faciat eisdem Episcopis.

The Church of York being involved in very great Debts, like to ruine it, the King at the Archbishops request, as Patron thereof, issued this Patent to the Archbishops Tenants of Rippon and Osetly, exhorting them to a liberal contribution towards the discharge of these Debts.

**R**EX Probis hominibus. Venerabilis Patris G. Eborum Archiepiscopi de Rippon. & de Osetly, salutem. Cum Ecclesia Eborum, a nostris fundata progenitoribus, importabili debitorum sarcina per diversas adversitates & causas adeo sit depressa quod nisi maturiori providentia prospiciatur eidem, poterit sibi irreparabile dispendium imminere. Nos ejus afflictioni pio compatiens affectu, fidelitatem vestram, de qua plenam in hac parte reportamus fiduciam, requirimus & hortamur, propensius rogantes quatenus ad relevationem ejusdem Ecclesie quæ tantis dinoscitur subjacere periculis animos inclinantes, talem succursum & tam competens auxilium quod etiam vos deceat, & tantæ necessitati conveniat, præfato Archiepiscopo Domino vestro semorâ difficulte qualibet conferatis, pro quo tam à nobis quam ab ipso in agendis vestris pro loco & tempore specialem gratiam reportare debeatis & favorem. Teste Rege apud Westm. 16. die Maii.

Pat. 44 H. 1.  
m. 11. dorso.

What authority Rossand and the Popes Agents, by the Kings permission, took upon them to grant pensions to the Popes Chaplains and Creatures at Rome, out of the Kings Exchequer, till promoted to Benefices in England, and to make them the Kings Chaplains, and how the King by his Letters Patents confirmed and augmented their stipends, will evidently appear by this Patent.

**R**EX Omnibus, &c. Noveritis quod cum Venerabilis Pater Tarent. Archiepiscopus, & Magister Rossandus, quondam Domini Papæ Capellanus, Nuncii nostri nuper in Curia Romana pro quibuldam negotiis nostris procurandis, ibidem de mandato nostro, discretum virum Magistrum Ubertum de Coquinato, Domini Papæ Capellanum receperint in Clericum nostrum, assignantes ei annuum feodum Vingtiti Marcarum annuatim percipiendum ad Scaccarium nostrum, in Quindena annunciationis Dominicæ, donec ei providerimus in beneficio Ecclesiastico competenti: Nos assignationem feodi prædicti ratam habemus & acceptam. In cujus, &c. Teste &c. Paris 28. die Decemb. Anno, &c.

Pat. 44 H. 3.  
pars 2. m. 4.  
incus.  
De Umberto  
de Coquinato.

Ista Litera facta fuit in Angliâ & sigillata de decem Marcis & Paris. scripta & sigillata novo sigillo & augmenta de aliis decem Marcis. Per Archiepiscopum Tarent. R. Com. Glouc. P. de Sabaud. & I. Mansell, & tradita fuit prædicto W. Bonguer, deferenda prædicto Umberto ad Curiam Romanam.

John Waterand Clerk, being an accountant to the King as his Escheator and Custos of the vacancies of the Bishoprick of Ely, the Abby of St. Edmunds, and other Bayliwicks, and refusing to account, the King thereupon issued Writs to several Bishops, to sequester all his Ecclesiastical benefices and promotions within their Diocesses till he accounted, under pain of seising their Temporalities in case of neglect, for he would not be cheated.



Claus. 44 H.3.  
pars 1.  
m. 3. dorso.  
De Johanne  
Walerand de  
Debitis.

**R**EX Venerabili Patri H. Elyensi Episcopo vel ejus Offic. salutem. Cum Johannes Walerand, frater Roberti Walerand, teneatur nobis in pluribus computis rationis & debitis non modicis de tempore qua fuit Escheat. noster citra Trentam, & de Custodiis Episcopatus Elyen. Abbatia sancti Edmundi & de aliis pluribus Ballivis quas de nobis habuit, dum fuit in servicio nostro. Et idem Johannes a nobis super hoc pluries requisitus compotos & debita predicta nobis reddere recusaverat. Nos mandamus in fide qua nobis tenemini firmiter injungentes, quod beneficia Ecclesiastica que prefatus Johannes in Diocesi vestra obtinet sine moræ dispendio sequestrari faciatis, quousque compotos et rationes de Ballivis predictis nobis secundum consuetudinem Regni nostri reddiderit, et satisfecerit nobis de debitis que nobis debuerit. Tantum facientes in hac parte quod ad temporalia vestra pro defectu vestri manum apponere non cogamur, cum nulla, tenus defraudari velimus hiis que ad nos pertinent in hac parte. Teste Rege apud Winds. 3. die Octobris.

Per ipsum Regem & Justic.  
& Robertum Walerand.

Eodem modo mandatum est Episcopis Wygorn. Linc. Coventr. & Litchfield. Bathoniens. & Wellens.

The King having assigned a Debt to be paid out of the Bishoprick of Ely to a forreign Merchant, by John Walerand, and he assigning and obliging the profits of his Church of Middleton within the Diocesse of York for three years, to satisfy the same, and yet forceably outing the Assignees within the term, whereby they could not levy this Debt, the King thereupon issued this Writ to the Archbishop of York, to put the Assignees in possession of the profits till the debt was satisfied.

Claus. 44 H.3.  
pars 1.  
m. 3. dorso.

**R**EX Archiepiscopo Eborum Anglia primati salutem. Cum dudum commiserimus Roberto Walerand. & Johanni Walerand, fratri ejus Episcopatum Elyen. custodiendum in vacatione sua, & de exitibus ejusdem assignaverimus Reymundo Baykeyn, Civi & Mercatori Burdig. Quadringentas Mar. percipiendas per manum ipsius Johannis, in solutionem debitorum que ei debuimus: & idem Johannes, pro eo quod non acquietavit nos de predictis quadringentis Marcis versus predictum Reymundum, obligaverat Ecclesiam suam de Middleton vestre Dioc. ad solutionem dictæ pecuniæ, & eam commiserit & concesserit Willielmo de Hauke Capellano, & Henr. Purcell, Clerico tenendum per triennium, ita quod fructus ejusdem Ecclesiæ per tempus illud colligerent & venderent, & inde levarent predictam pecuniam ad acquietandum inde nos & predictum Robertum versus ipsum Reymundum, ac prefatus Johannes infra terminum predictum expulerit prefatos Capellanum & Clericum ab Ecclesia predicta contra obligationem suam, non permittendo ipsos administrationem de fructibus & proventibus ejusdem Ecclesiæ habere ad dictam pecuniam inde levandam: Vobis mandamus quod dictam Ecclesiam sine moræ dispendio sequestrari faciatis, ita quod predicti Capellanus & Clericus administrationem habeant de fructibus & proventibus ejusdem Ecclesiæ ad predictam pecuniam inde levandam & solvendam predicto Edmundo in acquietationem debitorum predictorum secundum formam obligationis predictæ. Tantum facientes in hac parte quod ad Temporalia vestra pro defectu vestri manum apponere non cogamur, nullatenus (enim) defraudari velimus hiis que ad nos pertinent in hac parte. Teste ut supra.

The Kings former Chaplain having deserted his service in the Chapple of Marwell, the King thereupon granted the Cure and stipend thereto belonging to another of his Chaplains, who would detain the Cure, by this Writ.

Quia

Quia sicut Rex intellexit, *Thomas de Guldeford*, Capellanus qui in Capella de *Merewell*, divina celebrare consuevit alibi commoratur, ad serviendum ibidem ulterius non proponens, mandatum est *Nicholao de Handlo*, Custodi Episcopatus *Winton*, quod *Willielmum de Guldeford*, Capellatum Regis quem Rex propter servitia sua diutina Regi impensa recommendatum habet loco prædicti *Thomas*, admittat divina celebraturum in Capella prædicta, faciens sibi assignari eadem stipendia quæ præfatus *Thomas* ibidem deserviendo percipere consuevit. Teste Rege apud *Windses*. 18. die *Octobris*.

Pro *Thomas de Guldeford* Capellano ibid. dorset. 4.

The King to reward some services done him by an *Escheater* in *Ireland*, granted him one or more Ecclesiastical benefices which should there next fall void within his gift to the value of 50. Marks by the year.

R EX Omnibus, &c. Sciatis quod pro laudabili servitio quod *Willus de Bakepuz*, *Escautor* noster in *Hibernia* nobis impendit, concessimus ei, quod in uno vel in pluribus Beneficiis Ecclesiasticis quæ ratione Episcopatum, Abbaciarum vel Prioratum nunc in *Hibernia* vacantium vel vacaturorum conferre poterimus, usque ad summam Quinquaginta Marcarum quam citius se facultas obtulerit, providebimus eidem. In cuius, &c. Teste Rege apud *Westm*. 29. die *Junii*.

Pat. 44 H. 3. m. 5. intus. Pro Magistro *Willielmo de Bakepuz*. *Hibernia*.

Per ipsum Regem, & Episcop. *London*. præc.

The King receiving contrary Certificates from *Ireland*, concerning the Election of the Bishop of *Elfin*, and giving his royall assent to the Archdeacon of *Clon* elected before his *Congregation*, which election was nulled before he heard any contradiction against it, upon the second certificate, he ordered the second person elected by his license to be consecrated, by this Patent to the Archbishop of *Tuam*, to whom he referred the examination of this matter, and to certify him, which of them he ought to admit as Bishop.

R EX *Tuamensis* Archiepiscopo salutem. Cum nuper vacante Ecclesia *Elfinensis* Capitulum ejusdem Ecclesie petita & obtenta licentia nostra *Milonem* Archid. *Clonensis* suum sibi in Episcopum elegisset, sicut per Literas Patentes ejusdem Capituli nobis directas innotuit. Et nos postmodum nemine reclamante seu contradicente ipsius Electioni, prout moris est Regum præbuissemus assensum, demandantes, vobis ut quod vestrum esset in hac parte faceretur, ita quod si per vos prædicta confirmaretur Electio Justit. *Hibernia* sibi Temporalia sua, salvo jure nostro restitueret Decanus, Archid. Thes. & præpositus ejusdem Ecclesie *Thomam* Abbatem de *Buslica* ordinis *Cister*. Electum suum per literas Patentes sigillis eorum & communi sigillo Ecclesie suæ signatas nobis postmodum præsentarunt, asserentes, Electionem quæ de prædicto Archid. non expectata Licentia Regia prius inordinate facta fuerat, prout per Literas vestras Pat. plenius intelleximus, Auctoritate vestra, et ob causas rationabilesuisse cassatam, et licet propter contrarietatem Electionum hujusmodi, et literarum repugnantiam merito hæsitare possimus, quis eorum præferri debeat, tanquam verus Electus, nos tamen literis vestris adhibentes in hac parte Electioni de prædicto Abbate factæ Regium fidem adhibuimus assensum, ita videlicet quod de meritis prædictarum Electionum plenius cognoscentes, quod vestrum fuerit in hac parte exequamini significantes nobis quem Electorum illorum sine Juris injuria admittere debeamus. Teste, &c. 10. die *Aprilis*. Anno, &c.

Pat. 44 H. 3. pars 2. m. 2. intus. Pro Electo *Elfinensi*. *Hibernia*.

The Official of the Archbishop of *Dublin* Elect having in the absence of the Archbishop at *Rome*, by his authority confirmed the election of the Bishop of *Offery*, & the King receiving two certificates thereof, he thereupon issued this Patent for restoring the Temporalities of the Bishoprick to him, having received his fealty.

Pat. 44 H. 3.  
pars 1. m. 4.  
innot.  
Pro Episcopo  
Offic. Hibern.

**R**EX Justic. *Hibernia* vel ejus locum tenenti & Magistro *Willelmo de Bakpax*, vel ejus locum tenenti salutem. Cum Magister *Willus de Huntingell*, Officialis *Dublinensis* Archiepiscopi Electionem de Magistro de *Gulfrido de Sancto Lodegaro* in Episcopum *Oser*, per Decanum & Capitulum Sancti *Kaniti Kilkenn*, celebratum, auctoritate prædicti Archiepiscopi Domini sui in Curia Romana a gentis confirmaverit, sicut per Literas Patentes prædicti Offic. et Literas Episcoporum *Middens.* et *Darens.* nobis exhibitas plenius intellerimus; nos accepta a prædicto Electro fidelitate nobis debita in hac parte, prædictum Episcopatum cum pertinent. ei Reddidimus. Et ideo vobis mandamus quod eidem Electro de Episcopatu prædicto cum maneriis & omnibus aliis possessionibus & temporalibus ad ipsum pertinentibus & in manu nostra existentibus plenam seisinam sine dilatione habere faciatis. In cujus, &c. Teste Rege apud *Merewell*, 30. die *Augusti*.

How grievously the English Clergy, Nobility, and Commons were insulted over and oppressed by the *Poissous* and *Romans*, and what opposition the Nobles at last made against them Anno 44 H. 3. *Matthew Paris* thus relates.

Mat. Paris Hist.  
p. 958, 959.  
Gravis domi-  
natio alienige-  
narum in An-  
glia.

Eodem tempore, Regis satuitate et desidia in multis opprimebatur *Anglia* dominatione *Pisavensum* et *Romanorum*. Et præcipue *Eimeri Wintoniensis* Electi, *Willielmi de Valentia* fratris Regis uterini, & *Petri de Sabandia* avunculi Regine, qui inciviliter tam religiosos Regni tractabant, quam alios saculares. Si quis autem injuriam passus, ad ipsius *Willielmi* Senescallum accessisset, justitiam petiturus, hujusmodi responsa reportabat: *Sicgo tibi injuriam facio, quis tibi rectum faciat?* Dominus Rex vult quicquid Dominus meus vult, sed non è diverso. Scque nec Regi, nec Magnatum alicui reverentiam deferbant. Dominabantur etiam his diebus et *Romani*, et eorum Legati in *Anglia*, tam Laicis, quam Ecclesiasticis, super advocacionibus Ecclesiarum multa gravamina inferentes, providentes suis beneficia ampla vacantia, pro sue arbitrio voluntatis: Episcopos, vel Abbates, aliosque Religiosos contradicentes, excommunicationis sententia innodantes. Unde contigit ut Magnates de tanto supercilio indignati, licet sero, ad remedium apponendum surrexerunt, et alienigenas de Regno fugere compulerunt: Non tamen omnes, sed præcipue *Pisavenfis*.

Anglia libera-  
tur ad tempus  
ab exactoribus  
Romanis.

Mandaverunt insuper dicti Magnates viris Religiosis, qui tenebant ad firmam Ecclesias *Romanorum*, ne de firmis eorum eis responderent, sed dictas firmas et redditus darent suis procuratoribus, die et loco per Barones assignatis. Quod si aliter facerent, sua incendio subjacerent, et nihilominus periculum, quod *Romani* parabatur, ipsi in personis suis sentirent. Idem mandatum dederunt Episcopis, ne quisquam de *Romanis* et eorum redditibus interponeret, sub poena punitus intentata. Hac provisione Baronum, quiescit *Anglia* ab exactoribus fere per triennium, donec idem *Simon de Monte fortis* morte succubuit, martyrio, prout creditur, coronatus.

King Henry in the 45. year of his Reign, issued this Writ and forme of Prohibition to the Archbishop of *Canterbury* and his Official, and to the Bishops of *London*, *Worcester*, *Lincoln*, and their Officials, and the Official and Archdeacon of *Winton*, upon no pretext whatsoever to draw any Clerk of his presentation within the Diocesse of *Winton*, to be impleaded out of *England*, in violation of his Priviledge and Rights, under pain of being proceeded against as violators and impugners thereof.

Claus. 45 H. 3.  
m. 14. dorso.  
Prohibitio ne  
Clerici trahan-  
tur in causam  
extra Angliam.

**R**EX Magistro *Constantino* Offic. Venerabilis Patris *B. Cantuar.* Archiepiscopi in Dioc. *Winton.* salutem. Cum nobis a sede Apostolica specialiter sit indultum, ne illi de Regno nostro auctoritate Apostolica extra illud trahantur



trahantur in causam, vobis districte prohibemus ne præterea alteri ius mandati vobis directi Clericos nostros beneficia Ecclesiastica in Diocesi *Winton.* ex præsentatione nostra obtinentes, citetis ad comparandum coram quocunque Iudice extra Regnum prædictum, nec aliquid mandatum contra ipsos etequi præsumatis, in derogationem seu elusionem indulgentiæ memoratæ. Maxime cum ipsi parati sint infra Regnum nostrum in omnibus stare iuri, sed taliter vos habeatis in hac parte, ne ad vos tanquam ad violatorem privilegiorum nostrorum, et impugnatozem dignitatis Regis aliter procedere compellamur. Teste meipso apud *Turrim London*, 26. die *Martii*.

Eodem modo mandatum est Episcopo *London.* & suo Offic. Episcopo *Wigorn.* & suo Offic.

Eodem modo scribitur Archiepiscopo *Canthuar.* Episcopo *Lincoln.* & suo Offic. Archidiacono *Winton.* & suo Offic. & Offic. Episcopatus *Winton.*

What Usurers the Popes beneficed Chaplains in *England* were in this age, and what Recognisances, Oathes, and strange Obligations, with various Conditions, to be prosecuted in all or any Courts, Civil or Ecclesiastical, in case of Non-payment, and renounce all benefit of Pleas, Priviledges whatsoever, in bar against their Suits, after the mode of the *Roman Court*, will appear by this ensuing Record and Recognisance of Sir *Robert Walerand* to the Archdeacon of *Ely*.

UNIVERSI Christi fidelibus præsentis Literas visuris vel audituris, *Robertus Walerand Miles*, salutem in Domino. Noverit universitas vestra, me teneri ex causa mutui Magistro *Nicholao* Archidiacono *Elyensi*, Domini Papæ Capellano, & Domini Regis Cancellario, in Centum Marcis bonorum novorum & legalium sterlingorum, tresdecim solid. & quatuor sterling. pro qualibet Marca computatis, de qua pecunia bene me voco quietum & integrè protestor pacatum, exceptioni non numeratæ, non solutæ, & non traditæ mihi pecuniæ penitus renunciando. Quas prætaxatas Centum Marcas sterlingorum, prædicto modo & numero computandas promitto & teneor bona fide & per legitimam stipulationem interpositam reddere & solvere dicto Archidiacono, vel certo Nuncio suo, seu assignato has Literas deferenti in Octabis Sancti *Michaelis*, Anno gratiæ 1261. apud *Novum Templum London*. Quod si non fecero, promitto & teneor per antedictam stipulationem dare & solvere dicto Archidiacono Viginti Marcas sterlingorum, nomine pænæ; & nihilominus refundere & restaurare eidem omnes expensas & damna quæ fecerit vel incurrerit pro defectu solutionis prædictæ, super quibus credetur eidem Archiepiscopo, vel certo Nuncio suo, seu assignato per simplex verbum suum tantum sine aliqua probatione: & dicta pecunia & pænæ persoluta omnia præscripta & subscripta firma & illibata consistant. Volo etiam & concedo, quod si medio tempore, quod absit, in fata decessero, quod nulla penitus fiat testamenti mei executio, vel rerum mearum distractio vel distributio, quousque dicto Magistro *N.* Archidiacono de præmissis omnibus plenariè fuerit satisfactum. Pro quibus omnibus & singulis antedictis firmiter & fideliter observandis & adimplendis, obligo me & Hæredes meos, & omnia bona mea & Hærerum meorum, mobilia & immobilia, præsentia & futura, habita & habenda, ubicunque fuerint inventa, & specialiter Maneria mea de *Langesford.* & *Wadden*, quæ habeo in Com. *Wiltes.* ad disponendum & ordinandum de fructibus & redditibus ad eadem Maneria spectantibus & pertinentibus, si quod absit, in solutione dictæ pecuniæ cessavero, usque ad plenariam & integram solutionem omnium prædictorum. Ad hæc autem omnia fideliter observanda corporali præstito Juramento tactis Sacrosanctis me obligavi, subsciendo me et mea jurisdictioni et coercioni Episcoporum *Anglia*, quos præfatus Archidiaconus eligere voluerit, ut ipsi me et Hæredes et Breveatores meos ad observationem omnium prædictorum modis quibus viderint magis expedire compellant. Renunciando in præmissis omnibus et singulis pro me et Hæredibus meis, omni iuris auxilio Canonici et Civis, privilegio fori, et maxime cruce signatorum et cruce signan-

Claus. 45 H. 3.  
m. 15. dorso  
Pro Magistro  
*Nicholao* Archid.  
Elyensi.

dozum,

dozum, omni consuetudini et statuto, omnibus Literis impetratis et impetrandis, constitutioni de duabus dietis editæ in Concilio generali, prohibitioni Regiæ, et omni exceptioni et defensionis personali et reali, quæ posset objici contra præmissa. Licet etiam dicto Archidiacono, vel certo Nuncio suo, seu assignato super præmissis me et hæredes meos ubique locorum, et in omni foro coram quocunque Iudice, tam Ecclesiastico quam seculari voluerint libere convenire et ad iudicium trahere. Et ad maiorem huius rei securitatem ista in Cancellaria Domini Regis recognovi, & tenorem prædictæ Chartæ meæ in Rotulis ejusdem Cancellariæ feci irrotulari. In cujus rei testimonium præsentibus Literis sigillum meum apposui. Dat. *London.* die Mercurii prox. ante festum Annunciationis beate *Mariae Virginis*, Anno Domini 1260. mense *Martii*.

*Robertus Walerand* recognovit in Cancellaria Regis se debere Magistro *Nicholao Archidiacono Elyens.* Cancellario Regis C. Marc. 13. s. 4. d. solvend. ei in fello Sancti *Michaelis* prox. futur. Et nisi fecerit, concessit, quod dicta pecunia levetur de terris & catallis suis in Com. *Wilt.*

A Whale arriving upon the Lands of the Bishoprick of *Durham*, within the County of *Lincoln*, whiles the Temporalities were in the Kings hands, which Whale was taken away by several parcels, the King issued this Writ of Inquiry to the Sheriff of *Lincoln* touching this affair.

Claus. 45 H. 3.  
m. 18. dorf.  
De Ballena de  
Lindesey.

**R**EX Vic. *Linc.* salutem. Datum est nobis intelligi, quod cum tota Ballena quæ nuper applicuit apud *Sumercote* in *Lindesey*, in terra Episcopatus *Dunelm.* ad nos ratione ejusdem Episcopatus tunc vacantis, & in manu nostra existentis pertineret, quidam de Balliva tua eandem Ballenam ibidem pro voluntate sua distraxerunt, et asportaverunt, in iuris et dignitatis Regiæ præjudicium et contemptum. Et ideo tibi præcipimus, quod una cum dilecto Clerico nostro *Elia de Hertford*, quem ad te propter hoc mittimus, per Sacramentum tam Militum quam aliorum liberorum et legalium hominum de Comitatu tuo, per quos rei veritas melius sciri poterit, diligenter inquiras, utrum prædicta Ballena applicuit in terra prædicti Episcopatus necne? Et si ibi applicuit, qui eam distraxerunt & asportaverunt. Et si ipsa alibi applicuit in Balliva tua, qui portionem ad nos inde pertinentem distraxerunt & asportaverunt, sicut prædictum est: & omnes illos quos per inquisitionem illam culpabiles inde inveneris attachies; ita quod habeas corpora eorum coram nobis à die Pasche in 15. dies, ubicunque tunc fuerimus in *Anglia*, ad respondendum nobis de transgressione prædicta. Et habeas ibi hoc Breve. Teste Rege apud *Turrim London.* 25. die *Februarii*, Anno Regni nostri 45.

The King issued this Prohibition concerning his Free-Chappel of *Wolverhampton*, reciting Pope *Innocentius* Bull of Priviledges granted to all his Free-Chappels.

Pat. 45 H. 3.  
pars 1. m. 23.  
intus.  
De libertatibus  
& privilegiis  
Capellarum  
Regis.

**R**EX Omnibus, &c. Cum plures in *Anglia* Capellas habeamus exemptas, quarum libertates locorum Ordinarii infestant plerumque, et in dilatione privilegiorum nostrorum ad loca diversa transmissa nobis posset de facili periculum imminere. Nos dilecto Clerico nostro *Egidio de Erdington*, Decano de *Wolverhampton*, transcriptum cujusdam privilegii nostri de libertatibus Capellarum nostrarum faciens mentionem, & sigillo nostro signatum duximus committendum, ut illius transcripti inspectionem habentes fidem adhibeant concessioni libertatum factæ Capellis prædictis, rescriptum igitur Apostolicum de verbo ad verbum sic duximus subscribendum.

See here p.  
358.

**INNOCENTIUS** Episcopus servus servorum Dei, Charissimo in Christo filio Regi Anglorum illustri, salutem & Apostolicam benedictionem. Tanto libentius Celsitudinis tue precibus benignum impertimur assensum quanto inter Reges & Principes Christianos, te specialius reputamus dilectum filium & devotum. Tuis itaque supplicationibus inclinati districtius inhibemus, ne ullus Ordinarius, aut etiam

etiam Delegatus, vel Subdelegatus in Capellas Regias et Quatuordecim earundem, Ecclesie Romanae immediate subjecta, seu Canonicos, vel Servitores ipsorum, contra tenorem privilegiorum aut indulgentiarum Apostolicæ sedis Excommunicationis vel Interdicti sententiam audeat promulgare, seu aliquod ipsis onus imponere, quod aliis exemptis Ecclesiis non consuevit imponi absque mandato sedis Apostolicæ specialis, quod expressam faciat de inhibitione huiusmodi mentionem. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei et beatorum Petri et Pauli Apostolorum eius se noverit incursurum. Dat. Lugduni 12. Kalend. Augusti, Pontificatus nostri Anno 1271. 10.

Nos itaque universos tam Clericos quam Laicos Regni nostri monemus, rogamus modis omnibus quibus possumus, et eis sub poena forisfacturæ nostræ firmiter prohibemus, ut nullus eorum in præiudicium præfati Clerici nostri, seu Capellæ nostræ de *Wolverhampton*, aut etiam Canonicorum sive Servitorum ipsorum aliquid attemptet, contra privilegia supradicta tenorem, et consuetudines Capellarum nostrarum exemptarum antiquas, usitatas et etiam approbatas. Teste Rege apud *Westm.* 8. die Novembris.

The King for dispatch of his own and his Kingdoms affaires in the Court of Rome this year, issued these Letters of Procuracion to his Proctors there, and others to the Pope, especially to prosecute his Appeal there against the Archbishop and his Suffragans, to null the Ordinances, Constitutions and Statutes made by them in the \* forecited Council at *London*, to the prejudice of his Royal Right, Dignity, the Liberties, Laws and Customs of his Realm.

\* See here p. 893, to 911.

**R**EX Omnibus, &c. salutem. In omnibus causis & negotiis nos & Regnum nostrum tangentibus, quæ in Curia Romana habere intendimus, dilectum Clericum nostrum Magistrum *Johannem de Hemingford*, latorem præsentium nostrum constituimus Procuratorem. Dantes eidem potestatem substituendi alium seu alios quociens sibi videbitur expedire. Ratum etiam habituri quicquid dictus *Johannes* vel ab eo substitutus vel substituti in præmissis duxerit vel duxerint, faciendum præsentibus, post annum minimè valituris. Dat. *London.* 6. Kalend. Junii, Anno Domini 1261.

Pat. 45 H. 3. pars 1. m. 8. incus. Pro Rege de Procuratoribus constitutis in Curia Romana;

Ista Litera duplicata fuit propter adjectionem istius nominis *H. Ebradunen.* Archiepiscopum, una cum Magistro *Johanne*.

**S**anctissimo in Christo Patri Domino *A.* Dei gratia Summo Pontifici, Rex *Angliae*, &c. salutem, cum reverentia & honore. In causa appellationis quæ movetur seu moveri speratur in Curia Romana inter nos ex una parte, et Archiepiscopum *Cantuariensem* et suos Suffraganeos ex altera, super Ordinationibus, Constitutionibus et Statutis nuper in Concilio provinciali *London.* per eosdem editis in præiudicium iuris, dignitatis Regiæ, libertatis, legis et consuetudinis Regni nostri, dilectum Clericum nostrum Magistrum *Johannem de Hemingford*, latorem præsentium Procuratorem nostrum constituimus. Dantes ei potestatem agendi, defendendi, & etiam jurandi in animam nostram de calumnia & veritate dicenda, & ad expensum, & ad ponendum, & ad positionibus respondendum, & ad alia facienda, quæ dictam causam contingunt. Damus etiam eidem potestatem constituendi seu substituendi Procuratorem ad omnia prædicta facienda. Ratum habituri quicquid prædictus Magister vel Procurator ab eo constitutus seu substitutus, super præmissis duxerit faciendum præsentibus, post annum minimè valituris. Dat. ut supra.

Ibidem.

Eidem



Pat. 45 H. 3.  
m. 11. intus.

**E**idem Rex *Anglia*, salutem cum reverentia & honore. Noverit vestra Sanctitas — Nos ordinasse & constituisse dilectum Clericum nostrum Magistrum *Johannem de Hemingford*, latorem presentium Procuratorem nostrum in Curia *Romana*, ad agendum, defendendum, impetrandum, contradicendum, & ad Procuratorem substituendum cum viderit expedire. Ratum habituri quicquid idem Magister vel Procurator substitutus ab ipso super praemissis in praedicta Curia duxerit faciendum. Priorum Procuratorum nostrorum ad impetrandum & contradicendum in Curia praedicta mandato minime revocato, presentibus ultra annum minime valituris, sigillum nostrum fecimus apponi. Dat. ut supra.

Ista Litera duplicata propter adjectionem nominis Magistri *Rogeri Lovell*, qui datus est Procur. una cum Magistro *Johanne*, & una cum Episcopo *Roffen*. & Archidiacono *Roffen*, fratre ejus. Ita quod isti quatuor constituti sunt Procur. in simul in hoc Procur. & in primo Procur. adempta potestate substituendi. Et de intermedio Procur. scilicet, in causa Appellationis dati sunt praedicti Magistri *Johannes & Rogerus*, tantum exceptis praedictis Episcopo & Archidiacono, quia causa illa tangit ipsos cum potestate substituendi.

The King having formerly granted the Bishop of *London* a Patent to retain by *Commenda* all his Deaneries, Dignities, Benefices in *England*, together with his Bishoprick, for so long time as the Pope would dispense therewith, granted him the like Patent for his Dignities and Benefices in *Ireland*, together with this Protection for his Tenants there.

Pat. 45 H. 3.  
m. 8. intus.  
Hiberniz.

**C**um Rex concesserit *H. London*. Episcopo, quod dignitates et omnia alia beneficia Ecclesiastica quae tempore promotionis suae ad eundem Episcopatum de patronatu Regis obtinuit retinere possit, libere, plene et pacifice quamdiu ipsa per indulgentiam Domini Papae valeat retinere, et Rex homines, terras, res, redditus, et omnes possessiones suas Ecclesiasticas et mundanas suscepit in protectionem et defensionem suam: Mandatum est omnibus Ballivis & fidelibus Regis *Hibernia*, ad quos, &c. quod homines, terras, res, redditus, & omnes possessiones dicti Episcopi in *Hibernia*, tam Ecclesiasticas quam mundanas manuteneant, protegant & defendant, non inferentes, &c. Et si quid, &c. In cujus, &c. durat. quamdiu praefatus Episcopus beneficia sua in *Hibernia* retinuerit. Teste Rege apud *Turrim London*. 17. die Julii.

What a large feared Conscience this avaritious Bishop had, to hold so many Deaneries, Dignities and Benefices with Cure, both in *England* and *Ireland*, together with his Bishoprick and Chancellorship of *England*, let all who have any Conscience determine.

Anno 1262.

The Abbot of *Bordell* usurping upon the Kings Rights, Mannors, Tenants, Courts, Bayliffs, and drawing them into his Courts to the prejudice of the Rights of his Crown, thereupon the King issued this Writ to prohibit him, and to give an account of the profits of Courts received by him.

Claus. 46 H. 3.  
m. 12. dorso.

**R**EX Abbati de *Bordell*, salutem. Ex parte Ballivorum nostrorum de *Bremesgrave & Norton*, nobis est ostensum, quod cum de placito de tenuris tenentium vestrorum in Maneriis praedictis per Brevia nostra directo, & de clamore levato, & transgressionibus Assisarum, & sanguinis effusione teneri & deduci debeant, & hactenus consueverint in Curia nostris Maneriorum praedictorum, & secundum consuetudinem Maneriorum illorum in eisdem terminari, vos & Ballivi vestri de *Norton*, eisdem tenentes vestros compellitis ad placitandum in Curia vestra de placitis praedictis, exitus & amerciamenta eorundem placitorum quae ad nos pertinent ab eisdem capiendos, & terras & tenuras tenentium nostrorum ibidem vobis appropriando & attrahendo, sine licentia & voluntate nostra, & in nostri & Haereditum nostrorum praedictorum, dispendium non modicum & gravamen. Super quo vobis mandamus firmiter inhibentes, ne praefatos tenentes vestros contra consuetudinem in praefatis Maneriis

Maneriis nostris hactenus obtentam, ad placitandum in prædicta Curia vestra de placitis prædictis aut aliis ad nos pertinentibus compellatis, aut de eis placitatis vel ballivos vestros. De cætero placitare permittatis, seu de tenuris prædictis aliquid sine licentia & voluntate nostra vobis attrahere, usurpare vel appropriare præsumatis, cum hoc in præjudicium Juris nostri fieri sentiamus. Et si quid de exitibus placitorum prædictorum contra iustitiam ceperitis aut de tenuris prædictis sine assensu & voluntate nostra vobis usurpaveritis, id Ballivis nostris maneriorum prædictorum sine morte dispendio ad opus nostrum restitui faciatis; scituri pro certo, quod si secus egeritis, nos de consilio nostro tale & tam festinum remedium ad hoc adhiberi faciemus, quod vos ex hoc non mediocriter gravatos sentiat. Teste Rege apud Westm. 20. die Aprilis.

I finde that *Edmund King Henry his Son*, notwithstanding the *Sicilians* slighting and rejecting of him, and Electing *Manfred* for their King, and the Popes Legerdemain in the businesse of the Realm of *Sicily*, was yet so infatuated as to direct this flattering Letter to all the Prelates, Nobles, Knights, Citizens and others of that Realm by the stile of King of *Sicily*, by vertue of the Popes voyd, theating grant, thus recorded in the Clause Rolls, not extant in our Histories.

**E**dmondus Dei gratiâ *Sicilia* Rex, universis & singulis Prælatiis, Proceribus, Militibus, Civibus & aliis per Regnum nostrum contritus salutem, gratiam & omne bonum. Cum felicis recordationis Dominus *Innocentius* Papa quartus de fratrum suorum consilio & Apostolicæ sedis gratia speciali Regnum nobis contulerit supradictum; Nos ad tranquillitatem & commodum dicti Regni, & omnium incolarum ejusdem zelum præcipuum & affectum habentes sincerum, Universitatem vestram requirimus & rogamus attentè, quatenus assensu grato nos in Regnum admittere, & nostris profectibus & honoribus velit insistere cum favore. Nos autem ad dicti prosecutionem negotii pro viribus nostris & nostrorum accincti, vobis universis & singulis in omnibus quæ ad vestri juris conservationem cesserint, & honoris augmentum cum omni desiderio & promptitudine annuere intendimus, & promissis volumus affectibus complacere. In cujus rei testimonium præsentem litteram aurea bulla nostra fecimus consignari. Dat. apud *Windsor*. 13. Kalend. Aprilis, Anno Domini 1261.

Clauſ. 46 H. 3.  
m. 13. dorſo.

Clauſ. 46. H. 3: memb. 14. There is more concerning the same businesse, and memb. 11. dorſo, which I pretermitt.

The King this year sent these two complementall Epistles to Pope *Urban* the 4th. the latter of them to absolve him from his Oath taken to observe the Provisions of his Barons made at *Oxford*, as prejudicial to the Rights and Prerogatives of his Crown, from which Pope *Alexander* his predecessor had absolved him, but dyed before it was compleated; and not to confirme the Barons statutes if pressed to it, revoking his former Proctors sent to *Rome*, whiles his Seal was out of his power. The first Epistle runs thus;

**S**anctissimo in Christo patri, V. Dei gratiâ, sacrosanctæ *Romane* Ecclesiæ summo Pontifici, H. eadem gratiâ Rex *Anglia*, &c. salutem cum reverentia & honore. Exultamus & speciali jocunditate lætamur in Domino qui plebis sue desolationem pie respiciens, & insperatè salutis, jam portum parans fluctuantis Ecclesiæ naufragium propitius avertit, & *Thomam* diu viduam connubio solubri copulandam sua providentia reservavit. Ipsi igitur disponente clementia prosperum fiat in manu sui Pontificis opus sanctum, ut grex ejus imitatione sacra proficiens suo conditori placida persistat; & ad superna felicitatis præmium devota pertingat. Nos autem honori vestro finali congruentes júbilo beneplacida vestra sinceris affectibus adimplere cupimus, ut Regni nostri negotia vestre sanctitati maneant commendata, precibus quantis decet et expedit supplicamus, vestra beatitudini grates referentes pro vestris apicibus, quibus paternæ dulcedine nostram animam vestre gratia sufficit ac

Clauſ. 46 H. 3.  
m. 18. dorſo.

relevare curastis. Teste Rege apud *Westm.* 11. die *Decembris*.

The Second Epistle is thus recorded.

Claus. 46 H.3.  
m. 17. dorso.

**D**omino Papæ Rex *Anglia*, salutem, cum reverentia & honore. Cum Ec-  
clesia *Romana* veluti pia mater devotis filiis, et nobis præ cæteris  
sui gratia in nostris et Regni nostri negotiis maternæ pietatis vis-  
cera clementer aperiens, multa beneficia ad nostri conservationem ho-  
noris jugiter exhibuerit, et jam pro quibusdam urgentibus ne-  
gotiis nos et statum nostrum contingentibus opus habemus Aposto-  
licæ sedis gratiam implorare, nos de consueta dictæ sedis benigni-  
tate confisi, ad ejus suffragia recurrimus confidenter, rogantes, et  
precibus postulantes intentis, quatinus cum tempore scilicet recuz-  
dationis Domini *A.* prædecessoris vestri, Apostolicæ sedis literas  
obtinuerimus super reformatione status nostri, et absolutione Ju-  
ramenti pro observandis quibusdam ordinationibus, colligationibus  
et statutis præstiti, quæ in diminutionem et depressionem potesta-  
tis Regiæ cedunt manifestè. Cumque impetrationes prædictæ ante obitum  
prædecessoris vestri memorati, ad ipsum minime pervenire potuissent, eisdem tam  
in hiis quæ personam nostram specialiter contingunt, quam in illis quæ disso-  
lutionem colligationum prædictarum et Juramenti prædicti in aliis re-  
spiciunt, jubeatis de vestra benignitatis gratia innovari. Petitio-  
nes in vestro conspectu pro obtinenda confirmatione statutorum hujusmodi ac alio-  
rum jam ut dicitur exhibitas, quæ in depressionem libertatis Regiæ seu eti-  
am juris nostri cedunt læsionem, ad exauditionem si placet nequa-  
quam admittentes. Rogamus insuper ut dilectos Magistrum *Johannem de He-*  
*mingford*, & Magistrum *Rogerum Lovell* Clericos ac procuratores nostros, una cum  
negotiis nostris habere velit vestra Sanctitas propensius commendatos. Et cum  
nuper dum nostrum sigillum in potestate foret aliena, quamplures  
alii constituti fuerint procuratores nomine nostro, quod non appro-  
bamus, ipsorum potestatem omnino revocamus, præsertim cum ipsi  
ea magis quæ nobis obesse possent quam prodesse agere moliantur.  
Teste Rege apud *Westm.* 1. die *Jan.*

He likewise sent this complementary Epistle to Cardinal *Othobon*, and all the rest of  
the Cardinals to promote this, and other affaires at *Rome*.

Claus. 46 H.3.  
m. 17. dorso.

**R**EX Venerabili in Christo patri *Othobono*, sancti *Adriani* Diac. Card. salutem,  
& sinceræ dilectionis affectum. Cum Ecclesia *Romana* veluti pia mater devotis  
filiis & nobis præ cæteris sui gratia in nostris & Regni nostri negotiis maternæ pietatis  
viscera clementer aperiens, multa beneficia ad nostri conservationem ho-  
noris jugiter exhibuerit, et jam pro quibusdam urgentibus ne-  
gotiis nos et statum nostrum contingentibus opus habeamus  
Apostolicæ sedis gratiam implorare, nos de vestra dilectionis prærogativa confisi  
ad vos recurrimus confidenter, rogantes & precibus postulantes intentis, quatenus  
cum tempore scilicet recordationis Domini *A.* quondam summi Pontificis Aposto-  
licæ sedis literas obtinuerimus, Super reformatione status nostri, et absolu-  
tione juramenti pro observationibus et statutis præstiti, quæ in di-  
minutionem et depressionem potestatis Regiæ cedunt manifestè,  
cumque impetrationes prædictæ ante obitum prædicti Domini *A.*  
ad usum minime pervenire potuissent, easdem tam in hiis quæ per-  
sonam nostram specialiter contingunt, quam in illis quæ dissolutio-  
nem colligationum prædictarum et juramenti prædicti in aliis re-  
spiciunt, procuretis efficaciter a summo Pontifici solite vestra  
benignitatis gratia, innovari; Procurantes etiam, si placet, ne  
petitiones in conspectu ejusdem summi Pontificis pro obtinenda  
con-



confirmatione statutorum huiusmodi ac aliorum jam, ut dicitur, exhibitas quæ in dep<sup>re</sup>ssionem libertatis Regiæ, seu etiam Juris nostri cedunt lesionem, ad exauditionem admittatur; rogamus insuper ut dilectos nobis Magist<sup>rum</sup> Johannem de Hemingford, & Rogerum Lovell, Clericos ac procuratores nostros, una cum nostris negotiis habere velitis specialiter commendatos. Teste ut supra.

Eodem modo scribitur singulis Cardinalibus per se.

He likewise constituted two Proctors in the Court of Rome, to prosecute and effect his businesses in general, for the honor, good, safety of him, his Crown & Kingdom.

**D**omino Papæ Rex Angliæ, salutem. Cum reverentia & honore, Noverit vestra Sancta Paternitas nos facere, ordinare & constituere, dilectos nobis & fideles Magistros Johannem de Hemingford, & Rogerum Lovell, Clericos, procuratores nostros, utrumq; eorum in solidum, ita quod non sit melior conditio occupantis, ad promobendum, procurandum et prosequendum negotia nostra in Curia Romana, et ad proponendum, petendum, recipiendum et impetrandum specialia et generalia pro nobis, Jure nostro, libertatibus, consuetudinibus regni nostri, utilitati et honori nostro dignitatibus et Coronæ, et ad contradicendum, iudices eligendum et recusandum. Damus etiam eisdem potestatem substituendi procuratorem, ad omnia & singula prædicta faciendâ, & substitutionem revocandum pro sua voluntate. Revocantes expresse omnia procuratoria quibuscunque prius facta in eadem Curia, Ratum habituri quicquid ambo prædictorum procuratorum, vel eorum alter, aut substitutus ab eis vel eorum altero super prædictis duxerint vel duxerit faciendum. Præsentibus, per biennium in suo robore duraturis. Dat. apud Westm. 3. die Januarii. Anno Domini 1261.

Pat. 46 H. 3.  
m. 17. intus.  
De Procuratoribus constitutis in Curia Romana.

He further directed this special Letter to the Cardinal of Saint Sabina, to assist his Proctors and promote his affaires with the Pope.

**R**EX H. Titulo Sanctæ Sabina, Presbytero Cardinali, salutem, & sinceræ dilectionis affectum, super immensis beneficiis et gratiarum largitionibus quibus Apostolicæ sedis, et vestra mediante favore meminimus nos multipliciter honoratos, vobis et Ecclesiæ Romanæ matris nostræ ad quas valemus gratiarum assurgimus actiones. Et cum dilectus Clericus noster & procurator Magister Johannes de Hemingford, moram trahat in Curia Romana pro quibusdam negotiis nostris expediendis ibidem, quæ ipse & alii procuratores nostri commorantes ibidem vobis apertius explicabunt, dilectioni vestræ duximus supplicandum, quatenus prædictum Magistrum Johannem specialiter, aliosque Nuncios & procuratores nostros recommendatos, si placet, habentes, negotia prædicta dignemini apud summum Pontificem benig<sup>itate</sup> solita promovere. Nos autem parati sumus et erimus ea facere pro viribus, quæ vestris noverimus beneplacitis et honoribus convenire. Teste, &c. 1 die Januarii.

Class. 46 H. 3.  
m. 17. dorso.

The King at the same time writ this Letter to the whole assembly of Cardinals, to vindicate the Loyalty and reputation of his Clerk John Mansell, from the slanderous imputations cast upon him by the Barons party before the Pope in the Court of Rome, only for his Loyalty and adherence to the King and his cause.

**R**EX Ven. Cui Card. sacrosanctæ Romanæ Ecclesiæ H. Dei gratiâ Rex Angliæ, &c. salutem, & sinceræ dilectionis affectum. Ex relato quorundam nobis innouit, quod quidam propriæ honestatis obliti in præsentia summi Pontificis sinistra suggestione consingunt; quod dilectus & fidelis noster, J. Mansell Theol. Esch. inter nos & proceres nostros schismatû & discordiarum materiam suscitaverit, in nostræ gentis exiliû, & turbatione publicâ Regni nostri, de quo commoti sumus plurimum & turbati.

Pat. 46 H. 3.  
m. 18. dorso.

N<sup>o</sup> 4.

praesertim cum ipse nullo prorsus tempore aliquem de Regno nostro notabilem nobis reddiderit, nec dissensionē seu discordiā scrupulū cum aliquo ex aliis aho prae-textu habuerit, nisi quod nobis in reservatione et conservatione Juris et honoris nostri juxta fidelitatis suae debitum efficaciter assistit et constanter, et hiis quae in contrarium agi seu attemptari videbantur obstaculum se praebuit, et ea pro vris impedit. Cum itaque dictus Johannes sub alis nostris educatus, cujus inquam mores & merita ab adolescentia sua probavimus & novimus ab experto, in nostris & Regni nostri negotiis utiliter semper & fideliter extiterit, ob quam causam favore Regio prosequi tenemur, eundem etiam vobis specialiter commendamus, sinceritati vestrae veraciter intimantes, eundem a praemissis perperam sibi impositis innoxium esse penitus & immunem. Quocirca dilectionem vestram duximus requirendam quatenus nullam detractoribus aut suggestoribus hujusmodi fidem adhibere velitis, sed tanto ipsum prosequi velitis, si placet, affectione & gratia ampliori, quanto alii ipsum & famam suam injuste & malitiose deprimere moliantur. Dat. apud Westm. 1 die Januarii. & duplicatur.

After which some Agents of the Barons presuming to suggest and impetrate some things in the Court of Rome, prejudicial to the Kings Royalties and honor, he sent this Patent to his Proctors there to inhibit them to proceed therein.

Pat. 46 H. 3.  
m. 10. intus.  
Pro Rege de  
inhibitione in  
Curia Romana  
facienda.

**R**EX Magistris Johanni de Hemingford, & Rogero Luwll, Procuratoribus suis in Curia Romana agentibus salutem. Cum vobis tanquam fidelibus nostris et devotis defensio nostri Juris et honoris incumbat, et sicut accepimus, quidam de Regno nostro agentes in Curia Romana, in nostri Juris et honoris praedictum diversa suggerere et contra nos impetrare praesumant, sed ab hiis potius sicut nostram indignationem et suam ac suorum periculum vitare voluerint ex toto desistant. Hanc autem inhibitionem per vos omnes & singulos vestrum quociens opus esse videritis fieri volumus, ac super eadem & contemptoribus ipsius, per vos aut aliquem ex vobis effici certiores. Teste Rege apud Westm. 26. die Maii.

\*Mat. Paris. p.  
960, 961, 962.

The Pope absolving the King from his Oath to observe the Barons Statutes, as he desired, thereupon, *Rex concepta securitate decrevit palam a juramento resiliere, tanquam absolutus a Papa ab eo, quod fecerat juramento.* Whereupon the Barons taking up Arms, the King at last, *mediantibus viris timoratis, paxi Baronum acquievisit ad tempus, & Provisiones Oxoniae in violabiliter servare promissu, &c.* His ita praestitis, paulo post, non obstantibus pactis, promissionibus, sacramentis, he receded from this agreement, and sent this memorable Writ to all the Sheriffs of England, where-in he relates his submission of himself, and the affairs of his Realm to the Provisions at Oxford under certain conditions, which the Barons had infringed: The injustice of their Ordinances, tending to the depressing of the Rights of his Crown; and damage of his people, his absolution from his Oath to observe them, both by Pope Alexander, and Urban his successor: His readiness to do justice to all men great and small in his Courts, to which they might all freely resort with security, and to observe the Articles in the great Charter, and Charter of the Forrests, which they were commanded to Proclaim in all places, and to apprehend and secure all such as adhered to the former Ordinances, or presumed to speak or act any thing prejudicial to the Rights of his Crown, honor or dignity, or to the execution of the Sheriffs Office.

Claus. 46 H. 3.  
m. 11. dorso

**R**EX Vic. Ebor. salutem. Cum nuper apud Oxon. per voluntatem Baronum nostrorum ordinationibus et consiliis eorum suppo-suerimus nos, et statum negotiorum nostrorum et Regni nostri, ab quibusdam conditionibus et promissionibus nobis factis, quas minime nobis observarunt. Ac ipsi postmodum plura in praedictum nostrum et depressionem potestatis Regiae, necnon in dampnum subditorum nostrorum et suorum attemptare praesumpserint, et colligationes

gationes inter se fecerint quæ in præjudicium et derogationem iuris Regii, et turbationem pacis nostræ cedere perpendimus manifeste, propter quod ex forma nostræ concessionis, eis ulterius ad observationem præmissorum non tenemur. Et cum bonæ memoriæ *Alexander* Papa quartus, nos ab observatione dictæ concessionis nostræ postmodum absolverit, et Dominus Papa *Urbanus* qui nunc est dicti prædecessoris sui adherens vestigiis, nos a juramentis et aliis dictas ordinationes seu statuta contingentibus absolutos denunciari, et dictas colligationes, ordinationes, seu statuta dissolvi mandaverit; quod per *Venerabilem Patrem Norwicensem Episcopum*, et discretum virum *Johannem Mansell, Thesaur. Eborum*, dicti mandati executores, interveniente insimul auctoritate *Venerabilis Patris S. Archiepiscopi*, ipsorum collegæ plenius est denunciatum. Nos potestate nostra Regia libere uti, et singulis tam majoribus quam minoribus prout ad nos pertinet iustitiæ plenitudinem exhibere volentes; Tibi præcipimus; quod hæc in pleno Comitatu tuo, et per totam Ballivam tuam publice facias denunciari, et scire facias universitati Comitatus prædicti; quod cum omni securitate et confidentia iustitiam obtinendi, ius suum tam contra majores quam contra minores, coram nobis et assib, auctoritate nostra prosequantur, quia nulli eorum deesse volumus in sua iustitia, quin tam contra majores quam minores plenam iustitiam valeant obtinere; Libertates insuper tam in *Magna Charta* nostra, quam in *Charta nostra de Foresta* contentas in omnibus plene volumus observari. Et si forte contingat, quod aliqui in Balliva tua dictis colligationibus adherant, aut contra ius regalitatis nostræ, aut etiam contra executionem tui Officii aliquibus attemptare, aut contra nos et honorem nostrum prædicare, aut populo suadere præsumpserint, eos arrestari facias et custodiri, donec aliud a nobis super hoc habueris in mandatis. Teste Rege apud *Westm.* 2. die *Maii*.

Eodem modo scribitur singulis Vic. per *Angliam*.

Eodem modo scribitur Regiæ *Franciæ*, cum tota narratione (of the business of *Sicily*) & cum ista adiectione. Quocirca Serenitatem vestram, quæ se nobis vestri gratia in omnibus negotiis favorem exhibet & benignam, quanta possumus affectione rogamus, quatenus præfatum Dominum vestrum ad hoc faciendum efficaciter inducat. Et simili modo, si placet, pro dicto negotio Domino Papæ & Cardinalibus Literas vestras deprecatorias destinare velitis. Ad hæc cum idem Dominus Papæ in terra Regis *Navar.* illustris generi vestri duxerit originem, propter quod præamina sua & dilectæ filiæ vestræ Regiæ *Navar.* neptis vestræ, in dicto negotio plurimum juyativa censemur, placeat ipsos Regem & Reginam *Navar.* literatorie deprecari, ut ipsi præfatis Domino Papæ et Cardinalibus; juxta formam præcum nostrarum quas ei inde mittimus, pro negotio dicti filii nostri suas dirigant Literas speciales.

Claus. 46 H. 3.  
m. 11. dorso.

The King this year (as he had done the year before) constituted special Proctors in the Court of *Rome*, on the behalf of himself and his Realm, to appeal and complain against *Boniface* Archbishop of *Canterbury*; and his Suffragans, for sundry Statutes and Constitutions made and published by them, to the great grievance of himself and his Realm, and prejudice of him and his Crown; and to pray; that they might be revoked by his grace and Authority, (for the greater shame of the Bishops that made them) and that a fit remedy might be therein provided for him and his Realm, if need required, (he having Regal power enough to null and vacate them without the Popes assistance, if denied.)

Sanctissimo



Pat. 46 H. 3.  
m. 19. intus.  
De Procurato-  
ribus constitu-  
tis in Curia  
Romana.

\* See here p.  
897, to 913.

**S**ANCTISSIMO in Christo Patri *H.* Dei gratiâ Sacrosanctæ *Romana* Ecclesiæ Summo Pontifici, *H.* eadem gratiâ Rex *Anglia*, Dominus *Hibernia*, Dux *Aquitania*, salutem, cum reverentia & honore. Sanctitati vestræ notum facimus, quod nos constituimus & ordinamus in vestræ Curia Sanctitatis; dilectos Clericos nostros Magistros *Johannem de Hemingford*, & *Rogerrum Lovell*, & quemlibet eorum in solidum, ita quod non sit melior conditio occupantis, nostros et Regni nostri Procuratores et Nuncios Speciales, ad exponendum, et intimandum, et referendum gravamina nobis et Regno nostro illata, a Venerabilibus Patribus *B. Archiepiscopo Cantuar.* et Suffraganeis ejus, et ad exponendum et intimandum vobis \* quædam statuta ab eis edita in nostrum et Coronæ nostræ præjudicium et gravamen, necnon ad supplicandum Sanctitati vestræ, ut prædicta gravamina tollere, ac statuta dignetur vestra Sanctitas revocare; et ad supplicandum etiam, ut super hiis vestra Sanctitatis circumspexio nobis et Regno nostro gratiam adhibeat, si necesse fuerit et remedium oportunitum. Item et ad impetrandum, et contradicendum, et narrandum, ac in Judices conveniendum. Ratum habituri quicquid ipsi Procuratores, vel eorum alter duxerint vel duxerit faciendum, præsentibus post annum minime valituris. Dat. apud *London.* 7. Kalend. *Novembris*, Anno 1261.

Et duplicata fuit ista Litera propter istam adjunctionem. Universis, &c. sicut patet inferius.

The King and Kingdom were so zealous against these constitutions of the Bishops (\* since cryed up and Printed as our Canon Law, which is worthy special notice) that they caused these further Procurations therein.

\* See here p.  
897, to 913.

Pat. 46 H. 3.  
m. 19. intus.

**R**EX Universis præsentibus Literas inspecturis, salutem, & omne bonum. Noverit universitas vestra, quod nos constituimus & ordinamus in *Romana* Curia, dilectos Clericos nostros Magistros *Johannem de Hemingford*, & *Rogerrum Lovell*, & quemlibet eorum in solidum, ita quod non sit melior conditio occupantis, nostros et Regni nostri Procuratores et Nuncios Speciales, ad exponendum, intimandum, et referendum gravamina nobis et Regno nostro illata, a Venerabilibus Patribus *B. Archiepiscopo Cantuariensi*, et Suffraganeis ejus, et ad exponendum et intimandum Summo Pontifici et Apostolicæ sedi, quædam statuta ab eis edita, in nostrum et Coronæ nostræ præjudicium et gravamen necnon ad supplicandum eidem Summo Pontifici et Apostolicæ sedi, ut prædicta gravamina tollere, et statuta dignetur Apostolica Sanctitas revocare; et ad supplicandum etiam, ut Apostolicæ Sanctitatis circumspexio super hiis nobis et Regno nostro gratiam adhibeat, si necesse fuerit, et remedium oportunitum. Item et ad impetrandum, et contradicendum, et narrandum, ac in Judices conveniendum. Ratum habituri et firmum quicquid ipsi Procuratores vel eorum alter in præmissis duxerint vel duxerit faciendum, præsentibus post annum minime valituris. Dat. ut supra.

Pat. 46 H. 3.  
m. 17. intus.

**D**omino Papæ Rex *Anglia*, salutem, cum reverentia & honore. Sanctitati vestræ notum facimus, quod nos constituimus & ordinamus in Curia vestræ Sanctitatis, Magistros *Johannem de Hemingford*, & *Rogerrum Lovell*, quemlibet eorum in solidum, ita quod non sit melior conditio occupantis, nostros et Regni nostri Procuratores et Nuncios Speciales, ad exponendum, intimandum, et referendum gravamina nobis et Regno nostro illata, a Venerabilibus Patribus *B. Archiepiscopo Cantuariensi*, et Suffraganeis ejus, et ad exponendum et intimandum vobis quædam statuta ab eis edita in nostrum et Coronæ nostræ præjudicium et gravamen; et ad supplicandum

placandum Sanctitati vestre, ut prædicta gravamina et statuta dirigantur vestra Sanctitas rebocare; et ad supplicandum, ut vestra Sanctitas faciat nobis et Regno nostro gratiam, si necesse fuerit, et remedium oportunum. Item et ad impetrandum, et contradicendum, narrandum, ac ad Iudices eligendum et recusandum, Ratum habituri quicquid dicti Procuratores, vel alter eorum super præmissis duxerint vel duxerit faciendum, præsentibus per biennium in suo roboze duratur. Dat. apud Westm. 3. die Januarii, Anno 1261.

Yet notwithstanding these disloyal, Prelatical Constitutions and Statutes were long after published by *Lindwode* and *Aton*, and cryed up by some bold ignorant Canonists and domineering Prelates, as the antient approved Ecclesiastical Laws and Constitutions of our Church, though thus frequently, earnestly complained, appealed against by the King and Kingdom, as prejudicial to the Rights and Prerogative of the Kings Crown, the Laws, Liberties, Customs of the Realm, which they subverted; and no doubt they were reversed, or utterly exploded upon that account. Which grosse abuse is worthy our special observation, and those who cry up *Lindwode* and *Atons* Constitutions for our approved, received Canon Law.

The King to indear himself more in the favour of the Pope and *Arlos* his Notary, granted the mariage and custody of two Wards bodies and their Lands, to *Arlos* Nephew an Alien born, till the Heirs should come to full age.

**R**EX Omnibus, &c. salutem. Sciatis, quod concessimus dilecto nostro *Ar-*  
*lotino* Nepoti quondam Magistri *Arlos* Domini Papæ Notarii, custodiam omnium terrarum & tenementorum quæ fuerunt *Thoma Piket*, qui de nobis tenuit in Capite, quorum custodia ad nos pertinet, & custodiam omnium terrarum & tenementorum quæ fuerunt *Roberti de Chamlang*, qui de nobis tenuit in Capite, quorum custodia similiter ad nos pertinet; Habendum sibi & assignatis una cum maritagio eorundem Hæredum, advocacionibus Ecclesiarum, & etiam cum dotibus si acciderit, & omnibus aliis quæ ad nos pertinent vel pertinere poterunt, ratione custodiæ terrarum & Hæredum prædictorum, usque ad legitimam ætatem eorundem Hæredum. In cuius, &c. Teste Rege apud *Winds.* 12. die Februarii.

Pat. 46 H. 3.  
m. 16. intus;  
Pro Arlotino  
Nepote quondam  
Magistri  
Arlos Domini  
Papæ Notarii.

There being two Bishops elected for the Church of *Elphin* in *Ireland*, upon the avoidance, and one of them being confirmed and consecrated Bishop thereof by the Archbishop of *Ardmagh*, who got a Writ of restitution of the Temporalities, and the other by the Archbishop of *Tuam*; thereupon they appealing to the King, and to *Rome*, and the Pope giving a definitive sentence for *Thomas*, confirmed and consecrated by the Archbishop of *Tuam*, the King upon the Popes certificate of this his definitive sentence, issued this Writ to his *Escheator* in *Ireland*, to restore the Temporalities of the Bishoprick to him (formerly suspended during their contests) having first received in the Kings name and stead the Oath of Fealty, which he and other Bishops ought by Law to make unto him.

**R**EX Dilecto Clerico suo Magistro *Willielmo de Bakpuz*, Escheatori suo in  
*Hibern.* salutem. Cum vacante diu sede *Elphinen*. Ecclesiæ Capitulum ejusdem loci Ven. patrem in Christo *Thomam*. tunc Abbatem de *Buellio Cisterc.* ordinis sibi in Patrem & Pastorem elegisset, ac Venerabilis pater *Tuamenis* Archiepiscopus loci Metropolitanus ipsam confirmaverit Electionem munusque consecrationis impenderit eidem; prout ex literis accepimus Metropolitanus prædicti, nobis supplicantis ut eidem *Elphinen*. Episcopo temporalia sui Episcopi restitui faceremus. Cumque pars quædam Capituli supradicti *Milonem*, Archidiaconum *Clem.* tempore vacationis prædictæ in loci illius Episcopum elegisset, qui postmodum per Archiepiscopum *Ardmacan.* *Hibernia* Primatem confirmatus; & munus consecrationis adeptus a nobis temporalia obtinuerat; Episcopi memorati se coram nobis præfato *Thoma* Episcopo personaliter opposuissent, propter quod eidem *Thoma* Episcopo Temporalia Episcopi prædicti non restitimus. Ac deum idem *Thomas* Episcopus Episcopatum prædictum apud sedem Apostolicam per definitionem summi Pontificis obtinuerit, sicut ex testimonio literarum Domini Papæ constat evidenter. Nobis mandamus quod eidem *Thoma* Episcopo de Temporalibus Episcopatus prædicti

Pat. 46 H. 3.  
m. 12. intus;  
Pro Episcopo  
Elphinen.  
Hibern.

prædicti plenam seisinam sine dilatione habere fac. recepto prius ab eo nomine nostro hac vice, de gratia nostra speciali, juramento fidelitatis, quod ipse nobis veluti ceteri Episcopi et Prelati terræ nostræ præstare tenetur. Teste Rege apud Westm. 10 die Maii.

Pat. 46 H. 3.  
m. 12. intus.  
Pro Archiepiscopo Tuam.  
Hibern.

**R**EX Dilecto Clerico suo Magistro *Willelmo de Bakewell*, Escaetori suo in *Hibernia*, salutem. Cum vacante dudum sede *Elphini* Ecclesiæ Capitulum ejusdem loci Ven. patrem *Thomam* tunc Abbatem de *Buillio Cisterciensium*, ordinis sibi in patrem & pastorem eligissent. Ac Venerabilis Pater *Tuamensis* loci Metropolitanus ipsam confirmaverit electionem munusque consecrationis impenderit eidem, prout ex literis accepimus Metropolitanus prædicti, nobis supplicantis, ut eidem *Elphini* Episcopo temporalia sui Episcopi restitui faceremus. Cumque pars quædam Capitali supra dicti *Milonem* Archid. *Cl.* tempore vacationis prædictæ in loci illius Episcopum elegerint, qui postmodum per Archiepiscopum *Ardmacan*, *Hibernia* primatem confirmatus & munus consecrationis adeptus à nobis temporalia obtinuerat, Episcopi memorati se coram nobis præfato *Thom.* Episcopo personaliter opposuisset, propter quod ipso superstitæ absque discussione juris utriusque coram suo Iudice facienda, Temporalia prædicta ipsi *Thoma* Episcopo restitui non poterant nec debebant. Ac jam, ut dicitur, et sicut ex testimonio Literarum præfatis *Tuamensis* Archiepiscopi patentium accepimus, dictus *Milo* Episcopus diem clausurit extremum. Nobis mandamus, quod cum occasione hujusmodi electionis, confirmationis, et consecrationis de dicto *Milone*, dudum factarum per primatem prædictum, et similiter pro restitutione temporalium quam sibi fecimus hactenus distulerimus, eidem *Thoma* Episcopo temporalia assignare prædicta, nec aliud obstaculum intellexerimus propter quod ei non debeant restitui; vos si præfatus *Milo* naturæ debitum exsolverit, et de hoc vobis constiterit, præfato *Thoma* Episcopo temporalia prædicta sine dilatione plena restituantis. Recepto prius ab ipso nomine nostro hac vice, de gratia nostra speciali, juramento fidelitatis, quod ipse nobis, veluti ceteri Episcopi et Prelati terræ nostræ, præstare tenetur. In cujus, &c. Teste Rege apud Westm. 10. die Aprilis.

*Boniface* Archbishop of *Canterbury* having incurred great debts, and much impoverished his See in defence of the Rights and Privileges of the Church of *Canterbury*, as was pretended, (but in truth in the Popes and his Brothers Wars and quarrels) as he procured an Ayde of First-Fruits from all the Clergy of his Diocese by the Popes grant, so he obtained this Patent and Letter of recommendations from the King, to the Tenants of the Archbishoprick, to grant him an Ayd to discharge these debts, which he ill deserved from them, being seldom resident in his Archbishoprick, and taking no care at all for his peoples souls or bodies, minding only his own filthy lucre.

Pat. 46 H. 3.  
m. 9. intus.  
Pro Archiepiscopo Cantuar.

**R**EX Tenentibus de Archiepiscopatu *Cantuar.* salutem. Cum Venerabilis Pater *B. Cantuariensis* Archiepiscopus, diversis sumptibus & expensis, tam in Curia Romana, quam alias pro libertatibus Ecclesiæ suæ tuendis prægravatus existat. Et idem Archiepiscopus pro revelatione Ecclesiæ suæ vestra subventionem, ut asserit, plurimum indigeat. Nos honorem & commodum præfati Archiepiscopi & Ecclesiæ suæ prædictæ specialiter affectantes, dilectionem vestram rogamus attentè, quatenus ei taliter subvenire velit in hac parte, quod idem Archiepiscopus votis vestris alias favorabilibus condescendere teneatur, et nos inde vobis astringamur ad gratias. Teste Rege apud Westm. 22. die Junii.

\* See *Othoboni* Constitut. quod Religiosi non emant vel vendant *Johannis Aton*, l. 118.

The Monkes of the *Cistercian* Order, turning common buyers, and Merchants of Wools and selling and transporting them together with their own Wools, to the prejudice and impoverishing of the Merchants and City of *Lincoln* and other Townes, the abating and defrauding of the Kings Customs,\* and the scandal of their profession, the King upon complaint of the Citizens of *Lincoln*, issued this memorable Writ



to the Abbots and Monks of this Order, prohibiting this their practice and abuse for the future, assuring them that if they persisted therein, he would severely punish them, so as to please God thereby, offended with this their scandalous practice.

**R**EX Universis & singulis Abbatibus *Cisterciensis* ordinis, & aliis viris Religiosis in Com. *Lincoln.* salutem: Ex relato quorundam fide dignorum intelleximus, quod vos lanam aliaque venalia, per fratres vestros conversos in locis diversis predicti Com. particulatim emi, & ea postmodum Mercatoribus transmarinis & aliis una cum lana vestra propria vendi faciatis, huiusmodi negotiationem exercentes contra vestri ordinis debitum honestatis, et ad depauperationem Civitatis nostrae *Lincolniæ*, aliarumque Villarum nostrarum Mercatorum in Com. supradicto, per quod firmæ nostræ et consuetudines nobis debite ad nostri dampnum et iacturam manifestam nobis fraudulenter et subtrahuntur, quod sustinere nolumus, sicut nec debemus. Cum igitur huiusmodi exercitia in ordinis vestri scandalum, et propriæ lectionem honestatis, necnon et præjudicium nostrum et dampnum dictarum Civitatis et Villarum cedant manifeste, vobis mandamus firmiter injungentes, quod ab huiusmodi negotiationibus de cætero penitus desistatis. Scituri pro certo, quod si secus egeritis, nos manum correctionis ad hoc apponemus, prout Deo complacere crediderimus (as supreme Ordinary and Visitor) per quod etiam non mediocriter vos sentietis gravatos. Teste meipso apud *Windesf.* 28. die *Februarii*, Anno Regni nostri 46.

Pat. 46 H. 3.  
m. 19. inus.  
Pro Rege &  
Civibus *Lincol.*

There being a controversy about the Right of presentation to the Church of *Cestreson*, between the King, the Prior and Covent of *Kewilworth*, and the Popes Provisors Proctor, the King at the Clerks request, for that time only, referred the ending of the controversy to the Bishop of the Diocese.

**R**EX Episcopo *Coventr.* & *Lichf.* salutem. Cum nuper presentaverimus vobis dilectum nobis *Nicholaum de Villa* ad Ecclesiam de *Cestreson* vestre Dioc. vacantem, in qua Prior & Conventus de *Kewilworth* jus vendicant patronatus, et *Magister Thomæus Procurator* *Magistri Petri de Collumina*, cui in eadem Ecclesia dicebatur auctoritate Apostolica provideri, occasione clammis predictorum Religiosorum opposuerit se presentationi nostræ prædictæ. Ac prædicti Clerici postmodum se supposuerint ordinationi vestre super iure suo in hac parte; Nos submissionem huiusmodi gratam habentes, ordinationem quam inter eos inde feceritis hac vice volumus esse ratam. Salvo tamen iure cuiuslibet post cessionem seu decessum Clericorum prædictorum: In cuius, &c. Teste Rege apud *Windesf.* 6. die *Martii*.

Pat. 46 H. 3.  
m. 14. inus.  
De submissione  
cuiusdam præ-  
sentationis.

The King granted this Patent to *John le Bell*, to apprise & sell the Fruits and Corn of the Temporalities of the Bishoprick of *Sarum*, then in his hands and manured by him, by the Oathes of honest men, and to pay the monies into the Exchequer, commanding all Bayliffs and others to assist him therein.

Anno 1263.

**R**EX Omnibus Ballivis & aliis Tenentibus de Episcopatu *Sarr.* salutem. Scitis, quod de Consilio Procerum nostrorum, assignavimus dilectum Clericum nostrum *Johannem le Bell*, ad appreciandum per Sacramentum proborum & legalium hominum modis quibus melius & fidelius fieri poterit, omnes fructus et blada terrarum Episcopatus *Sarr.* nuper vacantis et in manu nostra existentis, quas sumptibus nostris excoli fecimus, et ad fructus et blada ipsa cum illa expectaverit vendenda; ita quod de denariis inde provenientibus nobis respondeat ad Staccarium nostrum. Et ideo vobis mandamus, quod eidem *Johanni* super hoc consulentes sitis intendentibus & auxiliantes. Et singuli vestrum qui Ballivas tenetis venire faciatis coram eo in Ballivis vestris ad mandatum ipsius;

Pat. 47 H. 3.  
m. 5. inus.  
De bladis Episcopatus *Sarr.*  
appreciand.

ipsius, tot & tales per quos negotium prædictum melius & celerius valeat expediri. In cujus, &c. Teste Rege apud *Westm.* 8. die *Augusti*.

The Bishop of *Winchester* having compounded with the King for 2229 *l.* 13 *s.* 1 *d.* for the Corn and stock of the Temporalities, and having paid part thereof into the Exchequer, the King gave him further day for payment of the residue, by this Patent.

Pat. 47 H. 3.  
m. 18. iunus.  
De fine Episcopi  
Winton. de  
empione bladi  
sui Episcopi.

**R**EX Omnibus, &c. salutem. Scitis, quod de duobus millibus ducentis viginti & novem libris, tresdecim solid. & uno denar. in quibus Venerabilis Pater *J. Winton.* Episcopus nobis tenebatur pro exemptione bladi dicti Episcopatus, & instauri ejusdem, quod à nobis recepit postquam temporalia prædicti Episcopatus ei reddidimus, solvit idem Episcopus mille libr. in Scaccario nostro die Jovis proxima post festum Sancti *Hilarii*, Anno Regni nostri Quadragesimo septimo, per talliam quam ibi inde recepit. Et de aliis mille libris ad idem Scaccarium solvendis dedimus ei terminos subscriptos, videlicet, quod solvat in Scaccario prædicto ad festum Sancti *Michaelis* Anno Regni nostri prædicto, CC. & L. Marc. & ad festum Pasche proximo sequent. CC. & L. Marc. & sic de anno in annum Quingentas Marc. ad eosdem terminos, donec prædictæ mille libræ nobis persolvantur. Residuas vero ducentas viginti & novem libr. tresdecim solid. & unum denar. perdonavimus Episcopo supra dicto, de gratia nostra speciali. In cujus, &c. Teste Rege apud *Westm.* 18. die *Januarii*.

The Archbishops, Bishops and Clergy, by reason of the Wars between the King and his Barons, being summoned to assist the King with Horses and Armes manfully and powerfully, according to the quantity of their Estates, and the King and Lords of his Counsil ordering that all Religious and Beneficed persons should be rated to find armed men, or pay a competent Subsidy according to the common rate of their Benefices, according as their Bishops should ordain, the King thereupon issued these Writs to Sheriffs, not to distress them upon this occasion, nor intermeddle therein.

Extract. Donationum  
Annis  
4546, 47 H. 3.

**V**ic. *Cambrigia & Huntingdon*, salutem. Cum nuper per Literas nostras Patentes præceperimus, quod Archiepiscopi, Episcopi, &c. qui ad hoc sufficerent, viriliter et potenter se præparent cum equis et armis, ita quod essent ad nos *London.* dominica proxima post festum beati *Petri*, ad vincula prior. præteritum, ad communem Regni nostri defensionem, contra hostilem adventum alienigenarum, nobiscum versus mare profecturi; & quod assumpto tecum custode pacis venire faceres de qualibet villata ad eundem diem octo, sex, vel quatuor ad minus secundum magnitudinem Villæ, de melioribus & probioribus pedibus cum armis competentibus, & similiter de Civitatibus, Castris & Burgis, tam equites quam pedites, secundum magnitudinem & facultates eorundem, & prædicti homines nondum adeo sufficienter & plenarie venerint, sicut nuper mandaverimus. Nos communi periculo & indempnitati terræ nostræ providere volentes, &c. Et quia per Prælatos et Barones de Consilio nostro provisum est, quod viri Religiosi de Ecclesiis suis quas tenent in proprios usus et Rectores Ecclesiarum ac omnes alii beneficiati de Ecclesiis seu beneficiis suis Ecclesiasticis secundum communem estimationem eorundem armatos inveniant, vel subsidium competens præstabunt juxta ordinationem Episcoporum suorum. Tibi præcipimus, quod ipsos occasione prædicta non distringas, nec te inde intromittas. Teste, &c.

*Urban* the 4th. being elected Pope, and King *Henry* interrupted by his Wars with the Barons to send to congratulate his Election, he having made an agreement with his Barons, sent this complemental Epistle to him, together with a special Messenger, to treat concerning the business of the Croyado, and other affaires of his Realm.

Sanctissimo

**S**anctissimo in Christo Patri Domino N. Dei gratia Sacrosanctæ Romanæ Ecclesiæ summo Pontifici Rex Angliæ salutem, cum reverentia & honore. *Mandata F. bria Rector* providus & opitex sublimis qui rete sui piscaminis per *Patri Ministeri* um laxavit in capturam, Ecclesiæ laboranti benigne subvenit, ipsamque mundi fluctibus diu agitatam sua disponente gratia submergi non permisit. Hujus namque operis successorem providum, post expectationem diutinam & lacrymosa plebis desolatæ suspiria, ex insperato providit, & columnam suæ domus in ædificium completum provide substituit, quatenus in ipsa donorum dispensator hæc magnificus, & teneat præ ceteris culmen sublimitatis, qui de creditis sibi talentis rationem abundantem etiam in minoribus reddidit cum usura. Congruum namque & magnificum Dei beneficium censetur cunctis, ut hunc quem tot virtutum insigniis, & gratiarum plenitudine Dominus decoravit, ad sui gregis profectum constituat super multa, fiatque per ipsum Cælo grex ipse vicinior, & salus mundo per ejus ministerium paxque Christicolis feliciter augeatur. Hujus igitur exultationis pater sancte participes ad pedes vestræ sanctitatis, dilectos nobis *Wilhelmum de Chawmont* Clericum, & *Wilhelmum de Atre* militem, nostros fideles transmittimus, qui hostiæ mentis jubilum vobis infundent, nosque et nostros et quæ nostra sunt vestræ beatitudini cum omni devotione recommendent. Quod autem id hæcenus juxta nostræ mentis desiderium efficere nequivimus, ne grave gerat vestra Sanctitas vel indignum. Præsertim, cum varia nobis impedimenta paraverint Regni nostri turbatio dudum suborta, & nostrorum rebellio subditorum, quos nobis, ut speramus, jam virtus divina reddidit humiliatos. Paternitati etiam vestræ precum instantia qua decet & expedit supplicamus attentè in hiis quæ nostri Nuntii supradicti, tam pro negotio Crucis, quam aliis nos seu regnum contingentibus vobis exponant, fidem & favorem benevolam vestra dignetur sanctitas adhibere. Teste Rege, &c.

Cart. Pat. & Claus. infampl. ab An. 47 H. 3. ad 50.

The \* Bishop of *Bath and Wells*; against the Kings former Prohibition, and his own personal promise to the King, not to draw the Abbot of *Glastonbury* into the Court of *Rome* against the Rights of his Crown, and Privilege of the Realm, for matters belonging to his Temporall Courts, Advousons and Lay fees, which were not of Ecclesiasticall Conusans, issued this Writ to the Sheriffe of *Somerset*, to summon the Bishop to appear personally before him; to answer this his presumption and high contempt.

\* See Godwin's Catalogue of Bishops, p. 297, 298.

**R**EX Vic. *Somerset*. salutem. Monstravit nobis *Rogerus* Abbas *Glaston*, cum nuper coram nobis & Consilio nostro querelam nobis deposuisset, de *W. Bathon*. & *Wellen*. Episcopo, de eo quod idem Episcopus, contra Prohibitionem nostram, et contra antiquam consuetudinem Regni nostri, et indulgentiam nobis a sede Apostolica concessam, ne *Anglici* trahantur in causa extra Regnum nostrum, ipsum Abbatem traxit in placitum in Curia *Rome* de maneriis, advocacionibus Ecclesiarum, et aliis feodalibus et transgressionibus, de quibus placita ad Coronam et dignitatem nostram pertinent, in Curia nostra deduci et terminari debent et solent. Et prædictus Episcopus coram nobis & Consilio nostro constitutus præcise negasset, ipsum Abbatem ad Curiam *Roma* per eum fuisse citatum. Ac nos eidem Episcopo sub debito fidelitatis in qua nobis tenetur, et super Baroniam quam de nobis tenet, postmodum inhibuimus, ne prædicto Abbati super præmissis contra prædictam consuetudinem et indulgentiam molestiam aut gravamen inferret aut procuraret inferri. Idem Episcopus, in nostri contemptum et Regiæ dignitatis præjudicium, nec non contra prædictas consuetudinem, inhibitionem et indulgentiam, prædictum Abbatem ad Curiam *Romanam* jam de novo super præmissis citari procuravit, ad magnum dampnum ipsius Abbatis et indulgentiæ prædictæ non modicam læsionem. Et quia præsumptionem hujusmodi taliter sustinere nolumus nec debemus,

Cart. Pat. & Claus. An. 47 H. 3. ad 50.



mus, tibi præcipimus, quod prædictum Episcopum venire facias coram nobis in octabis Sancti Michaelis ubicunque tunc fuerimus in Anglia, nobis de prædicto contemptu ac dicto Abbati de transgressionibus prædictis responsurus. Et habeas ibi hoc breve, &c. Teste Rege, &c.

The King recommended an Abbot Elect whose Election he had approved, to the Pope for his favour, by these his Letters.

Cart. Pat.  
Clauf. ab An.  
42 H. 3. ad  
An. 50.

**D**omino Papæ salutem, cum reverentia & honore. Cum P. de L. quondam Prior de W. quem Prior & Conventus ejusdem loci nuper sibi elegerant in Abbatem, viam universæ Carnis sit ingressus, ac iidem Monachi petita postmodum & obtenta licentia nostra, prout moris est, dilectum nobis in Christo fratrem R. de W. Commonachium suum virum utiq; providum & discretum sibi unanimiter elegerint in Abbatem, nos Electioni de ipso celebratæ assensum adhibuimus et favorem. Et hoc tenore præsentium Sanctitati vestræ intimamus, rogantes attentius, quatenus ipsum Electum & negotia sua habere dignemini recommendata, & quod vestrum est in hac parte exequi cum favore. In cujus, &c.

The King prohibited the Archbishop of *Canterbury* not to restrain nor molest two of his Chaplains for the Dismes granted him by the Pope, for which they had given the King full satisfaction.

Ibid. m. 11. in  
tus.]

**B**. Cantuar. Archiepiscopo totius Angliæ Primati salutem. Cum Dominus Papa dudum nobis concesserit decimam proventuum beneficiorum Ecclesiasticorum in Regno nostro subsidium peregrinationis nostræ in terram sanctam, & postmodum decimam illam converterit in auxilium Regni Siciliæ, ac dilecti & speciales Clerici nostri *Johannes le Mansell*, & *Henricus de Wingham*, satisfacerint nobis de decima ipsos contingente, inde contenti sumus ad plenum; miramur quamplurimum & movemur, quod vos autoritate quacunque coercionem eis faciatis pro decima prædicta. Quocirca vobis de Consilio procerum qui sunt de consilio nostro, mandamus districtè inhibentes, nè præfatis Clericis nostris super præstatione dictæ decimæ aliquam coercionem faciatis, aut ipsos in hac parte aliquatenus vexetis aut gravetis, sed si coercionem aliquam eis per suspensionem vel sequestrationem beneficiorum suorum feceritis, vel aliquid aliud contra ipsos in hac parte attemptaveritis, ea penitus relaxetis & revocetis. Teste &c.

The King sent this Mandate to the Parishoners of *Pentrix*, by no means to permit the Bishop, his Official or Archdeacon to enter into their Parish, or act any thing to the prejudice of his Free-Chappel there.

Cart. Pat.  
Clauf. ab An.  
42. ad 50. H. 3.

**O**mibus Parochianis de *Pentrix*, salutem. Præcipimus vobis quod sicut vos & vestra diligitis, nullo modo permittat Episcopus de O. vel ejus Offic. five Archid. ingredi Villam de *Pentrix*, ad aliqua spiritualia ibidem exercenda, quæ cedant in præjudicium libertatis Capellæ nostræ de *Pentrix*. nec eis sitis in aliquibus spiritualibus obediētes. In cujus, &c.

The Bishop of Saint *David's* and his Clerks complaining to the King as supream Governor and Protector of the Church, Clergy, and their liberties, how extraordinarily the Priviledges of their Churches, Monasteries, houses, goods and persons were violated in *Wales*, in an hostile manner throughout his Diocese, issued this memorable Writ and Prohibition to his Officers for their future protection and indemnity against such injuries and oppressions.

Cart. Pat.  
Clauf. ab An.  
42. ad An. 50  
H. 3.

**U**niversis Ballivis & fidelibus suis, per *Walliam* constitutis salutem. Ex zelatu Venerabilis Patris R. *Mæn*. Episcopi & insinuatione Cleri suæ Dioc. accepimus, quod tanta est hostilitas huiusmodi in Dioc. *Mæn*. quod immunitates Ecclesiæ

clerici violantur, manus violentæ injiciuntur ac quidam interficiuntur, domus Religio-  
forum distruntur, domus Clericorum in Cemeteriis constructæ, & etiam ipsæ Eccle-  
siae incenduntur, Episcopo, Archidiacono, & ceteris viris Ecclesiasticis transiendi per  
prædictam Dioc. securitatis via præcluditur, Ecclesiastica libertas nullus penitus con-  
culcatur, viri etiam Ecclesiastici dictæ Dioc. tot dampnis & injuriis modo ab Angliæ,  
modo à Wallensibus affliguntur, quod nisi prædictis remedium apponatur, ne-  
cesse habent Ecclesiis suis relictis exulare. Nolentes igitur quod  
Sacrosancta Ecclesia sub nostra protectione constituta, tot aduersi-  
tatibus opprimatur, Mandamus vobis firmiter injungentes, quod  
in singulis locis in prædicta Dioc. per quæ transitum feceritis, pub-  
lice voce præconia prohiberi faciatis, ne aliquis de pace nostræ im-  
munitates Ecclesiasticas violare, seu etiam viris Ecclesiasticis  
dammum vel injuriam inferre, aut contra libertates Ecclesiæ in  
aliquo de præmissis venire præsumat. Scituri, quod dissimulare  
non poterimus quin aduersus violatores immunitatis Ecclesiæ,  
ad cujus tuitionem tenemur, manus ultionis extendamus. In  
cujus, &c.

The King of Romans having occasion to travel to Rome about his own, the  
Kings and Kingdoms urgent affaires, which journey would prove very expensive,  
the King issued these Writs for him to tax all his Tenants, and to them, to grant a  
liberal Ayd and Contribution towards his expenses in this expedition.

**O**Mnibus, &c. salutem. Quia charissimus fidelis noster Rex Romanorum illustris,  
proximò profecturus est ad Curiam Romanam, pro arduis et urgentissimis  
negotiis, quæ ad nostrum, et suum, et Regni nostri honorem et pro-  
fectum assumpsit, et quæ sine maximis sumptibus nequeunt expediri,  
concessimus ei, quod Burgos et Baneria sua quæ fuerunt dominica  
nostra rationabiliter talliare possit hac vice, licet dominica nostra per  
Angliam ad præsens non fecerimus talliari. In cujus, &c.

Chart. Pat.  
Clauſ. ab An.  
42 ad 50. H. 3.  
m. 9. inrus.

**O**Mnibus liberè Tenentibus de illustri Rege Romanorum in Anglia, salutem.  
Quia prædictus Dominus Rex frater noster charissimus in proximò profecturus  
est ad Curiam Romanam, pro arduis et urgentissimis negotiis, quæ ad  
nostrum, et suum, et Regni nostri honorem et profectum assumpsit,  
circa quorum expeditionem oportet ipsum non modicos sumptus apponere, univer-  
sitatem vestram rogamus attentè, quatenus cum præfatus Dominus vester vestra ad  
præsens indigeat subventionem, eidem in hac necessitate sua jam competens subsidium  
impendere studeatis, quod tam à nobis quam ab ipso in agendis vestris favorem &  
gratiam futuris temporibus merito promereri debeatis, cum speciali gratiarum actio-  
ne. Teste, &c.

Ibidem.

Boniface Archbishop of Canterbury being an Alien, and banished or forced to fly  
out of the Kingdom by the Barons, was upon a Treaty and agreement between the  
King and his Barons, permitted to return into England upon these Conditions, ex-  
tant only in this Record.

**A**Nno Domini 1264. mense Martii, in præsentia illustris Regis Angliæ, de Con-  
silio Procerum & Magnatum ejusdem Regni, actum est, quod Venerabilis Pater  
B. Dei gratiæ Cantuariensis Archiepiscopus, totius Angliæ Primas, in Angliam re-  
vertatur sub conditionibus infrascriptis in Regno pacifice moraturus. In primis igitur  
actum est, quod Archiepiscopus in reversione sua Excommunicationis  
sententias in quascunque personas occasione turbationis in  
Regno Angliæ habitæ promulgatas, sine difficultate qualibet relaxet  
in forma iuris, dum tamen illi qui excommunicati fuerint inventi, de  
excessibus satisfacere sint parati, et pro eisdem Canonica mandata  
Archiepiscopi

Extract. Dona-  
tionum &c. An.  
43, 46, 47, 48  
H. 3. m. 19.  
inrus.

Archiepiscopi recipere tenentur in forma inferius in proximo articulo contenta. Secundo actum est, quod de emendis faciendis nomine excessuum Ecclesiarum et Ecclesiasticis personis infra loca jurisdictionis sue immediate subjecta, arbitretur Archiepiscopus de consilio omnium Suffraganeorum suorum, aut majoris et sanctorum partis, et de arduis negotiis Ecclesiam Anglicanam et Regnum contingentibus futuris temporibus post reversionem suam, similiter de consilio eorumdem et aliorum discretorum de Regno, ordinet et disponat. Tertio actum est, quod Magistros tales familiares Clericos suos secum adducat, et hos tantum Clericos alienigenas de consilio suo et familia retineat. Quarto actum est, quod alii Clerici quicumque beneficiati in Regno Anglie cum Archiepiscopo redire volentes, in beneficiis suis salvo et secure redeant et morentur, et bona Ecclesiastica infra Regnum expendant, ut tenentur, nihil extra Regnum deferentes vel mittentes, nisi casus necessarius et a Consilio Regis approbatus hoc requirat. Quinto actum est, quod Archiepiscopus seu Clerici cum ipso venientes nihil in Literis, Nunciis seu mandatis secum deferant, vel quicquam aliud in ipso Regno commozantes, per se vel per alios procurent, de quo Regi aut aliquibus de Regno dampnum possit vel periculum seu praejudicium provenire. Ad memoriam autem praemissorum praeſentibus sigillum illustri Regis Anglie est appensum.

Per totum Consilium.

The Prior and Convent of *Bairb*, and Dean and Chapter of *Wells*, having unanimously elected *Walter Giffard* for their Bishop, who by reason of the Wars and danger in travelling as well on this side as beyond the Seas, could not personally resort to him to be examined, confirmed and consecrated; the King thereupon issued this Writ, with the Certificate of his Election, to the Archbishop, desiring his examination and confirmation thereof by himself, or else to appoint some of his Suffragans to examine, confirme and consecrate him here in his stead.

Extract. Donationum in Anno 48 H. 3. m. 21. inus.

**C**Antuarie Archiepiscopo, totius Anglie Primati, salutem. Cum dilectus nobis in Christo Prior & Conventus *Bairbon*. & Decanus & Capitulum Ecclesie *Wells*, dilectum nobis in Christo Magistrum *Walterum Giffard* Canonicum *Wellsensem*, quem specialiter recommendatum habemus, sibi in Patrem & Pastorem Ecclesiarum praedictarum concorditer assumpserint; Ac idem Clericus propter discrimina quae ratione turbationis jamdiu habitae in Regno viantibus imminet, tam in partibus transmarinis quam cismarinis, prout vobis satis liquet, ut credimus, ad praesentiam vestram personaliter accedere secure non possit, devotionem vestram affectuose rogamus, quatenus Nuncios & Procuratores Ecclesiarum praedictarum, pro negotio electionis illius ad vos accedentes intuitu Dei, recommendatos habentes electionem ipsam, prout ad officium vestrum pertinet, examinare velitis & confirmare, vel eam saltem obtentu precum nostrarum, aliquibus de subditis vestris in Anglia commorantibus examinandam committatis, simul & confirmandam, aliquibus de Suffraganeis vestris plenam dando potestatem electum praedictum vice vestra consecrandi, si ipsum confirmari contingat. Teste, &c.

The Archbishop notwithstanding neglecting or refusing to do it upon this request and mandate of the King, he thereupon issued this sharp Writ to him, taxing him of ingratitude and abuse of his patience, and commanding him to come into *England* forthwith in person, & confirm and consecrate him, or else to appoint others to do it.

Extract. 48 H. 3. m. 21. inus.

**C**Antuarie Archiepiscopo totius Anglie Primati salutem. Licet hactenus per patientiam pluries sustinuerimus Electos in Episcopos, Abbates ac Praelatos alios in Regno nostro pro beneficio confirmationis obtinendo, ad vos in partes proficisci transmarinas, tale a vobis praemi-

um



um non reddidimus reportarent contra ius et Regni nostri consuetudinem, quibus per patientiam huiusmodi non intendimus quomodo praejudicium generari; hoc ad consequentiam trahere attemptaretis. Miramur igitur simul et moveamur, vos ad petitionem nostram, examinationem electionis dilecti nobis in Christo Magistri Walteri Giffard, nuper in Bathon. et wellen. Episcopum Electi et ejusdem Electionis confirmationem, quem ne personaliter ad vos accederet detinuit, et adhuc detinemus inuitum, aliquibus discretis de Regno nostro committere recusasse, ad quod ius commune, et ipsius Regni consuetudo vos, dum extra Regnum agitis, inducere deberent etiam non rogatos. Ne igitur nimia patientia nostra in vobis contemptum pariat, scire vos volumus, nos de cetero talia parcius permitturos, his praesertim temporibus quibus Anglicus tutus ad vos per partes Francia, prout dicitur, non patet accessus, propter quod paternitatem vestram rogandam durius attentius et monendam: Rogantes insuper, et in ade qua nobis tenemini firmiter injungentes, quatenus in praemissa electione et aliis Officiis vestris debitum exequuturi, ad partes Angliae personaliter accedere, vel saltem aliquibus discretis de Regno nostro, quos ad hoc magis idoneos reputaveritis, vices vestras in hac parte committere curetis; ne si iteratas preces nostras, et mandata ad quae de jure tenemini contumaciter exaudire recusaveritis, contra vos tanquam iustum et libertatum ac consuetudinum Regni nostri contemptorem nostrae indignationis aculeos erigere, et acius procedere debeamus ad vindictam: nec enim si secus egeritis proventus Archiepiscopatus ad vos extra Regnum de cetero deferri sustinebimus, sed sicut curam recusatis, ita et emolumenta vobis extra Regnum agentibus, subtrahere curabimus in futurum: Nos vero si opus fuerit saluum et securum sumus vobis conductum praebere parati. In cuius, &c.

The continuer of Matthew Paris relates, that Anno 48 H. 3. during the Barons Wars, \* Licet Comes Leycestriz praecepta dedisset sub poena decapitationis, ne quis in Sanctam Ecclesiam, vel Camiterium depradaturus intrare praesumeret, nec religiosi viri, vel eorum famulis, manus violentas inferret; nihil hac industria fore profecit, namque nec Episcopi, nec Abbates, nec viri religiosi de villa in villam progrederi poterant, quin a villis suis praeclatis praeclatis. Hereupon I conceive the King issued this Writ and Proclamation to the Keeper of the Peace in the County of York, to protect Ecclesiastical and Religious mens persons, their tenants and goods, from violence and injury, and to declare injurious and undue presentations by usurpation on rightfull Patrons, or by them, to be voyd.

\* Mat. Paris, p. 964, 965.

Johanni de Eyvil, Custodi pacis in Com. Ebor. salutem. Cum libertatem et securitatem Ecclesiarum speciali affectione diligere teneamur, ac personas Ecclesiasticas & earum bonateneri animo benevolo exoptemus, vobis de communi consilio Procerum nostrorum, mandamus districtè praecipientes, quatenus sicut corpus vestrum & omnia bona vestra diligitis, iura Ecclesiastica, Praelatos, et personas Ecclesiasticas, tam religiosas quam seculares, homines suos et eorum bona in Com. praedicto manuteneatis et defendatis; non permittentes eis in personis aut rebus suis, per aliquos Clericos vel Laicos quorumcunque mandato, contra libertatem Ecclesiasticam aut immunitatem inferri molestiam, injuriam seu grabamen. Scituri, quod si qua eis fuerint pro defectu vestri adlata violenter, vos inde oportebit respondere. Collationes etiam Ecclesiarum a non suis patronis factas in Com. praedicto, aut etiam a suis patronis, contra consuetudinem hactenus obtentam in Regno nostro

Extra. Donat. tionum Anho 48 H. 3. m. 14. infra.

Extra. Donat. tionum Anho 48 H. 3. m. 14. infra.

nostro attemptatas, volumus non habere. Quia omnia predicta per totum Com. predictum publice clamari facili. In cuius, &c.

Mat. Pa. ris  
Hist. p. 961.

\* *Anno 1264. (48 H. 3.)* *Quidam de parte Baronum captum Episcopum Herefordensem in Ecclesia sua Cathedrali, vocatum Petrum, natione Burgundum, (the contriver of the premised forged Obligations of Abbots and Bishops monies to the Pope, without their privy) & aliorum, ad Castellum de Ordsleya, Theleaurum suum inter se pariter dividentes. Others seized upon the riches, fruits, profits, goods of the Archbishop, and of all other Alien Clerks, Non-residents, and others that were against the King and Kingdom, and sold, wasted them at their pleasures; whereupon the King by his Royal Prerogative commanded them to be sequestred, prized and sold by Inquisitions taken upon Oath, by special Commissioners appointed by him for that purpose, in the view of their Proctors, if they would be present, by these his Letters Patents.*

Pat. 48 H. 3.  
m. 4. verso.

**R**EX Omnibus, &c. salutem. Cum nonnulli occasione turbationis in Regno nostro nuper habite, fructus et proventus Ecclesiarum, et etiam alia bona Ecclesiastica Clericorum alienigenarum non residentium, et aliorum Clericorum nobis et Regno nostro aduersantium, et extra Regnum nostrum agentium distrabant, devalent, et consumant; Ac nos Ecclesiastica libertati in hac parte prospicere volentes, de consilio Prelatorum & Baronum nostrorum de Consilio nostro existentium, assignaverimus *H. London. Episcopum, Archidiaconum Oxon. & Rogerum de Norwood*, ad fructus & proventus, & bona Ecclesiastica Clericorum predictorum, tam in Dioc. *Cantuar.* quam in aliis beneficiis suis extra eandem Dioc. ad collationem predicti Archiepiscopi spectantibus, colligenda & custodienda. Ita quod fructus, & proventus, & bona predicta reponi facerent in Ecclesia Christi *Cantuar.* in forma per Prelatos & Barones predictos provisa. Ac iidem Episcopus & Archidiaconus, ad premissa exequenda deputati, ad presens non sint in Regno, & etiam Procuratores eorum ad hoc negligentes inveniuntur, per quod magna distractio seu dilapidatio de bonis Ecclesiasticorum predictorum, propter presentem Regni turbationem fieri posset, nisi de conservatione eorundem cum celeritate provideatur, assignavimus dilectum Clericum nostrum *Henricum de Osinton*, ad blada dictorum beneficiorum in quibusdam locis sibi assignatis per Sacramentum proborum & legalium hominum estimata & apreciata, vendenda, per visum & consilium Procuratorum predictorum si interesse voluerint, quibus hoc idem denunciari precipimus. Ita quod de exitibus inde provenientibus, prout iustum fuerit, satisfieri faciamus. Et ideo vobis mandamus, quod prefato *Henrico* tam circa estimationem quam venditionem eorundem cum ab eo requisiti fueritis, assistatis, & intendatis, & consilium & auxilium vestrum efficaciter impendatis. Teste Rege apud *Cantuar.* 16. die *Septembris.*

*Johannes de Middleton*, Clericus Capellæ assignat. &c. } *Pakeham* Præbend.  
} *J. Mansell*, Ap.  
} *Surremalling.*

*Henricum de Osinton*, Clericus Garder. } *Oxford*, cum Capella  
} *Sevenham*, *Chiding-*  
} *ston*, *Wrotham.*

Consimiles Literas habet *Johannes de Middleton*, Clericus Capellæ, &c.

Consimiles Literas habet *Willielmus de Crioll*, Miles.

Consimiles Literas habet *Willielmus le Avenir*, &c.

Consimiles Literas habet *Jocosa de Land*, &c.

Consimiles Literas habet *Henricus de Bourne*, Miles, &c.

I find this Commission of the same kind in the Extract Roll.

Extr. Dona-  
tionum Annis  
45, 46, 47 H.  
3. m. 17. verso.

**O**mnibus, &c. salutem. Cum nonnulli occasione turbationis in Regno nostro nuper habite, fructus et proventus Ecclesiarum, et etiam

etiam alia bona Ecclesiastica Clericorum alienigenarum non reddentium, et aliorum Clericorum nobis et Regno nostro adherentium, et extra Regnum nostrum agentium distrabane, dehaerent, et consumant. Ac nos Ecclesiasticæ libertati in hac parte prospicere volentes, de consilio Prælatorum et Baronum nostrorum de Consilio nostro existentium, assignaverimus tales ad fructus et proventus, et bona Ecclesiastica prædictorum Clericorum, tam in Diocesi Cantuar, quam in aliis beneficiis suis extra eandem Diocesim, ad collationem prædicti Archiepiscopi spectantibus colligenda. Ita quod fructus, & proventus, & bona prædicta reponi facerent in Ecclesia Christi Cantuariensi, in forma per Prælatos & Barones prædictos provisæ. Ac idem tales ad præmissa exequenda deputati ad præsens non sint in Regno, & etiam Procuratores eorum ad hoc negligentes inveniantur, per quod magna distractio seu dissolutio de bonis Ecclesiarum prædictarum, propter præsentem Regni turbationem fieri posset, nisi de conservatione eorundem cum celeritate provideatur: assignabimus dilectum Clericum nostrum *Henricum de Otinton*, ad blada dictorum beneficiorum in quibusdam locis sibi assignatis per Sacramentum proborum et legalium hominum æstimata et appæciata, vendenda per visum et consilium Procuratorum prædictorum nisi interesse voluerint, quibus hoc idem denunciari præcipimus. Ita quod de exitibus inde provenientibus prout iustum fuerit satisfieri faciamus. Et ideo vobis mandamus, quod præfato *Henrico* tam circa æstimationem quam venditionem eorundem cum ab eo requisiti fueritis, assistatis, & intendatis, & consilium & auxilium vestrum efficaciter impendatis. Teste, &c.

The differences between the King and his Barons concerning the Ordinances made at *Oxford* being referred to the King of *France*, who made an award therein which was not full and satisfactory to all parties, thereupon the King and his Barons by mutual consent, by these Letters Patents submitted that award to other Arbitrators herein named, to amend or correct, by way of addition or detraction, whatever they should judge meet for the settling and preserving of peace between them, submitting themselves to the excommunication and Ecclesiasticall Censures of the Popes Legat if they should infringe their accord herein.

**R**EX *Anglia*, *S. de Monte forti Comes Leicestr.* *Gilbertum de Clare*, Comes *Gloucestr.* & *Hereford.* *Johannes* filius *Johannis*, *Johannes de Burgo* senior, *Williamus de Monte Camisio*, *Henricus de Hastings*, *Gilbertus de Gaunt*, & ceteri Barones & Magnates *Anglia*, universis Christi fidelibus ad quos præsentis Literæ pervenerint, salutem in Domino. Cum super præteritis guerrarum discriminibus in Regno *Anglia* subortis, quædam ordinatio seu forma pacis de nostro Prælatorum, & totius Communitatis Regni prædicti, unanimi voluntate & assensu provida deliberatione inita fuerit, quam nuper Domino Regi *Francia* fecimus præsentari, & quam Deo gratiam, nobis & Regno nostro credimus opportunam. Ac quidam ut intelleximus facti veritatem minus plenè intelligentes, ordinationem ipsam seu pacis formam minus sufficientem, asserentes de quibusdam articulis in eadem insertis non fuerint contenti. Nos ad pacem & tranquillitatem Regni prædicti totis viribus, sicut tenemur, laborare volentes ut Justitia nostra & facti veritas pateat, & singulis plenius innotescat, plenam damus potestatem Venerabili patri *H. London*, Episcopo & nobili viro *Hugoni le Despenser*, Justic. *Anglia*, & Nobilibus viris *Bartholæo Com. Andeg.* prædicti Regis *Francia*, *Germano* & Abbati de *Bacon* inspiciendi & examinandi formam ordinationis seu pacis prædictæ, addendi & detrahendi eidem, & emendandi, si quid addendum, detrahendum seu corrigendum viderint, & providendi omnem securitatem quam viderint opportunam, & ea omnia, quæ ordinanda seu statuenda duxerint firmiter observandi. Nos autem omnia & singula quæ ipsi ad emendationem & observationem pacis ejusdem ordinaverint: Rata habebimus et accepta subsistendo nos Jurisdictioni et coercioni Contrabitis *Patris & Sabini*. Episcopi Apostolicæ sedis Legati, ut ipse per sententiam ex-

Pat. 48 H. 3.  
m. 4. dorso.

2. 11. 2. p. 129  
- 1106. 2. m.



communicationis, et omne genus Censuræ Ecclesiasticæ, nos et omnes et singulos compellere possit, si forte ordinationem prædictorum in aliquo præsumpserimus contrahere. Et si prædictus Com. Andeg. præsens non fuerit, vel negotium illud in se assumere noluerit, volumus quod Dominus de Neel, vel Dominus Petrus de Camberling. loco ejusdem Com. subrogetur. Quod si prædicti quatuor in aliquo Articulo pacis prædictæ discordes fuerint, Judicio majoris partis eorundem stetur. Et si pares in discordia fuerint, volumus ut Venerabilis pater Archiepiscopus Rothomag. eis associetur, & quod à majori parte eorundem quinque concorditer fuerit ordinatum, firmiter observetur. Nolumus autem quod aliquid liceat eis dicere, ordinare, seu statuere circa emendationem ordinationes seu pacis prædictæ, per quod Regnum Anglia, per alios quam per indigenas gubernetur, nec castrorum custodia seu alia Balliva in Regno prædicto aliis quam indigenis fidelibus non suspectis committatur. Volumus etiam modis omnibus quod pax inter nos Regem Anglia, & præfatum Com. Leye. super personaribus & specialibus querelis, questionibus & contentionibus quas contra eundem Comitum habemus & ipse adversus nos, & de quibus posuimus nos in prædictum Regem Franc. fiat & assecuretur antequam pax seu ordinatio prædicta finaliter compleatur. In cujus rei testimonium huic scripto nos Rex Anglia, Com. Leye. & Glouc. Jo. Johes, Willielmus, Henr. & Egidius, pro nobis & cæteris Baronibus, & Communicate Regni Anglia sigilla nostra apposuimus. Dat. apud Cantuar. die Jovis prox. post festum Nativ. beati Virginis. Anno Domini, 1263.

The King and the Barons having by common consent entred into Articles of agreement under their hands concerning the reformation of the Realm of England, and referred themselves therein to the determination of the French King or the Popes Legate, the King thereupon constituted these three Proctors to conclude and consent on his behalfe to what ever should be therein agreed, submitting himself to the Legates Ecclesiasticall censures and excommunication to compell him to the performance thereof, by this Patent.

Pat. 48 H. 3.  
m. 13. intus.

**R**EX Anglia, Omnibus ad quos &c. salutem. Noverit universas vestra, quod nos ordinamus & constituimus venerabiles patres W. Wygorn. & I. Winton. Episcopos, & Nobilem virum Petrum de Montforti Procuratores & Nuncios nostros sollempnes, dantes eis potestatem tractandi in præsentia magnifici Principis Domini L. Dei gratia Regis Franc. illustris, & Venerabilis patris G. Sabini. Episcopi Apostolicæ sedis Legati, vel alterius eorum, super reformatione status Regni Anglia. Et quod in hac parte provisum fuerit acceptandi & firmandi, seu etiam compromittendi super hoc in certas personas si viderint expedire, ac omnem securitatem faciendi quam negotii qualitas requirit, & quam nobis seu Regno prædicto viderint optimum dantes insuper præfato, Petro potestatem jurandi in animam nostram, quod nos quicquid ipsi tres in præmissis nomine nostro duxerint faciendum, Ratum habebimus et acceptum, subsciendo nos Jurisdictioni et coercioni prædicti Legati, ut ipse per sententiam excommunicationis et omne genus Censuræ Ecclesiasticæ nos compellere possit, ad observationem præmissorum. In cujus, &c. Dat. apud Cantuar. die Jovis prædicta Anno prædicto.

There being many great damages and spoiles done to the Church and Churchmen during the civil Wars between the King and Barons Anno. 47, and 48. H. 3. the King and they comming to a Treaty, agreed on these Articles subscribed with both their hands concerning reparation for those damages sustained by them.

Pat. 48 H. 3.  
m. 2. dorso.

**P**urveu est par Commun assentment du Roi & des Prelaz, des Contes & de Barons de la tere, ke les trespas ke fait sont contre seinte Eglise en Engleterre par acheson de Trublement & de la guere ke ad este en Reaume de Engleterre, soient amende en cest forme.

Sciens Estuz des Contes & des granz gentz de la terre par la volente & l'assentment des Prelaz, & des Evesques, ki des amendes resonables ke sont a feir par les avanditz trespas ke ont este fait contre seinte Eglise aient plein poer de le establir & de purver hantus bones jers.

**Q**ue renable Chose. Ceu que escomenge seront trovez, soient assens en forme de droit par cenz qui poter averont. Le Poir des Prelatz soit affirmes en ceste maniere: premis soit en bone foi des Contes, de la Justice, & des autres laiz qui sont du conseil le Roy, & autres granz Barons de Reaume, ke totes les Choses ke les Prelatz ke elens seront, pardevant renablement en nom de amendes garderont pur soi, & metteront poine de bone foi de fere garder des autres de ceo endoignent lor lettres overtes.

Derechef as Prelatz puis kilseront eluz, soit done plain poer du Roi & de la communaulte, des Contes & des Barons & de granz homes de la terre a purver les choses ke besoignables del estat de Seint Eglise, al boueur den, a la foi nostre seigneur le Roi, & au proffit du Reaume. E. ceo soit proms en bone foi par le Roi, par les Contes & les avanditz Barons, & par les autres granz homes de la terre si en facent lor lettres overtes. Cest a savor des choses ke unt este faitz, puis le Pasch, devint ent un an, ce est a savor le an nostre Seignot le Roi.

Si nul soit trove ke ne voile ester al ordenement de le purveance des avanditz Prelatz en les choses avant dites & solonc les formes avant dites, soit distreint par sentence de Seint Eglise. Es mester est, soient distreint par lalai force. E. qe ceste chose se puisse menz faire, ait la Justice Cent i plus chevellers ou Setjaunz sondeers eluz, a distreindre les Messesours quant il sera requis par les avanditz Prelatz, es cenz sondeers de biens communs de Seint Eglise soient sustenez tant come il sont en cele besoyn & cest ordeneement durge sovans a un an ou a deus, deiks les choses soient bene en pes & les surveances des Prelatz & la pes de la terre bien meintenee.

Purven est ke les biens des benefices de Seint Eglise des aliens & des autres ke ont est oultre la tere soient coilli, & saubement garde par les mains des Prelatz desques a tant ke soit purveu par comune conseil ke len devera faire, & afermete en testimoniance de ceo le Rois et les hanz homes de la terre out mis lur seus a cest escript.

In pursuance of these Articles of agreement, the King issued these Commissions and Writs to several Bishops and others to sequester and secure the goods and profits of such Bishops, aliens, Non-residents Clerks who absented themselves, which were spoiled, sold, and waited during the Wars.

**R**EX Venerabilibus G. Ebor. Archiepisco. H. London. & R. Line Episcopis salutem. Quia nonnulli qui Deum & Ecclesiam irreverenter & enormiter offenderunt, Ecclesiis & Ecclesiasticis personis Regni nostri præteritis turbationum temporibus injurias varias, & dampna gravia intulerunt, nos Deo & Ecclesie, ac lætis personis de dampnis & injuriis hujusmodi debitam ac plenam satisfactionem fieri cupientes, prout nuper London. de nostrorum Prælatorum ac procerum Regni nostri consilio & assensu ordinatum extitit & provisum. Vobis mandamus firmiter injungentes quatenus vocatis qui fuerint evocandi; et auditis querelam super injuriis et dampnis prædictis, ad laudem Dei et honorem Ecclesie quod vobis justum videbitur decernatis, congruam ac debitam dictis lætis satisfactionem fieri facientes. Nos enim quod per vos in præmissis ordinatum fuerit seu statutum annuente domino faciemus firmiter observari. Quod si non omnes hiis exequendis potueritis interesse duo vestrum ea nihilominus exequantur. In cujus &c. Teste Rege apud Woodstock, 8. die Decembris.

Par. 49 H. 3. m. 17. intus

**V**enerabilibus Patribus G. Ebor. Archiepiscopo, H. London. & R. Lincoln. Episcopis salutem. Quia nonnulli qui Deum et Ecclesiam irreverenter et enormiter offenderunt, Ecclesiis et Ecclesiasticis personis Regni nostri præteritis turbationum temporibus injurias varias et dampna gravia intulerunt, nos Deo et Ecclesie ac lætis personis de dampnis et injuriis hujusmodi debitam ac plenam satisfactionem fieri cupientes, prout nuper London. de nostrum Prælatorum ac procerum Regni nostri consilio et assensu ordinatum extitit, et provisum, vobis mandamus firmiter injungentes, quatenus vocatis qui fuerint vocandi, & auditis querelis super injuriis & dampnis prædictis, ad laudem Dei et honorem Ecclesie quod vobis justum videbitur decernatis, congru-

Extract. Donationum in Atl. 49 H. 3. m. 18. intus.

am ac debitam dictis laicis satisfactionem fieri facientes, nos enim quod per vos in praemissis ordinatum fuerit seu statutum annuente Domino faciemus firmiter observari. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nihilominus exequantur. In cuius, &c.

Extra. Dona-  
tionum Anno  
45 to 150 H. 3.  
30. intrs.

**O**Mnibus &c. salutem. Cum terrarum, tenementa, possessiones & bona venerabilis Patris *B. Cantuar.* Archiepiscopi occasione turbationis in Regno nostro nuper habitae a quibusdam illicitè occupata, consumpta fuerint & distracta, ad grave dampnum ipsius Archiepiscopi & Ecclesiae suae *Cantuar.* ut dicitur, Nos indemnitati ejusdem Archiepiscopi & Ecclesiae suae praedictae providere volentes, sicut & tenemur, de Consilio Magnatum nostrorum qui sunt de Consilio nostro, commissimus venerabili Patri *H. London.* Episcopo & aliis, omnes terras, tenementa, possessiones & bona ad praedictum Archiepiscopatum spectantia, custodienda, quamdiu nobis placuerit. Ita quod omnes exitus & proventus eorundem colligi & salvo reponi faciant in Ecclesia praedicta *Cantuar.* convertendos in usus & utilitatem Ecclesiae praedictae. In cuius, &c.

Ibidem.

**O**Mnibus &c. salutem. Cum nonnulli occasione turbationis in Regno nostro nuper habitae fructus & proventus Ecclesiarum, et etiam alia bona Ecclesiastica Clericorum alienigenarum et aliorum Clericorum, nobis et Regno nostro adversantium, et extra Regnum nostrum agentium distrahebant, et devassent et consumant, nos Ecclesiasticae libertati in hac parte prospicere volentes, de Consilio Praelatorum et Baronum nostrorum qui sunt de Consilio nostro, assignavimus venerabilem patrem *H. London.* Episcopum, & dilectos nobis tales ad fructus, proventus & bona Ecclesiastica praedictorum Clericorum tam in Diocesi *Cantuar.* quam in aliis beneficiis suis extra eundem Dioc. ad collationem praedicti Archiepiscopi spectantibus, colligenda & custodienda, ita quod fructus & proventus & bona praedicta reponi faciant in Ecclesia Christi *Cantuar.* in forma per Praelatos & Barones praedictos provisum. In cuius, &c.

Claus. 48 H. 3.  
m. 3. dorf.

**R**EX VIC. *Kanc.* salutem. Cum de consilio Praelatorum & Baronum nostrorum qui sunt de consilio nostro, terras, tenementa, possessiones & bona *B. Cantuar.* Archiepiscopi ad Archiepiscopatum *Cant.* spectantia, & etiam fructus & proventus Ecclesiarum, & alia bona Ecclesiastica Clericorum alienigenarum & aliorum Clericorum nobis & Regno nostro adversantium, & extra Regnum nostrum agentium quae sunt in Dioc. *Cantuar.* *H. London.* Episcopo, & Magistro *Richardo de Mephani* Archid. *Oxon.* & *Rogero de Norwod.* pro eo quod nonnulli occasione turbationis in Regno nostro nuper habitae quasdam terras & tenementa praedicta occuparunt, & fructus & proventus Ecclesiarum praedictarum distraxerunt & consumpserunt, commiserimus custodienda. Ita quod omnes exitus terrarum & tenementorum praedictorum & fructus & proventus Ecclesiarum praedictarum reponi faciant in Ecclesia Christi *Cantuar.* in forma per Praelatos & Barones praedictos provisum; ac praedicti Custodes ad conservationem bonorum praedictorum, & ad bona Ecclesiastica modo praedicto distracta recuperanda consilio & auxilio tuo plurimum indigeant, tibi precamur, quod quociens ab eisdem fueris requisitus, eis ad hoc assistas, & Consilium & auxilium tuum tam diligenter impendas quod diligentiam tuam commendare merito debeamus. Teste Rege 2. die *Septembris*.

The King likewise issued this Writ to prohibit all Lay-force, waste and plunder in the Prebendary of *William de Merton*, or the lands, goods and possessions belonging to him; at the Petition of the Bishop of *London*, signed in the presence of many Bishops and some Lords.

Claus. 48 H. 3.  
m. 4. dorf.

**R**EX Majori & Vicecomitibus *London.* salutem. Cum nonnulli occasione turbationis nuper habitae in Regno nostro, decimas, fructus, & alia bona Ecclesiastica devassent, et quo minus Praelati eorundem ea quae ad officium suum



suum pertinent exercere valeant in Ecclesiis antedictis; Nos ho-  
nozi et indempnitati Ecclesiasticæ libertatis providere volentes, ut  
tenemur, ad requisitionem Generabilis Patris H. London. Episco-  
pi, vobis de Consilio Baronum nostrorum præcipimus firmiter in-  
iungentes, quod omnem vim Laicam, et etiam armatam quæ se  
tenent in Præbenda dilecti Clerici nostri Walteri de Merton de Eynshyr,  
seu in possessionibus ejusdem ad devastand. distrabend. consumend. seu occupand.  
bona & possessiones ejusdem, sine dilatione faciat amoveri, non permittentes præ-  
fatum Episcopum ab aliquibus impediri, quo minus ea quæ ad officium suum spiri-  
tuale pertinent, exercere valeat in eadem. Teste Rege apud Sanctum Paulum  
London. 9. die Augusti.

Per ipsum Regem, London. Wygorn. Sarr.  
Wynton. Exon. Cicester. & aliis Epi-  
scopis presentibus, & hoc postulantibus. I-  
tem presentibus H. le Dispenser Justici.  
Radulpho de Cameys, Ad. de novo Mer-  
cato, Egid. de Argentein.

**R**EX Episcopo Norwyc. salutem. Cum nonnulli occasione turbationis in Reg-  
no nostro nuper habitæ, fructus & proventus Ecclesiarum, et etiam alia  
bona Ecclesiastica Clericorum alienigenarum non-residentium, et  
aliorum Clericorum, nobis et Regno nostro adversantium et ex-  
tra Regnum agentium distraxerint, et devastaverint, et nos Ec-  
clesiasticæ libertati in hac parte prospicere volentes, nuper de Con-  
silio Prælatorum et Magnatum nostrorum assignaverimus vos ad  
fructus et proventus, et alia bona Ecclesiastica prædictorum Cleri-  
corum in vestra Dic. colligenda et custodienda; Ita quod exitus  
inde provenientes reponi faceretis in Ecclesia Cathedrali Norwic.  
in forma per nos et Prælatos et Magnates prædictos provisâ. Ac  
cum domus Ecclesiæ Magistri P. de Camberlaco, apud Fakenham decidant, & bona sua  
ibi dem sunt distracta ut accepimus, & W. de Withm. terras, possessiones & beneficia  
ibidem habeat vicina, per quod utilitati dictæ Ecclesiæ commodius poterit providere.  
Nos de fidelitate & industria prædicti Willielmi plenam gerentes fiduciam, vos ro-  
gamus, quatenus prædictam Ecclesiam cum Capellis adiacentibus prædicto Willielmo  
committatis custodiendam, ita quod de fructibus inde provenientes respondeat,  
prout de jure faciendum, & omnia hac parte conservet indemnes. Teste Rege apud  
Westm. 23. die Febr.

Claus. 49 H. 3.  
m. 9. dorso.

**R**EX Omnibus &c. Cum nonnulli occasione turbationis in Regno nuper habitæ  
fructus & proventus Ecclesiarum & etiam alia bona Ecclesiastica Clericorum a-  
lienigenarum non-residentium, & aliorum Clericorum, nobis & Regno nostro ad-  
versantium, & extra Regnum nostrum agentium devastaverint & destruxerint, pro-  
pter quod nos Ecclesiasticæ Libertati in hac parte prospicere volentes, & Consilio Præ-  
latorum, & Baronum nostrorum assignavimus dilectum & fidelem nostrum Stepha-  
num Sanday, ad vendendum quandem partem bladorum Ecclesiæ de Racolur. & ca-  
pellarum suarum de Hiru. & Berner. Manketon. & Bertelton, quæ remansit post deva-  
statione & destructionem bladorum prædictorum, & quæ per Sacramentum proborum &  
legalium hominum æstimata fuit & apreciata ad Quinquaginta Libr. & duodecim de-  
nar. Ac idem Stephanus prædictam partem pro pecunia supradicta vendiderit & pecuni-  
am illam in gard. nostram solverit, de qua illis quibus de jure fuit respondendum satis-  
fieri faciemus, nos venditionem prædictam acceptantes præfatum Stephanum de ven-  
ditionem prædicta conservabimus indemnem. In cujus, &c. Teste Rege apud Westm.  
29. die Octobris.

Pat. 49 H. 3.  
m. 29. intro.  
De estimatione  
fructuum bene-  
ficiorum facien-  
da.

**R**EX Omnibus &c. Cum nonnulli occasione turbationis nuper habitæ in Reg-  
no nostro fructus & proventus Ecclesiarum, & etiam alia bona Ecclesiastica  
Clericorum alienigenarum non-residentium, & aliorum Clericorum nobis & Regno  
nostro

Ibidem.

nostro adversantium & extra Regnum nostrum agentium distrahant, devassent & consumant. Nos Ecclesiasticæ Libertati in hac parte prospicere cupientes, de Consilio Prælatorum & Magnatum nostrorum assignavimus Venerabilem Patrem *R. Carl.* Episcopum ad fructus, proventus & alia bona Ecclesiastica prædictorum Clericorum in Diocesi sua colligenda & custodienda. Ita quod exitus inde provenientes reponi fac. in Cathedrali Ecclesia *Karl.* in forma per prædictos Prælatos & magnates nostros provisâ. In cujus, &c. Teste Rege apud *Wism.* 10. die *Febr.*

During the Wars between the King and his Barons, divers Vicars and persons desirous to reside upon their Cures so as they might be secured and protected from violence therein, the King thereupon granted Protections to those who desired them, particularly this to *Walter de Merton.*

Extract. 48 H. 3  
m. 12.

**O**mnibus &c. salutem. Cum de Consilio Baronum nostrorum provididerimus, quod Clerici Ecclesiarum Rectores, Vicarii &c. personæ Ecclesiasticæ apud Beneficia sua Ecclesiastica Personalem facere volentes residentiam, salvo et secure et absque impedimento nostri vel nostrorum in beneficiis suis valeant commorari, ac dilectus Clericus noster *Walterus de Merton.* sicut intelleximus, residentiam hujusmodi apud beneficia sua quæ obtinet in Regno nostro facere proponet. Vobis mandamus quod eidem *Waltero* in cundo vel redeundo seu moram faciendo apud beneficia sua prædicta nullum inferatis, vel quantum in vobis est inferri permittatis dampnum, impedimentum, injuriam seu gravamen. In cujus, &c.

Pope *Urban* sending a Legate towards *England*, at his request, the King dispatched this Letter, desiring him to send *Peter Montefort* a safe conduct to *Dover*, in going, staying and returning.

Claus. 48 H. 3.  
m. 2. dorso.

**R**EX *G. Sabienſi* Episcopo, Apostolicæ sedis Legato, salutem. Quia dilectum & fidelem nostrum *Petrum de Monteforti*, unum de Consiliariis nostris, veritatis pacis & tranquillitatis zelatorem, ad vestram præsentiam destinamus, pro quibusdam negotiis nostris reformationem pacis et tranquillitatis Regni nostri contingentibus, vobis verba voce plenius exponendis. Cui super hiis cum ad vos venerit fidem adhibeatis indubitatam, Paternitatem vestram rogamus & requirimus attentè, quatenus Literas vestras de salvo et securo conductu inveniundo ad vos, vobiscum morando, et aliunde recedendo, sub omni festinatione sibi obviâ usque *Dover.* transmittere velit. Teste Rege apud *Caninar.* 24. die *Septembris.*

This Legat not daring to arrive in *England* for fear of those of the Cinqueports and the Barons, you shall receive an account of his proceedings in the next year.

The Clergy having granted a Disme to the King for the defence of the Realm and Church, by unanimous consent, and that it should be collected by the Bishops, and imployed by the King for the common benefit of the Realm and Church, he thereupon issued this Writ to the Bishop of *Norwich*, and another to the Archbishop of *York*, speedily to collect and pay in the same, else in their default the Sheriffs of the County should levy it, his necessities and the publick safety being to be preferred before the Churches Liberties in this case, though he had an extraordinary care to preserve them.

Claus. 48 H. 3.  
m. 3. dorso.

**R**EX *S. Episcopo Norwic.* salutem. Cum per Prælatos et Magnates Regni nostri proviſum sit et unanimiter concessum, quod Decimæ proventuum omnium beneficiorum Ecclesiasticorum in Regno nostro conferantur ad communem utilitatem ejusdem Regni et Ecclesiæ *Anglicane*, et quod hujusmodi Decimæ per locorum Episcopos leventur, et ad nos mittantur: Vobis mandamus, quod hujusmodi Decimas quas juxta provisionem prædictam in vestra Dioc. de beneficiis Ecclesiasticis levare fecistis

fecistis ad nos sine dilatione mittatis, convertendas in communem utilitatem Regni nostri et Ecclesie predictae, & hoc nullatenus omittatis. Scituri quod nisi hoc mandatum nostrum facere volueritis, de consilio Magnatum, qui sunt de Consilio nostro, Mandavimus Vic. nostro Norff. & Suff. quod dictam Decimam ob defectum vestri, (quod nollemus) levare, & ad nos mitti faciat indilate. Teste Rege apud Cantuar. primo die Septembris.

**R**EX G. Eborum Archiepiscopo, Angliae Primati, salutem. Licet nos cum Regni nostri Prelatis et Proceribus super alienigenarum inimicorum nostrorum adventu nuper praemuniri, de consilio eorumdem Prelatorum et Procerum proba deliberatione duxerimus statuendum, ut a communis defensionis auxilio nullus excludatur serus aut ordo, nullus personae laboribus, nullis rerum parcatur impensis; Illa tamen devotio debita quam ad Sanctam Ecclesiam Catholicam gerimus nos induxit, ut virorum Ecclesiasticorum in hac parte subsidium de Prelatorum ordinaretur assensu, qui ut suae et Clericorum suorum tranquillitati prospicerent; et bellicorum clades personaliter evitarent, Decimam omnium Ecclesiasticorum proventuum in suis Diocesis; non solum nobis, sed ad utilitatem rei publicae, Regni et Ecclesiae Anglicanae concesserunt. Quia vero non tantum Ecclesiis Eboracensis Ecclesiae Suffraganeis, & earum Clericis, sed etiam ipsi Eborum Ecclesiae vestrae ejusque Clericis, & toti Clero Regni nostri prospicitur in hac parte. Vobis mandamus firmiter injungendo, quod Decimam omnium Ecclesiasticorum proventuum in Dioc. Eborum existentium, nullo ab hac praestatione exempto, per vos vel ministros vestros, citra festum Sancti Mich. levare, et ad nos mitti faciatis. In hoc enim non modicum Ecclesiae libertati deferimus, cum non per Ballivos nostros in tam ardua necessitate, sed per viros Ecclesiasticos hujusmodi subsidia ad opus rei publicae Regni et Ecclesiae Anglicanae colligi demandemus. Et sciatis, quod nisi hoc mandatum nostrum cum summa celeritate fueritis executi, quantumcunque libertates Ecclesiae tueri totis viribus nostris intendamus, omittere non possumus nec debemus, quin pro securitate Regni nostri ejusque defensione, et communi utilitate dictam Decimam per Ballivos nostros levare faciamus. Teste Rege apud Cantuar. 3. die Septembris.

Claus. 48 H. 3.  
m. 3. dorso.

Not. 1.

Yet notwithstanding this excuse of no Clerks to contribute in this common danger, the King by these Writs, by advice of the Bishops and Lords of his Council, caused his Chaplains who personally attended him towards the Sea coast, in this expedition against foreign enemies, to be exempted from paying any Dismes, as this Writ attests.

**R**EX Archiepiscopo Eborum, Angliae Primati, salutem. Cum per Prelatos et Magnates qui sunt de consilio nostro nobiscum existentes, probum sit et unanimiter concessum, quod Clerici nostri nobiscum personaliter praesentantes versus mare contra hostilem adventum alienigenarum in Regnum nostrum quieti sint a praestatione Decimarum beneficiorum Ecclesiasticorum in Regno nostro per Nos et Prelatos, necnon et Magnates ejusdem Regni nuper probis; vobis de consilio dictorum Prelatorum & Magnatum mandamus, quatenus dilectum & fidelem Clericum nostrum, Johannem de Kirkby, qui non sine magnis laboribus & expensis nobiscum versus mare profectus est, a praestatione Decimarum predictarum in Dioc. vestra quietum esse permittatis. Et si quid ea de causa ab ipso capi feceritis id sine dilatione restitui faciatis eidem. Teste Rege apud Cantuar. 30. die Augusti.

Claus. 48 H. 3.  
m. 4. dorso.

Per Consilium

Consiliales



Consimiles Literas habent *Adam de Castellum*, & *Robertus Fulton*, directas Episcopo *Normicæ*.

The King issued this Writ to the Official of the Bishop of *Rochester*, Collector of his Dismes, to pay 20 l. out of it for a special occasion, and hasten the Collection of the residue thereof, else he would levy it by the Sheriff.

Clauſ. 48 H. 3.  
in. 2. in. in.  
De decima be-  
neficiorum Ec-  
clesiasticorum  
mittenda ad  
Regem.

**R**EX Magistro *Nicholas* Offic. L. *Roffæ*. Episcopi, salutem. Cum nuper vobis per Literas nostras mandaverimus, quod Decima omnium fructuum & proventuum Ecclesiasticorum in Episcopatu *Roffæ*, existentium colligi, & ad nos mitti faceretur, liberandam *Hugoni le Despauzer*, Justic. nostro *Angliæ*, prout inter nos & Prælatos & Barones nostros est proviſum. Ac vos id hæcenus facere non curaveritis, de quo miramur plurimum & movemur. Vobis mandamus, quatenus de dicta Decima sine dilacione habere faciatis *Johanni de Weston*, & *Willielmo de Tating*, vel eorum alteri has Literas deferenti 20 l. ad quædam negotia nostra quæ eis injunximus inde expedienda, & residuum totius Decimæ prædictæ, ad nos habeatis apud *Cantuar.* hac instanti die Sabbati vel Dominica sequenti tempestive. Et hoc sicut præfatum Dominum vestrum & vos indempnes conservare volueritis nullatenus omitatis. Scituri, quod si id facere distuleritis nos prædictam Decimam per Vic. nostrum *Kanc.* levare faciemus. Teste Rege apud *Cantuar.* 4. die Septembris.

Per *A. de Novo Mercato*, Egidium  
de *Ergentm.* R. de *Com.*

The Bishop of *Winchester*, Abbots of *Abbeidon*, *Ramsay*, and others, refusing to appear with the Horses, Armes, and Knights Service which they ought to perform to the King upon his Summons, the King therupon by advice of his Barons and Great men, issued these Writs to seize and detain their Baronies, Temporalities and goods for this their contempt, without committing wast or dilapidation therein, till further order.

Clauſ. 48 H. 3.  
in. 4. dorſo.

**R**EX *Reginald.* filio *Petri* Vic. *Subt.* salutem. Cum nuper propter turbationem Regni nostri, & etiam propter guerram in eodem Regno jam subortam, summoneri fecissemus Archiepiscopos, Episcopos, Abbates, Priores, Comites, Barones, Milites, & alios qui servitium nobis debent, ut essent ad nos apud *Oxon.* ad mediam Quadrages. prox. præteritam, cum equis et armis, et toto servitio suo nobis debito, in hujusmodi necessitatis articulo consilium et auxilium efficax super præmissis impensuri. Ac quidam ex eis servitium suum nobis debitum facere noluerunt, propter quod de Baronum consilio et Magnatum nobilium existentium, proviſum est, quod Baronie, terræ et tenementa eorum, qui de nobis tenent in Capite, et qui nobis servitium suum nobis debitum juxta mandatum nostrum facere noluerunt, capiantur in manum nostram, donec tam de dicto servitio, quam de hujusmodi transgressione nobis satisfecerint. Vobis mandamus firmiter injungentes, quod Baronias Venerabilis Patris *J. Winch.* Episcopi, & Abbatis de *Abbeidon*, qui servitium suum nobis debitum ad mandatum nostrum facere noluerunt, capias in manum nostram, et eas una cum bonis et catallis in ipsis contentis, sine distracione seu dilapidatione aliqua inde faciendâ saltem custodiri facias. Ita quod de bonis et catallis ipsis vel de pretio eorumdem, et de exitibus Baroniarum prædictarum nobis sufficienter respondeas; donec aliud inde præceperimus. Teste Rege apud *Oxon.* 4. die Aprilis.

Eodem modo mandatum est *Ada de Grenville* Vic. *Norwic.* quod capiat in manum Regis Baronias Episcopi *Elm.* & Abbatis de *Ramsay*.

Eodem modo mandatum est Vic. *Notingham*, & *Dorset*, quod capias in manum Regis Baronias Archiepiscopi *Ebor.* & Episcopi *Lincoln.*

The

The King commanding the Sheriffe of *Yorkshire* by a like Writ to seise and detain in his hand the Temporalties of the Archbishop and other Prelates, without waste or Spoile of the goods therein, for not rendring their service due to him in his Wars, whereupon he seised and much wasted the goods against the Kings precept and intent, detaining some of the Bishops tenents in prison, the King thereupon commanded him by this Writ to make full restitution of the Temporalties, goods and profits he took from him and his tenents, to release the prisoners, and restore their ransomes under pain of imprisonment, and his heavy displeasure.

**R**EX *Roberto de Nevill Vic. Ebor.* salutem. Cum Baronias quorundam Præ-  
latorum Regni nostri nuper ceperimus in manum nostram, eo quod servitia sua nobis debita nobis minimè fecerunt ad mandatum nostrum, ac vobis mandaverimus quod Baroniam Venerabilis Patris *G. Ebor.* Archiepiscopi caperetis in manum nostram, pro eo quod servitium suum nobis tempore competenti non exhibuit, ita quod eam salvo & absque distractione aliqua bonorum ejusdem Baronie custodiri faceretis, vos ut accepimus, bonorum illorum dissipationem non modicam fieri permittitis ad gravissimum dampnum Archiepiscopi supradicti, super quo nec immerito movemur. Verum quia demandam nostram servitii dicti Archiepiscopi jam in suspenso posuimus ad tempus, Vobis mandamus quatenus Baronium suam cum omnibus inde perceptis à tempore captionis ejusdem in manum nostram, sine dilatione restituatis eidem. Quia etiam datum est nobis intelligi, quod milites & servientes supradicti versus nos nuper venientes cum equis & armaturis ad faciend. nobis servitium prædictum per viam arrastavistis, & quosdam ex eis adhuc in Carcere detinetis, & à quibusdam eorum graves redemptiones cepistis, quod grave gerimus & indignè. Vobis firmiter injungimus quatenus dictos incarceratos sine mora deliberetis, & tam eis quam aliis à quibus redemptiones cepistis, omnia per vos aut vestros sibi ablata plenariè restitui faciatis. Ne super hoc oporteat nos gravius sollicitari, propter quod ad vos graviter capere debeamus. Teste Rege apud *Sutton.* 26. die *Maii.*

Clauſ. 48 H. 3.  
m. 4. dorſo.

The Bishop of *Bangor*, having interdicted the Chapple of the Son of *Griffin* in a suit concerning his Lay-fee, which belonged not to Ecclesiastical but to the Lay-Court, and refusing to take off the interdict upon caution tendred, the King thereupon issued this Writ to him to take off the Interdict, or else to suspend it till the Parliament approaching, where both parties might be heard and the matter decided.

**R**EX *Bangorensi* Episcopo salutem. Ex parte *L. filii Griffini*, nobis est ostensum, quod cum ipse pro se & hominibus suis vobis cautionem sufficientem frequenter obtulerit, de parendo mandatis Ecclesie in forma Juris, si in aliquo contra vos in præjudicium Ecclesiasticæ libertatis deliquerint, vos cautione hujusmodi hætenus admittere recusastis, nihilominus pro causis non ad forum Ecclesiasticum, immo ad Curiam Laicalem mere pertinentibus, ut de Laicalibus feodis, capellam suam interdicto supposuistis. Et quia hoc sustinere nolumus sicut nec debemus, maxime cum placita de Laicis feodis in Regno nostro ad Coronam et dignitatem nostram pertineant. Vobis mandamus rogantes, quod præfatum interdictum sine moræ dispendio revocetis, vel saltem ponatis in respectum usque ad instans Parliamentum nostrum quod habituri sumus apud *Westm.* ubi vos una cum ceteris Prælati Regni nostri juxta mandatum nostrum intereritis, ut tunc habito tractatu super præmissis, inde fiat utrique parti quod de jure fuerit faciendum. Teste Rege apud *Glouc.* 19. die *Maii.*

Clauſ. 49 H. 3.  
m. 6. dorſo.

(a) *Thomas Stubbs* and (b) *Goswin*, informe us, that *William de Langton* Dean of *Tork*, being elected Archbishop thereof after the death of *Godfrey de Kynston*, the Pope having a mind to prefer another thereto by his Provisions who would give more money for it, ejus electio ratione pluralitatis beneficiorum Ecclesiasticorum

An. 13. 49 H. 3.  
(a) Actus Pontificum Eborac.  
Col. 1726.  
(b) Catalogue of Bishops,  
p. 468.

eorum cassata fuit in Curia Romana, cum tamen non haberet nisi unam Ecclesiam cum Decanatu Eboracensi: (if all Pluralists had been rejected upon this account, there had scarce been one Bishop consecrated in that age;) although the King confirmed his election. Upon his rejection, the Pope by Provision translated *Walter Giffard* (being his Chaplain) from the Bishoprick of *Bath and Wells* to *York*: Being consecrated Archbishop by the Pope himself, returning from beyond the Seas, \* Cum Londinum pervenisset, per medium urbis priari fecit crucem suam ante ipsum in propatulo elevatam, accedensque ad Regem, honorifice susceptus est, & inde ad partes tendens Angliæ Boreales, in suo gaudenter Archiepiscopatu pastor & pater suscipitur sublimatus.

\* Mat. Paris Hist. p. 950.

\* See Mat Paris p. 965, 966.

\* *Simon Montfort* Earl of *Leycester*, during the Kings imprisonment under him, making use of the Kings Great Seal at his pleasure, presented *Almaricus de Montfort* to the Treasurership of *York* Church, in the Kings gift, against his will, who was installed therein: Not long after the King gaining the liberty of his person and Seal, by his victory over the Barons at *Evesham*, revoked that presentation as void, and presented *Edmund Mortimer* to this Treasurership; Commanding the Canons to install him, who refusing to do it, the King thereupon issued another Commission to some others to install him, upon their delay or neglect to do it.

Pat. 49 H. 3. In Cedula confuta m. 11. intus,

**H**ENRICUS Dei gratia, Rex Anglia, Dominus Hibernia, & Dux Aquitania: Dilectis sibi in Christo Capitulo Ebor. salutem. Cum dudum nobis in plena & Regia potestate nostra existentibus, concessimus providere dilecto nobis *Edmundo de Mortuo mari* in Ecclesiastico beneficio competenti quam cito facultas se offerret, & post bellum habitum inter nos & quosdam fideles nostros ex parte una, & *Simonem de Montforti* quondam Comitem *Leyce.* & fautores suos ex altera apud *Lewes*, extiterimus in Custodia præfati *Simonis* & aliorum fautorum suorum, per quod tempore ipsius Custodiæ, contra voluntatem nostram, præfatus Comes Literas sigillo nostro (quonon nos sed Comes ipse pro suo utebatur arbitrio) formari fecit, continentes quod nos Thesaurariam Eboracensem tunc vacantem *Almarico de Montforti* concessimus, & Vobis mandavimus quod eidem *Almarico* stallum in Choro & locum in Capitulo assignaretis. Ac nos per Dei adiutorium vires nostras resumpserimus, per quod concessionem illam & alias quæ per literas nostras nobis invitis factæ fuerant dum in Custodia prædicta eramus, volumus revocari & annullari, immo nullas haberi, & Thesaurariam ipsam jam spontè præfato *Edmundo* concessimus. Et ideo vobis mandamus, quod amoto quolibet detentore eidem *Edmundo* stallum in Choro & locum in Capitulo, prout moris est, assignetis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud *Wygn.* 7. die Augusti. Anno Regni nostri 49.

Upon their refusal, the King issued this further Commission.

Pat. 49 H. 3. m. 7. Pro Radulpho de mortuo Mari.

**R**EX Dilectis & fidelibus suis *Willielmo de Clyfford*, & Magistro *Willo de Wygn.* salutem. Cum post confictum habitum inter nos, & quosdam fideles nostros ex parte una, & *Simonem de Montforti*, quondam Com. *Leyce.* & fautorum suorum ex altera apud *Lewes*, extiterimus in Custodia præfati *Simonis* & fautorum suorum, per quod tempore ipsius Custodiæ contra voluntatem nostram literas sigillo nostro, quo pro suæ libertate voluntatis utebatur, signari fecit, continentes quod nos Thesaurariam Ebor. vacantem *Almarico de Montforti* concessimus, & Capitulo Ebor. mandavimus quod eidem *Almarico*, stallum in Choro & locum in Capitulo assignarent. Et nos per Dei adiutorium vires nostras resumpserimus, per quod concessionem illam & alias concessionem, quæ per literas nostras nobis invitis factæ fuerunt, dum in Custodia prædicta eramus, volumus annullari, immo potius nullas haberi, per quod Thesaurariam ipsam spontè *Edmundo de Mortuo Mari*, Clerico concessimus, & prædicto Capitulo Mandavimus, quod amoto quolibet detentore eidem *Edmundo* stallum in Choro, & locum in Capitulo assignarent. Ac ipsi mandatum nostrum eis pro eodem *Edmundo* directum facere distulerint, de quo miramur et quamplurimum movemur. Nos de vestræ fidelitatis constantia plenam gerentes fiduciam, Vobis mandamus firmiter injungentes, quod vos duo vel unus vestrum eidem *Edmundo* stallum in Choro & locum in Capitulo assignetis, & Thesaurariæ prædictæ plenam seisinam ei habere faciatis, & hoc sicut honorem nostrum & vestrum, diligitis nullo modo omittatis. Teste &c.

Item



Item mandatum est Magistro *Simoni de Evesham* Archid. *Richmundia*, quod quia Rex de fidelitatis suæ constantia, circumspectione & industria plenam gerit fiduciam, quod eidem *Edwardo* stallum in Choro & locum in Capitulo assignet. Et hoc sicut Regem & honorem suum diligit, & gratiam in conspectu Regis habere voluerit, nullo modo omittat.

Item Mandatum est Vic. *Eborum* quod assumpto secum Magistro *Willielmo de Wygorn.* eidem *Edmundo* de Thesauraria prædicta plenam seisinam habere faciat. Teste Rege apud *Winton.* 17. die *Septembris*.

The King giving his assent to the Election of the Archbishop of *York*, sent this certificate thereof to the Pope, that he might be consecrated thereunto.

**S**ANCTISSIMO in Christo Patri Domino Dei gratia sacrosanctæ *Romana* Ecclesiæ summo Pontifici *H.* eadem gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitanie* salutem, cum reverentia & honore. Sciatis quod Electioni nuper celebratæ, in Ecclesia Cathedrali Sancti *Petri Ebor.* de discreto viro *Willielmo de Rotherfeld*, Decano dictæ Ecclesiæ in Archiepiscopum ejusdem loci, Regium assensum adhibuimus, & favorem. Et hoc vestræ Sanctitati tenore præsentium significamus, ut quod verum est in hac parte exequamini. In ejus, &c. Teste Rege apud *Wism.* 1. die *Aprilis*.

Ibidem.

*Peter* Bishop of *Hereford*, being a Nonresident from his Bishoprick, demeaning himself like an hireling, not as a reall shepherd, devouring the Milk, Wool, but not knowing nor feeding his flock, nor discharging his spirituall Office for which he received the Temporalities, the King coming to *Hereford*, finding him absent, the service of God both in his City and Dioecesse generally neglected, he being highly offended and grieved therewith, out of his Ecclesiastical supremacy and care of his peoples souls, sent him this memorable Writ, worthy to be ingraven in indelible Characters in the Hearts, Memories, Palaces of all Christian Kings, and unpreaching, rarspreaching, Nonresident Prelates, Canons, Pastors; commanding him immediately to repair to his Bishoprick, and discharge his Pastorall Office with care and diligence, under pain of seising all his Temporalities, goods, enjoynig the Archbishop of *Canterbury*, and his Official by their Ecclesiastical Constitutions and Censures, to enforce him to discharge his duty, as they would avoyd his royal displeasure, proceedings against them by his secular power, and the scandall which would else inevitably fall upon them both.

\* Mat. Paris. 881, to 888. 986. 987. 917. 924. 934. See Godwins Catalogue of Bishops p. 375.

**R**EX Episcopo *Hereford* salutem. Pastores gregibus præponuntur ut diei noctisque vigilas exerceant super eos qui pecoris vultum agnoscant, et oves famelicas in fertilitatis pascua introducant, errantes vero per verbum salutis et virgam correctionis in unius obliis conversatione studeant indissolubilem unitatem. Sed sunt nonnulli qui hanc doctrinam damnabiliter contempnentes, ac sua ab aliis pecora distinguere nescientes, lac et lanam tollunt, qualiter Dominicus grex alatur non curantes; Temporalia rapiunt, et quis in Parochia fame pereat, aut periclitetur in moribus non attendunt, qui non Pastores sed Mercenarii potius dici præmerentur. Hoc siquidem dum his diebus ad disponendum de Regni nostri præsidis in partes *Marchiæ* nos transferremus in Ecclesia vestra *Hereford*. dolenter referimus, nos invenisse, quam adeo invenimus Pastoris solatio destitutam, ut nedum Episcopum, sed nec Officialem haberet, Vicarium, aut Decanum, qui quicquam spiritualitatis exercere posset in eadem, sed Ecclesia ipsa quæ olim delictis affluere consuevit, etiam Canonicis qui ibidem nocturnis et diurnis Officiis vacare, et opera caritatis exercere deberent, eam deserentibus, et longe degentibus in remotis, scola jocunditatis exuta, cecidit in terram, fiduitatis suæ detrimenta deplozans, nec est qui consoletur eam ex omni.

Pat. 49 H. 3. m. 14. intus numero. 57. See Crooks a. Instit. p. 615, 616. mistaken in the year.

omnibus charis ejus. Sane dum hæc vidimus et consideravimus diligenter, pietatis aculeus viscera nostra commovit, et compunctio. nis gladius intima cordis nostri acrius vulneravit, ut tantam Eccle. siæ matris nostræ injuriam ulterius dissimulare non possumus, nec pertransire incorrectam. Quapropter vobis mandamus firmiter injun. gentes, quatenus ad Ecclesiam vestram prædictam occasionibus qui. buscunque postpositis, cum ea qua poteritis celeritate vos transferre curetis, commissum vobis in eadem curæ pastoralis officium persona. liter executuri; nos enim de salvo et securo conductu tam inveniendo quam morando, si opus fuerit vobis, dum tamen super his quæ con. tra vos rationabiliter objici poterunt, juri parere volueritis, provide. ri faciemus. Quod si aliqua justa causa quam ignoramus subfuerit, quo minus hoc personaliter facere possitis, ipsam nobis rescribentes, alicui discreto de regno nostro vices vestras in omnibus quæ ad juris. dictionem Episcopalem pertinent committatis, ut vestra saltem ad tempus absentia tolerabilior habeatur. Alioquin scire vos volumus pro constanti, quod si neutrum istorum facere curaveritis, bona tem. poralia et omnia quæ ad Baroniam ipsius Ecclesiæ pertinent, quæ pro spiritualibus in eadem exercendis pia Progenitorum nostrorum devotione constat eidem fuisse collata, et quæ hactenus colligi, et sal. vo custodiri præcipimus, in commodum et utilitatem ipsius Ecclesiæ convertenda, cessante jam causa in manu nostra totaliter capiemus; nec ulterius sustinebimus quod temporalia metat, qui spiritualia, ad quæ ex officii sui debito tenetur, irreverenter subtrahere non formi. dat, aut quod emolumenta percipiat, qui incumbencia eisdem onera subire recusat. Teste Regi apud *Hereford*, primo die Junii.

Nota.

Ibidem.

**R**EX Archiepiscopo *Cantuar.* salutem. Pastores, &c. *Ut in alia usque ibi dis. simulate non possumus nec pertransire incorrectam.* Quia igitur ad vos suffraganeorum et aliorum subditorum vestrorum negli. gentias corrigere spectat, et excessus, paternitatem vestram rogamus et requirimus, ne in defectum opprobriumque rigoris Ecclesiastici manum Laicam, quod inviti faceremus, apponere nos oporteat, præ. fatum *Herefordensem* Episcopum suffraganeum vestrum, monere et ef. ficaciter inducere, et si opus fuerit ea qua convenit censura compelle. re velletis, ad Ecclesiam suam prædictam, usque ibi provideri facie. mus. Quod si aliqua justa causa, quam ignoramus, subfuerit quo minus hoc persona. liter facere possit, ipsum, si de ea vobis constet rescribentes, ipsum ut alicui discreto de Regno nostro vices suas in omnibus quæ ad jurisdictionem Episcopalem spectant committat, simili censura compellere non omittatis. Alioquin, &c.

**R**EX Magistro *Hugoni de Mortuomari* Offic. Archiepiscopi *Cantuar.* sub eadem forma. Quia igitur ad vos ratione officii vobis commissi suffra. ganeorum Ecclesiæ *Cantuariensis* negligentias corrigere, &c. ut infra, ubi dicitur præfatum Episcopum *Herefordensem* Ecclesiæ *Cantuariensis* suffraganeum Monere et efficaciter inducere, et si opus fuerit ea qua convenit, &c. usque in finem. Teste ut supra.

The Jews in *Lincoln* and other places, having been plundered and spoiled of their goods during the Barons Wars, and since threatened to be spoiled again, the King upon their Petition, issued this Patent to certain persons in *Lincoln*, not to offer any violence, and to protect them and their goods from all violence, plunder, having taken them into his Royal Protection, as they would answer the contrary at their peril.

R E X

**R**ex dilectis sibi, *Thoma de Fon, Waltero de Braund, Willielmo Braund, Gilberto del Punt, Rogero filio Benediſti, Johanni de Luda, Osberto filio Egidii, Johanni de Paris, Jacobo del Punt, Jordano filio Egidii, Henrico filio Egidii, Thoma filio Roberti, Petro fratri Henrici Gupil, Waltero de Croyland, Nicholas Munda, Nicholas Stoyle, Willielmo de Holgate, Willielmo de Hepham, Johanni Coiti, Thoma le Parmister, Johanni de Lavc, Johanni del Soler, Martino le Corwunder* civibus suis. *Lincoln* salutem. Cum post turbationem nuper habitam in regno nostro de consilio Baronum nostrorum Judeos nostros *Lincoln*, sicut & ceteros Judeos nostros Angliæ ad eorum corporum & rerum suarum tuitionem & conservationem in nostram protectionem specialem suscepimus, ac quidam de civitate prædicta, sicut ex eorū querimonia didicimus, sibi de corporibus & rebus suis minas inferunt manifestas, per quod nimium sibi dampnum & grave periculum evenire formidant. Nos indempnitati eorū prospicere volentes, Vobis mandamus firmiter injungentes, quatenus præfatos Judeos *Lincoln*, viriliter protegentes, & contra quoscunque manutinentes, eis in personis vel bonis suis non inferatis vel ab aliquibus inferri permittatis injuriam, &c. Et si quid, &c. Et hoc sicut vos & vestra diligitis, nullatenus omittatis. In cujus, &c. Duraturam per annum Teste Rege apud *Glouc.* 6. die *May*.

Pat. 49. H. 3.  
m. 17.  
Pro Judæis  
Lincoln.

Some Marchers of *Wales*, having entred into a Solemn agreement, with *Simon de Monteford*, Earl of *Leicester*, *Gilbert de Clare*, Earl of *Gloucester*, and other Nobels, to go over into *Ireland* for some time; for the Peace of the Realm; and raised it with their Oathes, which they perfidiously violated, by staying in *England*, raising new Forces, Wars, drawing the Earl of *Gloucester*, and he the Prince, into the Confederacy and Rebellion against the King, openly slandering and defaming him; the King thereupon, by the Earl of *Leicester*'s perswasion, as the Subscription and other circumstances evidence, commanded the Bishops of the Province of *Canterbury*, jointly in their severall Diocesses to excommunicate all of them, small and great, without sparing any, and all their adherents in general; and to vindicare the King from their slanders, by publishing the truth of things, to unblind the people whom they seduced.

See Matt. West:  
An. 1265.  
Holinshed,  
Speed, and  
Daniel.

**R**ex Venerabilibus in Christo patribus de *London* Episcopo, & ceteris Episcopis Provincie *Canthar.* salutem. Cum inter delectum & fidelem nostrum *Simonem de Monteforti*, Comitem *Leicestrie* & Senescallum *Angliæ*; ac *Gilbertum de Clare*, Comitem *Gloucester* & *Hertford*, materia cujusdam dissentionis nuper exorta quam per compromissum quoddam inter eosdem in certas personas factum & hinc inde *juramento* *translatum*; credebamus, sicut & merito si in hominibus al. qua esset fidei certitudo credere poteramus, pacificatum penitus & sedatum, ad pacanda corda subditorum nostrorum ex dissentionibus hujusmodi commota forsitan & turbata, qui ex hoc novas in regno nostro verisimiliter præsumebant posse guerras provenire per singulos Com. Regni nostri decepti; literas nostras transmisimus inter cetera continentes, quod dicti Comites amici fuerant & concordes; & ecce, quod dolenter referimus, idem Com. *Glouc.* quem ratione homagii, eodem tempore nobis facti, in fide ac devotione nostra ferventius solito perseveraturum credebamus, *Marchionibus*, & aliis Rebelligis nostris, qui ex pacto suo hoc anno cum apud *Wigorn.* essemus, de ipsius Comitis & aliorum Magnatum Regni nostri assensu habito, pro Regni ipsius pace quam iidem temerè violarunt, in *Hiberniam* termino dudum transacto se transferre debuissent, infra certum tempus minimè reversuri, & contra pactum ipsum & proprium *Sacramentum*, super hoc præstitum hoc hætenus facere distulerunt. Nec non *Willielmus de Valentia*, & Comes *Warren*, ac complices suis qui nuper in Regno nostro applicuerunt contra pacem nostram, sibi associatis, terram nostram in partibus *Marchie* hostiliter circumeundo discurret, castra & villas occupando, & guerras ibidem comovendo contra pacem nostram, sicque præfatos rebelles nostros in familiaritatem admittere & defendere, ac ad pejora committenda inducere non formidat, quibus nisi propriæ salutis immemor & *Sacramenti* ab ipso præstiti prævaricator existet, cum aliis fidelibus nostris hostem & adversarium exhibere se deberet manifestum. Præter hoc verò quod cor nostrum acuto dolore descindit, idem Comes & alii Rebelliges nostri prædicti dolosis eorundem persuasionibus, *Edwardum* filium nostrum quem (proh dolor!) ad credendum levem, & ad circumveniendum facilem invenerunt, ad partem suam proditorie attraxerunt, et ut proprio contempto sacramentis, contra formam de vestro et ejusdem filii nostri *Prelatorum*, *Nag-*  
natum

Pat. 49. H. 3.  
m. 13. intus  
num. 54.



natum et Communitatis Regni nostri unanimi assensu & voluntate nuper *London* provisam, & pœnarum multimodarum adject. one vallatam, a nobis & fidelibus nostris inconsulte recederet fraudulenter indaxerunt, qui cum eisdem se nobis contumacem & rebellionis filium exhibet in presenti. Tot siquidem probis & opprobriis & variis dispendiis nos irreverenter afficientes, & ipso facto hostes & adversarios se nobis exhibentes, se ad commodum et honorem nostrum hæc omnia facere publice prædicant, ad excæcanda corda populorum; Quæ omnia nos & fideles nostri nobis adhærentes hætenus patienter salinuerimus; Volentes ut eorum transgressiones & excessus manifestè pateant universis, & causæ justitiæ pro nobis, eorum injuria contra ipsos patenter allegent in facie singulorum antequam manum opponere vellemus ad rigorem. Cum igitur vos reverendi Patres in omnes illos qui nostram et regni nostri pacem et tranquillitatem violare seu turbare præsumpserint sententia excommunicationis dudum lata fuerit, et per vos nuper *London*, publice et solempniter innovata, licet per Dei adjutorium ad prædictorum Rebellium nostrorum insolentiam reprimendam vires nostræ sufficiant, ut aliena non sit necesse suffragia mendicare, tamen quia in scandalum divini nominis redundaret manifeste si claves Ecclesiæ contemnerentur impune; Nos rogamus et requirimus, quatenus contra eosdem Rebellis nostros, quorum adeo sunt notorii excessus et publice divulgati, quod nulla possit tergiversatione celari, nulli omnino majori vel minori parcentes, sed æque magnum judicantes ut parvum, dictam Excommunicationis sententiam, in quam ipsos palam incidisse manifestum est, prout ad officium vestrum pertinet, contra singulos nominatim, omnes in communem, et nichilominus singulis per suas Dioceces prout convenit solempniter publicari. Et ne veritas mendacio subjaceat, vos qui filii lucis & Zelatores veritatis esse debetis, processus nostri prædicti veritatem ubi expedire videritis, manifestari faciatis. Teste Rege apud *Hereford*, 8. die Junii. Et est litera duplicata per Comitum *Leicest.* Justic. P. de *Montforti* E. de *Argem.* & R. de *Santo Johanne*.

The King having sent to Pope *Urban* for a Legate to come into *England*, to promote his Affairs, and assist him against the Bishops and Barons who opposed him, issued forth this Patent of Protection and safe conduct, both for him, his Family and Goods by Sea and Land, and to exempt them from Customs.

Pat. 49. H. 3.  
m. 4. intus.

**R**EX omnibus Ballivis &c. salutem. Cum E. Sancti *Adriani* Cardinalis Apostolicæ sedis Legatus, ad nostram instantiam pro utilitate nostra et Regni nostri in *Angliam* sit venturus: Nos eundem Legatum, familiam, heredes, et omnes res suas in salbum et securum conductum nostrum suscipimus, inveniendū in *Angliam* et inde recedendo; incuius, &c. Duratur, usque ad natale domini prox. futur. Et mandatum est Baronibus & Ballivis quinque Portuum quod eidem Legato, familiæ, heredes, aut rebus suis quibuscunque inveniendū in *Anglia*, & apud *Doverr*, vel alibi ubicunque in Regno nostro applicando, seu per partes illas transeundo non inferant, &c. impedimentum, &c. Sed ipsi tam per mare quàm per terram saluum & securum conductum præbeant eis. Insuper firmiter injungens, quod præfatum Legatum, & familiam suam prædictam de consuetudinibus aut aliis exactionibus quibuscunque quietos esse permittant. Teste Rege apud *Westm.* Decimo sexto die *Octobris*.

In *November* following he sent him this further Letter.

Pat. 49. H. 3.  
m. 28. dorf.

**R**EX Legato salutem. Cum discretum virum Magistrum *Edwardum de la Cusall* Decanum *Wellen* latorem præsentium ad Dominum Regem & Reginam *Franc.* Vos, & alios amicos nostros in partibus illis pro nostris & Regni nostri negotiis sibi & vobis plenius exponendis, mittamus, certisque discimus experimentis, quod negotia pro quibus ad partes *Anglia* missi estis, per viam lenitatis et mani.

mansuetudinis incedendo, facilius et melius procurare poteritis et  
expiere, quam nimis graves coerciones Ecclesiasticas his diebus,  
ut creditur, extendendo; Paternitatem vestram, de qua plenam in domino gerimus  
fiduciam, affectuose rogamus, quatenus in praemissis tam favorabiliter & benigne vos  
habere velit, ut ad honorem Dei, & nostri, paci & tranquillitati Regni nostri per ve-  
stra sollicitudinis industriam salubriter consulatur. Super hiis autem & aliis quae pra-  
dictus Decanus ex parte nostra vobis exponet fidem adhibentes eidem, nobis per eun-  
dem significetis vestra beneplacitum voluntatis. Teste Reges apud Windlesf. 18. die  
Novembris.

*Mss. Westm.* relates of Pope Urban, Instinctu stimulatus adverso, in partem al-  
teram declinando favorem & animum convertit adversum Barones, & indignatio-  
nes immensae occasione spoliationum personarum Ecclesiasticarum statarum, tra-  
dens incentivum: fertur autem dixisse, eam non plus velle videre  
quam quod Anglos subjugasset, unde et Legatum dixerit versus An-  
gliam, vicum summum, Dominum Sabin. Episcopum Cardinalem ad  
interdicendum terram, et excommunicandum Barones proditio-  
num inopes. Sed cum terram ingredi, resistentia eorum, pro-  
hibitu non posse persensisset, citatis primo Ambiani, et postmodum  
Bosonia quibusdam Episcopis Regni, et aliis quibusdam, sententi-  
am excommunicationis et interdictionis super civitatem London. et  
5. Portum, necnon et quasdam personas illustres et nobiles Regni ful-  
minatam, commisit exequendam. At illi sententiam ipsam contra  
justiciam illatam attendentes, apellarunt ad Papam, ad meliora  
tempora, vel ad generale Concilium, necnon et supremum iudicem  
certis de causis et rationibus commendabilibus. Quae postea ap-  
pellatio, in Anglia, congregato apud Radingam Concilio reci-  
tata est, et ab Episcopis et clero approbata et executi. So little  
did they value, so much did they then oppose the Popes and his Legates authority and  
fulminations. Interdictum autem licet inibi suscipientes a Legato pra-  
dicti Episcopi, secum detulerunt. Sed cum applicuissent Doveriam;  
scrutinio ex more in portu facto, interceptum est a civibus, et in  
minutias dilaniatum, jactatur in mari. So much did they contemn, af-  
front both it, the Pope and Legate. At vir Apostolicus Urbanus, antequam votum com-  
plevisset, quod Anglicis dudum promiserat, diem clausit extremum, tempore eis  
valde opportuno.

This Pope Urban had formerly absolved the King and all others from their Oathes,  
to observe the Ordinances and Confederacies made at Oxford, which he comman-  
ded to be publicly revoked, denouncing a publicke sentence of Excommunica-  
tion against all such who should observe them, which he sent to the Bishop of  
Norwich, and all others to publish in their Churches, as William Thorn thus relates:

Anno eodem Abbas Rogerus recepit ab Episcopo Nordwycensi potestatem revoca-  
candi confederationes et colligationes, quae fuerunt editae a Baro-  
nibus in derogationem regiae Majestatis, & per ipsum Regem, quam-  
quam juxta praedictis statutis consentientem, sub hac forma quae sequitur. S. per-  
missione divina Nordwycensis Episcopus, &c. Venerabili in Christo Patri Domino  
Rogerio Abbati, &c. Mandatum Domini Papae recipimus in hac  
verba:

*URBANUS* Episcopus servus servorum Dei, Venerabili, &c. & infra. Cum  
igitur honestati congruat, utilitati conveniat, et subditorum saluti  
expediat, summi Pontificis obedire mandatis, praesertim in hiis  
per quae revocari possint errantes a devotiis, et Domini Regis paci et  
tranquillitati salubriter provideri, ac status Regni reformari in me-  
lius, discretionem vestram monemus et exhortamur in Domino, au-  
thoritate Domini Papae qua fungimur, et in virtute obedientiae  
qua sedi Apostolicae tenemini, districtius injungentes, quatinus statu-  
ta;

Anno 1264.  
P. 326, 327.

An. Dom. 1263  
Chronica W.  
Thor. col. 1913  
1913.

ta, ordinationes et colligationes quæ Barones *Anglia* machinati sunt, et in derogationem Regiæ potestatis ipso licet consentiente, et ad huiusmodi observationem iuramento se astringente, in Ecclesiæ vestra Conventuali, et in singulis Ecclesiis vobis subiectis publice et solemniter denunciatis esse revocata, & tam Dominum *Henricum* Regem *Anglia*, quam Dominam *Elisavetam* Reginam, uxorem ejus, Nobilesque viros Dominos *Edwardum* & *Edmundum* natos eorundem, ac omnes magnates *Anglia*, ab omni vinculo Juramenti supradicti denunciatis absolutos. Quam sententiam excommunicationis (against the oppugners of this absolution) injungimus vobis publicandam, per vos in Conventuali Ecclesiâ vestra, et in singulis Ecclesiis vobis subiectis singulis diebus Dominicis et festivis, pulsatis Campanis et Candelis accensis. The occasion of which absolution *Mat. Westminster* thus relates.

*Mat. West. An.*  
1265. P. 331.  
332.

Et licet, nihil sit adeo naturale quam unumquodque dissolvi eo genere quo ligatur, ideo statuta communi consensu quantumcunque licita & utilia, hominum succrescente malicia, tendentia jam ad noxam, possent omnium statuentium, vel majoris partis eorum, contraria voluntate mutari, vel penitus aboleri (quemadmodum serpentem æneum in deserto, ad salutem populi, Domino jubente, levatum, *Ezechias*, errante populo, ritè legitur destruxisse:) placuit tamen prædictis Regi & proceribus, timentibus culpam, ubi culpa minime reperitur, remissionem interpositi juramenti ex certa scientia summi Pontificis impetrare. Sed Episcopus *W. Gorniensis* (with 4 Earls and Barons by his perswasion) in protervitate concepta, (quod scripsimus, scripsimus conclamando) jugiter persistentes, conabantur astruere huiusmodi pragmaticas sanctiones, communi consensu et iuramento confirmatas, nullo posse consensu contrario dissolvi, ad relaxationem huiusmodi juramenti \* potestatem Apostolicam nullam esse putantes, iuramentumque vinculum iniquitatis existere, cum *Herode*, facientes sibi de propria prudentia contra leges et Canones, conscientias schismatis et erroris, trahentes secum ad sui erroris fomentum multos Pseudoprophetas, lupos rapaces in obvium vestimentis, contra Christi Uicarios, et Christum Dominum, Regem proprium, murmurantes, non ut spiritus sanctus eloqui, sed ut superioris potestatis obiectus obloqui dabat illis.

*Nota.*

What this Legate did against the *English* Bishops and Barons who opposed and took arms against the King, the Continuer of *Matthew Paris* thus relates;

*Mat. Paris Hist.*  
p. 965.  
Missus Legatus  
a Papa excommunicat. Barones.

Eo tempore *Vrbannus* Papa turbationi Regni *Anglia* compatiens, Legatum misit Dominum *Sabinensem* Episcopum, Cardinalem; qui *Angliam* intrate non valens, navigio quinque portuum mare occupante, quosdam Episcopos ex *Anglia* ad se primo *Ambianus*, deinde *Boloniam* evocavit. Quibus sententiam excommunicationis, et interdicti, auctoritate Papali in civitatem *Londinensem*, et *Quinque portus*, omnesque pacem regis *Anglia* turbantes fulminatam, publicandam, exequendamque commisit. Dissimulaverunt nihilominus Episcopi negotium, de cuius causa non satis certa, diversi varie opinantur.

The King in the 50th year of his reign, out of his Royal care to preserve the Churches Liberties, whereof he was Supream Patron, issued this Commission of *Inquiry* to preserve the Rights of the Church of *Norwich* against the Invaders thereof, upon the complaint of the Bishop, of Contempts and Trespasses done to him and it.

*Pat. 50 H. 3.*  
m. 9. dorso.

**R**EX dilectis & fidelibus suis *Roberto Fulcon*, & *Henrico de Sancto* salutem. Cum Ecclesiam et Ecclesiasticas Libertates manutene et defendere tenemur et velimus, & maxime Ecclesiam Sancti *Trinitatis* *Norwici*, cum omnibus suis libertatibus, ut eam quæ de bonis Antecessorum nostrorum Regum *Anglia* fundata est; ac *Alex. Kellock*, Burg. de *Lem*, & quidam sui fautores, nuper in contemptum



rempum venerabilis Patris *Rogeri* Episcopi loci prædicti & elusionem libertatis ejusdem Ecclesiæ à tempore cujus non extat memoria obtinere & hæcenus vilitate, nec non & læsionem manifestam nostræ dignitatis & pacis, quamplures injurias, & transgressionem enormes eidem Episcopo intulerunt, ut intelleximus, propter quod nos libertates à progenitoribus nostris Ecclesiæ prædictæ concessas & hæcenus unitas tanquam Patrom ejusdem, illibatas conferre volentes, ad instantiam Episcopi prædicti, assignavimus vos ad inquirendum per Sacramentum proborum & legalium hominum plenius veritatem de prædictis injuriis & transgressionibus, & ad plenam & celerem inde Justiciam exhibendam eidem, vobis Mandamus, quod ad diem quem ad hoc provideritis usque *Lenne* accedatis, & de prædictis injuriis & transgressionibus diligenter inquiretis, & præfato Episcopo celerem inde justiciam exhibeatis ut prædictum est, salvis nobis amerciamenis inde provenientibus. Mandavimus etiam Vic. nostro *Norff.* quod ad certum diem quem ei scire facietis coram vobis ibidem venire faciat, tot & tales probos & legales homines per quos rei veritas in præmissis melius sciri poterit, & inquire. Nolumus autem quod hæc de causa aliquid ipsi Episcopo vel suis successoribus temporibus futuris cedat in præjudicium vel læsionem libertatum Ecclesiæ suæ prædictæ. In cujus, &c. Teste Rege apud *Kenn.* 16. die *Augusti.*

Pat. 51. H. 3. m. 8. dorso. I find the like Commission issued *Johanni de Reston*, agreeing almost verbatim with this; except in this recital. *Acquidem malefactores de Lenne & Gypwez, nuper in contemptum, &c. & celerem inde Justiciam exhibitis, &c.* Teste Rege apud *Salop.* 18. die *Septembris.*

The King out of his especiall Grace granted this Priviledge to the Archbishop of *Dublin* and his Tenants.

**R**EX Omnibus salutem. Volentes nobis Venerabili Patri Magistro *Roberto de la Provend. Dublin.* Episcopo gratiam fecere specialem, concessimus eidem, quod ipse & Hæredes sui, ac homines eorum impartum talem habeant libertatem, videlicet, quod ipsi vel eorum bona alicubi locorum per terram & potestatem nostram inventa, non distringantur pro aliquibus debitis de quibus principales debitorum vel plegii non extiterunt, nisi forte debitorum illi sint de potestate prædicti *Roberti* vel Hæredum suorum habentes unde de debitis illis in toto vel in parte satisfacere possint; & eidem *Roberto* vel Hæredes sui Creditoribus eorumdem debitorum in Justitia defuerint, & de hoc rationabiliter constare possit. Et prohibemus super forisfacturam nostram ne quis prædictum *Robertum* vel Hæredes suos seu eorum homines vexet contra libertatem prædictam. In cujus, &c. Teste Rege apud *Wist.* 25 die *Febr.*

Pat. 50. H. 3. intus.  
Pro Episcopo  
Dub. Hiberniæ.

A Bishoprick in *Ireland* falling voyd the Canons obtained the Kings license to Elect a new Bishop, and after his Election through negligence, presented him to the Archbishop to be confirmed and consecrated before they certified their Election to the King, and had his approbation and Warrant for his consecration, whereupon the Archbishop consecrating him, the King out of his grace issued this Writ for the restitution of the Temporalties upon taking his Oath of Fealty, and the Letters Patents of the Canons acknowledging this their neglect first made, to prevent the like president for the future, with a command to punish the Archbishop for consecrating him without the Kings approbation and order.

**R**EX *Willielmo de Bakpuz*, Escaetori *Hibernia* salutem. Cum nuper vacante Ecclesia *Flinabern*, in *Hibernia*, petita per Nuncios ejusdem Capituli ad nos destinatos, à nobis eligendi licentia & nobis obtemperata, Canonici ejusdem Ecclesiæ fratrem *Mauritium* nunc Episcopum ejusdem loci sibi in pastorem elegerint, & ad metropolitani partium illarum pro confirmationis beneficio super Electione illa obtinendo sine assensu nostro eidem Electioni de memorato Episcopo adhibito nuper per incuriam vel negligentiam transmississent, qui quidem Archiepiscopus incautum ipsum Episcopum tunc Electum præter assensum nostrum confirmavit & consecravit. Nos negligentiam prædictam seu transgressionem nobis factam

Pat. 50 H. 3. m. 29. intus

nam pro eo quod idem Episcopus post Electionem suam pro assensu nostro super eadem requirendo ad nos non venit, nec destinabit, hac vice remissimus eidem. Et ideo vobis mandamus, quod recepta nomine nostro fidelitate, prout moysis est, a prefato Episcopo, receptis etiam Literis Patentibus Capituli predicti, quod predictam negligentiam vel omissionem non trahent in consequentiam, omnia Temporalia ad predictum Episcopatum spectantia occasione vacationis Ecclesie predictae in manum nostram capta sine dilatione eidem Episcopo restitui faciat, transgressionem memorati Metropolitani nobis factam admittendo ipsum Electum sine assensu nostro, secundum qualitatem ejusdem puniendo. Teste meipso apud Westm. 12. die Febr.

The Pope at the Kings request sending two Legates one after another into England, to reforme and settle Peace in the Realm between him and his Barons, I shall relate their proceedings pertinent to my History, out of our Historians and Records.

An. Dom. 1265.  
Mat. Westm.  
p. 342, 343.

\* Page 970.  
Excommunicat  
Episcopi  
& ubi qui Si-  
moni faverant

**G**uido Cardinalis Sabiniensis vocatus, à Papa Urbano in Angliam destinatus, ut ibidem Legationis Officio fungeretur, juxta mare in villa, quæ nuncupatur Bononia, traxit moram, eo quod terram ingredi non poterat Anglicanam propter manifestam contradictionem Baronum, et Episcoporum responsionem sophisticam: sententiamque excommunicationis protulit in rebelles, et ad Curiam Romanam, unde venerat, est reversus. Factus est pater patrum, petente Rege Henrico, & destinavit in Angliam, per Consilium Cardinalium Ostobonum, sancti Adriani Diaconum Cardinalem, qui cum rubeis in Angliam veniens indumentis, in Ecclesia W. Monasteriensi, congregato Concilio, fecit mandata Apostolica publicari, qui suæ legationis fungens Officio, sententiam in Regis adversarios fulminavit. \* *Rishanger* the Continuer of *Matthew Paris* writes, *Ostobonus* Legatus vocato Concilio apud *Northampton*, sententiam excommunicationis tulit in omnes Episcopos et Clericos qui *Comiti Simon* contra Regem præstiterant auxilium, vel favorem. Et nominatim, *Johannem Wintoniensem*, *Walterum Wygornensem*, *Henricum Londinensem*, *Stephanum Cisterciensem* Episcopos: *Wigorn*, citò post obiit vilitur. Reliqui vero tres prefato Episcopi Romanam profecti Domini Papæ gratiam expectabant. Eadè igitur sententia, cæteros quoque Regi adversantes publicè innodavit. Ibi etiam concessionem de decima Ecclesie Anglicane, solvenda Regi per septem annos proxime sequentes, publicavit. Processu vero temporis, *Henr. Londinensem*, *Johannem Wintoniensem*, & *Stephanum Cisterciensem*, qui partem adversariorum Regis sobebant, ab Officio et beneficio suspendebat, et quia appellationisungebantur remedio, jussit quod infra trimestre tempus se Papæ conspectui præsentarent, qui ad Curiam venientes, fortunæ casus volubiles expectabant. Dominus *Lincolniensis* Episcopus, fortè sibi pacem redimens propter tempus, misericordiâ non judicium impetravit. Dominus *Walterus Wygornia* antistes, in Articulo mortis positus, se dicebat errasse sobvendopartem *Simonis de Montefort*, et super hoc literas ad legatum dixerit, petens beneficium absolutionis, quod obtinuit, et decessit.

An. 1265.  
p. 339, 340.

\* *Matthew Westminster*, writing, De Provisionibus, imò de proditiõibus, *Oxon. Lewens. & Londinen.* quæ variis æquitatis & justiciæ fictionibus dealbata, intus autem plenè versutis provisores suos pessime prædiderunt. Subjoynes this passage relating to some Monks, Bishops, who were the principle contrivers of these Provisions, and encouragers of the Barons in their Wars against the King, wherof he would have the King take special notice, as worthy his admiration.

Ord

\* Sed illud præteris oportet inferere super quo regia celsitudo miratur, quod quidam, quorum conversatio in cælis esse describitur, omnia relinquentes pro Christo, cum Petro Christum, in Christi vicario Petrum, in Petri successore Clemente, Christum Deum suum Principem sunt hactenus persecuti, ædificatum a dicti Regis rebellibus parietem, quem Apostolica præcepit auctoritas in sui nobis operis initio demoliri, suis prædicationum et approbationum blanditiis linquentes, non attendentes, ut decet, quantis privilegiis et honoribus ipsos Romana decorabit Ecclesia, quam parvulam sui ordinis plantulam de valle Spoletana translatam, idem Rex ad perfectam et spatiosam vineam in tot Castris et urbibus dilataram fovit, coluit, et rigabit; utinam præcis vitulaminibus spuris recipiant palmites incrementum, et cultori suo reddant ubas de cætero, non labuscas.

The King after the battle of *Evesham*, and dissipation of all the Barons forces, was pleased by this \* accord made in the Parliament held at *Kenilworth* to refer the cases and compositions between him and the Barons, Bishops, others who were and had been, against him, to certain Commissioners, whereof the Popes Legat was chief.

Come nostre Seignor *Hen.* par la grace Deu Rois de *Engleterre*, lan de son coronement cinquantesime, as octaves de l'assumption nostre dame, a la request, le honorable pere sire *Ottobon* Legat, de *Engleterre*, son Parlement eust semens a *Kenilworth*, accorde & graunt fit per comun assent, & par commun conseil des Evêques, Abbes, Priors, Contes, Barons, & tuz autres ke sis persones suz escites, ceoest a savoir, le Evêque de *Excestre*, levesque de *B.* le *Esli* de *Worcestr.* sires *Alyne* la *Zufche*, sire *Rog.* de *Summery*, & sire *Robert* *Walerand*, par lur serement qe illokes firent, eslisent autres sis qui meins seient en sospescon, & meuz sachent & voillent solonc lor entendement, des queus li vii sera Prelaz. & les cync seront Chevalers; & iees doze iurront sor seinz Ewangilles, ke dreiturelment leaument & enterriment, purveront ceo qe il entenderont qe mesters est a la pes de la terre reformer; & affermer, nomeement de ceo kapent alier & al estat des desheritez pur acheson de la guerre qe a este nagaires en *Engleterre* Sauve lestat le Roy & sa dignite. Et si par aventure les dosze ne se puissent accorder en aucune chose, ka ceste boisoigne appende & li avaunt dit Legat & sire *Henr.* *Dalimaigne* seient apelez as avant diu doze. Et ceo qe la partie aura porveu a ki le avaunt dit Legat & sire *Henr.* *Dalimaigne* ensemblement assentiront soit ferm & estable. Et si par aventure avenist ke tuz les dosze seient en accord rien tiendiroit, ne rien neferont ejnz ceo kil eient mostre al Roy & al Legat, & mesire *Henr.* *Dalimaigne*, a la quel chose le Reis appellera ceaus quil voudra, & ceo a quei li Reis, & li Legat, & li Legat & sire *Henr.* sacorderont ou adreleront soit ferm & estable. E si les sis sont en descorde deslire les autres sis, cele partie teigne a ki le Legat & sire *Henr.* se tendront. Et si par aventure nul des dosze morust avant ke ceste chose seut terminee, ceaus qui demorront en vie eient poeir deslire autres en lieu des morz; issi ne porquant kil i eit quatre Prelaz & oyt Chevalers; E fet a savaie ke ites dosze unt poeir de porveer & dorden jefqua la feste de tuz seinz prochein avenir. Et si ceaus qui serrount appelez a la pes le Roy per cest ordeinment ne vieignent a les pes dedenz quaraunte jors puis kil sera poplee, par tuz les contez per le Roy ou per le Legat, de cele hore en avant ne soit receu a le pes per cest ordeinment. En testmoignage & en estabete de ceste chose les avaunt diz seignors li Reis & le Legat & sire *Edward* *fix.* le *Rey*, & le Conte de *Gloucestr.* a ceste Lettr. unt mis ler seaves *Dante* a *Kenilworth*, le 31. *Jor.* de *Aust.* *Lan* del Incarnacion nostre Seignour Mil deus Cenz & seissante sime. To this award \* Rex primo, postmodum Clerus & populus juraverunt, quod dictum ipsorum inviolabiliter observarent; *Datum Kenilworthe.*

The King likewise appointed special Proctors in the Court of *Rome* concerning this affaire, giving Protections and safe conduct to all Bishops, Clerks, and others who should repair to the Legate to make their peace or submit to his Justice and determination; thus recorded in the Patent Rolls.

\* Mat. Westm.  
An. 1265.  
p. 339.

\* See Mat. Westm.  
1266. p. 344.

Pat. 50 H. 3.  
m. 9. dorso.

\* Mat. Westm.  
p. 344.



Pat. 50 H. 3.  
m. 24. intus.  
De procurato-  
rio in Curia Ro-  
mana.

**S**ANCTISSIMO in Christo Patri ac Domino *Clementi* divina providentia summo Pon-  
tifici. *H.* eadem gratia Rex *Anglia*, Dominus *Hybernia*, & Dux *Aquitania*,  
pedum *Oscula* beatorum. Paternitatis vestre dominationi, tenore presentium no-  
rum fiat, quod nobis facimus, ordinamus & constituimus dilectos familiares nostros  
*Willum de Chaunc* Decanum Ecclesie beati *Martini London*, & *Willum Banquer* Procu-  
ratores nostros & nuncios nostros speciales, utrumque eorum in solidum, ita quod  
non sit melior conditio occupantis, ad exponendum & referendum sanctitati vestre,  
dampna, injurias oppressiones & gravamina occasione turbationis in Regno  
nostro nuper habitæ, nobis illata, ad petendum, impetrandum & recipiendum ge-  
neralia & specialia pro nobis & **Jure nostro, ac utilitate et honore nostre Re-  
gie dignitatis; et ad postulandum**, & impetrandum specialiter gratias & in-  
dulgentias, & subsidium oportunitate ad relevationem & meliorationem status no-  
stri & Regni nostri prædicti, à vestre *Clementia* sanctitatis. Ratum habituri & fir-  
mum quicquid ipsi ambo, vel eorum alter qui præsens fuerit, nomine nostro fecerint  
vel fecerit in præmissis, vel aliquo præmissorum. In cujus, &c.

Pat. 50 H. 3.  
m. 22. intus.  
Pro Episcopis  
London. & Ci-  
cestr. de condu-  
cta sua.

**R**EX Omnibus Ballivis, &c. salutem. Intelleximus quod Venerabiles Pa-  
tres Episcopi *London*, & *Cicestr.* coram Venerabili O. Sancti *Adriani* Di-  
acono Card. Apostolicæ sedis Legato, Volente procedere super quibusdam Ar-  
ticulis contra eos, publicè protestati fuerunt, quod ea quæ erant ad sui defensionem  
& excusationem, timore nostro & nostrorum proponere non audebant. Et licet  
potuissent ipsi prius & quilibet alius coram præfato Legato suam prosequi justiti-  
am, & ut liber suis defensionibus & excusationibus, absque nostra & nostrorum  
indignatione vel offensa, ex abundanti tamen prædictos Episcopos & alios quos-  
cunque etiam Clericos & Ecclesiasticas personas, tam religiosas quam alias susce-  
pimus & suscipimus in saluum & securum conductum nostrum, in veniendo ad præ-  
dictum Legatum in *Anglia* pro sua justitia prosequendo, & aliis suis negotiis ex-  
pediendis morando, & ad partes suas redeundo. Et ideo vobis mandamus quod  
prædictis Episcopis, advocacionibus eorum, Procuratoribus & Clericis, nec non &  
aliis Ecclesiasticis personis inveniando ad prædictum Legatum, morando & redeun-  
do, sicut prædictum est non inferatis dampnum, &c. In cujus, &c. dur. sine  
termino.

Pat. 50 H. 3.  
m. 12. dorso.

**R**EX Omnibus Ballivis &c. salutem. Scitis quod suscepimus in saluum &  
securum conductum nostrum exheredatos de partibus borealibus, vel Nun-  
cios eorundem, quos Venerabilis Pater O. sancti *Adriani* Diaconus Card. Apo-  
stolicæ sedis Legatus in Literis patentibus duxerit associandos, inveniando ad ipsum  
Legatum ad tractandum de pace & reconciliatione sua, morando, & redeundo.  
Et ideo vobis mandamus quod eisdem exheredatis vel eorum Nunciis, quos præ-  
dictus Legatus in Literis suis patentibus duxerit nominandos, in veniendo, morando  
& redeundo sicut prædictum est nullum inferatis vel inferri permittatis injuriam, mo-  
lestiam, dampnum, aut gravamen; Dum tamen nobis aut aliquibus de fidelibus  
nostris interim dampnum non inferant, nec inferri procurent. In cujus rei testimo-  
nium has Literas nostras fieri fecimus patentes, duraturas usque ad diem Mercurii  
in crastino beate *Margareta* Virginis prox. futur. & per totam eandem diem. Teste  
Rege apud *Kenilworth* 5. die Julii.

\* An. 1295.  
P. 330, 331.  
333, 334.  
336, 337.  
342.

\* *Matthew Westminster* relating the chief Causes of the Civil wars between King  
*Henry* and his Barons, that the Bishops were the principal Advisers, Fomentors there-  
of, and of the Ordinance of *Oxford*, gives us a more particular account of this Cardi-  
nals proceedings in the close thereof. *In diebus illis provisionum Apostolicarum  
in Ecclesiasticis Beneficiis Anglia multitudo succrebit, & pro commer-  
cio regni Apuliz, exactionis debiti, tam mercatorum quam Romanæ Ecclesie  
jugum grave. Hæc sunt illa discordiæ incentiva inter alienigenas et  
indigenas, tam nobiles quam prelatos, quorum pauci reipublica, plures invidia,  
plures ambitionis movebantur affectu. Colligerunt etiam pontifices, ne di-  
ctam Pharisæi, consilium aduersus Christum Dominum, regem suum,  
dicerent. Videtis quia nihil proficimus, si sic regem dimittimus, Venient Roma-  
ni,*

ni, et tollent nostros loculos cum argento. Constituamus ergo 24. seniores in circuitu throni ejus, qui exclusis Parthis, Medis & Elamitis, advenisse Bagmanis, liberantes Hierusalem ab Egyptiaca servitute, negotia regni lingula & universa disponant, primos in cenis accubitus & salutationes in foro tamen regia magnificentia reservantes. Whereupon they made their Ordinances of Oxford, to which they compelled the King, Prince Edward, and all others to swear under pain of perpetual imprisonment. *Arnoldus* Winton. electo, & *Gulielmo* de Valentia, dicti regis fratribus uterinis, & pluribus aliis, inchoata factionis exordio resistentibus, expulsi de regno pariter & bannti. Universi et singuli alii Prælati, Comites et Barones, de infidelitate hujusmodi fideliter observanda, corporale præstiterunt juramentum, et lata est ab omnibus Archiepiscopis et Episcopis regni, excommunicationis sententia in rebelles. Porro qua fronte patres conscripti, senex ille *Wigorn.* antistes, et quidam alii prælati, conscientiarum patres et judices, subversioni regie potestatis gratis præstiterunt consensum, admiratione non caret, cum de terreno honore, dicto regi et hæredibus ejus servando, corporale præstiterint juramentum: quod ordinando ne unquam regerent, sed semper ab aliis regerentur, pessime servaverunt. Si enim prodigalitas intolerabilis, vel defectus regis ipsius, evidenter exigeret operam curatoris: nusquam cavetur divinis legibus aut humanis, ut visio vel defectu cessante, pœna transeat in hæredes, &c. Et cum inter regem Angliæ & adhaerentes ei ex parte una, & Comitem *Leicestræ*, & complices suos ex altera, per quosdam mediatores solennes, de pace diutius tractaretur, tandem super omnibus controversiis oritur, occasione provisionum *Oxon.* fuit à patribus in illustrem Regem Francorum commissum, & dicto ejus, ad altum & bassum firmando, corporali præstito juramento, prout in instrumento super hoc confecto, omnium prædictorum sigillis signato, plenius continetur. Cumque Dominus Rex Francorum, summi pontificis inhaerens vestigiis, provisiones et ordinationes hujusmodi, & quicquid statutum fuit ex eis, arbitria potestate cassasset: Comes *Leicestræ* & ejus complices & fautores, præsumperunt eas, nihilominus sustinere, dicto Regi Franciæ & præceptis ejus in omnibus & per omnia resistentes; demolientesque cum Wallensibus Castra domini Regis fidelium, associatisque sibi Londnensibus, violationes Ecclesiarum & depredationes, & macerationes personarum Ecclesiasticarum, Christianorum & Judeorum, cades & incendia, sine d-lectu conditionis aut sexus, ætatis aut ordinis, perpetrantes. Et cum abominationis hujus clamor, quotidianis afflictorum gemitibus et querelis, ascenderet ad prædictos principes sacerdotum, omnes quærentes quæ sua sunt, non quæ Christi, inventi sunt proculdubio canes muti, valentes sed nolentes latrare. Yea he adds; Episcopus *Cicestrensis*, die præcedente prælium *Lewense*, Comites *Leicestræ* & *Gloverniæ* contra Dominum Regem summi præliaturos, ab omnibus peccatis dicitur absoluisse. Cumque per *Londin.* *Winton.* & *Wigorn.* & quosdam alios Episcopos *Cantuariæ* *Provincia* Episcopo *Sabinensi* Cardinali tunc Apostolica sedis Legato fuisset instantius supplicatum, quod pacem novam amicabilem consensu partium ordinatam promovere curaret, omnibus Episcopis, Comitibus & Baronibus consentientibus, & instrumento super hoc confecto apponentibus signa sua, ipse dictos Episcopos, pro eo quod tantæ depressioni regie potestatis consentire præsumperant, graviter reprehendens. Et quia ei non patebat ingressus in regnum, publicis editis *Bononiæ* propositis, eos citare curavit, ut super regni negotiis tractaturi cum eo, tertio die *Bononiæ* comparerent. Quibus dictis die & loco, & ultra diem, diutius expectatis, nec per se, nec per procuratorem curantibus comparere, Legatus eos à divinorum celebratione suspendit: In prædictis vero *Leicestræ* & *Gloverniæ* Comites, & eorum complices, Civitatem *Londini*, et quinque portus, qui transitum ejus in Angliam manifestè præsumperant impedire, excommunicationis et interdicti sententias promulgavit. Sed dicti Episcopi, Comites & Barones & ceteri, evadunt quibusdam confectis ad sedem Apostolicam, & sine ulla turris, ad Consilium generale, et ad Ecclesiam, tam triumphantem, quam militantem, per *Wigorn.* *Cicestren.* & *Elion.* officiales legis peritis, & scribas ultra legatos et canonicas observantias appellantes, excommunicationes hujusmodi non curant, sed de gladii Martialis tuiti-

Nota.

\* Confessio.

one

\* *Othobonis.*

\* Mat. Paris  
Edit. Londini.  
p. 995, 1001.  
Godwins Cata-  
logue of Bi-  
shops p. 363,  
364.

\* Mat. Paris.  
p. 966. 967.

one confisi, spirituali gladio parvipenso, usque ad adventum Domini \* *Othobonis* Cardinalis in Angliam, immiscere se divinis obsequiis præsumpserunt. So little did they esteem the Popes or his Legats Excommunications or Interdicts,

\* *Walterus Cantilupo* Bishop of Worcester, the night before the Battle of *Leueys*, (Anno 1264.) Comiti *Simoni*, et omnibus suis peccatorum absolutio- nem impendens, iussit ut in remissionem peccatorum pro iustitia illa die viriliter decertarent, promittens omnibus taliter morientibus, ingressum Regni celestis. Notable Episcopal Divinity, to encourage Rebels to fight manfully against their King; neither was he singular therein, for \* *Robert Grossthead* Bishop of Lincoln did the same before him, of whom *Matthew Paris* his Continuer renders us this account, that *Comes Simon* (the Barons General and chief Champion against the King) *Lincolniensi Episcopo adhaerere satagebat, eique suos parvulos tradidit nutriendos. Ipsi consilio tractabat ardua, tentabat dubia, finivit inchoata, ea maxime, per quæ meritum sibi succrescere æstimabat. Qui quidem Episcopus dicitur injunxisse sibi in remissionem peccatorum, ut hanc causam, pro qua certavit usque ad mortem, sumeret; asserens pacem Ecclesiæ Anglicanæ, (si- ne) gladio materiali non posse firmari, et constanter affirmans, omnes pro ea morientes martyrio coronari. Dicunt quidam, quod Episcopus aliquando manum ponens super caput primogeniti dicti Comitis, dixit ei, O fili charissime, tu & pater tuus ambo moriemini uno die, unusque mortis genere, pro iustitia tamen & veritate, being both slain in the Battle of *Evesham*, in rebellion against King *Henry*, to which these ghostly Fathers thus animated them. In hora mortis ejus se habebant tonitrua & fulgura, & tanta obscuritas, ut plurimos ducerent in stuporem; an ill præfage of his passage to heaven, though maxime fidem in orationibus Religiosorum, Ecclesiasticis magnam semper impendens reverentiam, who animated him in his rebellions, and brought him to a tragical death in conclusion.*

\* See Mat. West.  
An. 1266. p.  
344. Contin.  
Mat. Paris p.  
973. *Walsing-*  
*ham*, Ypodig-  
mu Neastr. An.  
1266. See *Hol-*  
*linshead*, *Graf-*  
*ton*, *Speed*, *Daniel*.  
Mat. Paris Hist.  
p. 971, 972.  
Legatus mittit  
ad exheredatos  
in insula Ely-  
ensi congrega-  
tos.

*Othobon* the Popes Legate having made an accord between the King and his Commons in the Parliament at \* *Kensworth*, An. 1266. the 51. of his Reign, printed in the Statutes at large, to which I referre you, and Pat. 50. H. 3. dorso 9. The Legate thereupon, as *Rishanger* in his continuation of *Matthew Paris* his history, and others relate sent a peremptory message to the disinherited Barons and others, to submit thereto; who rejecting this ordinance and award, returned this answer, shewing how much they slighted him and the Popes authority, and their proceedings against them.

Eo tempore exheredati laticantes in insula *Elyensi*, per Nuncios Legati admoniti sunt, ut reverterentur ad fidem et unitatem sanctæ matris Ecclesiæ, et obedientiam *Romane Curie*, et pacem Regis, secundum formam provissam, et susciperent absolutionem de sententia in eos lata, juxta formam Ecclesiæ, et ne ampliores roberias et damnationes facerent, sed et de ipsis restitutionem facerent clero et Ecclesiæ. *Responsio.* Ad primum respondent exheredati, quod firmiter tenent eandem fidem, quam didicerunt à Sanctis Episcopis, Sancto *Roberto*, & Sancto *Edmundo*, Sanctoque *Richardo*, alii que viris Catholicis, & quod credunt & tenent articulos fidei, qui in symbolo continentur. Evangelio quoque, & Ecclesiæ Sacramentis sicut universalis Ecclesia tenet & credit, & ipsi credunt, & propter hanc fidem mori & vivere sunt parati. *Responsio.* Ad secundum dicunt, quod obedientiam habent Ecclesiæ *Romane* sicut capiti totius *Christianitatis*, sed non cupiditatibus & exigentis voluntariis eorundem qui gubernare debent ne eandem. Et addunt, quod prædecessores sui, quorum ipsi sunt hæredes terram istam \* conquesterunt per gladium, et ideo visum est eis, quod injuste exheredati sunt, et hoc fit per Legatum. Unde hortantur eundem, ut istud faciat emendari. *Responsio.* Ad tertium dicunt, quod Legatus missus est in Angliam, ut pacem faceret, sed magis bellum manu tenet, quia

\* See here  
p. 700.



quia manifeste parti Regis adheret; et eam sobet. Et in quantum sic facit, bellum sustinet. Item dicunt, quod forma præsensa nulla est, præcipue quoniam Papa dederit in mandatis Regi et Legato, ut nullus exheredaretur; unde hortantur Legatum, ut hoc faciat emendari. *Responsio.* Ad quartum dicunt, quod primum iuramentum fuit ad utilitatem Regni et totius Ecclesiæ, et omnes Prælati Regni excommunicationis sententiam fulminabunt in omnes contravenientes: unde adhuc stant in eadem voluntate, et parati sunt mori iuramento eodem. Unde hortantur Legatum, ut revocet sententiam, quam ipse tulit, alioquin appellant ad sedem Apostolicam, et etiam ad generale concilium, vel, si necesse foret ad summum iudicem. *Responsio.* Ad quintum dicunt, quod cum militent pro utilitate Regni & Ecclesiæ, oportet eos vivere de bonis inimicorum suorum, qui detinent terras eorum. Ideo hortantur Legatum, ut illis faciat restituti terras suas, ut necesse non habeant depredari. *Responsio.* Ad sextum dicunt, quod multi discurrunt circumquaque faciunt roborias multimodas ex parte Regis & Edwardi, & dicunt, se esse ex parte exheredatorum ut ipsos diffament, & se ipsos excusarent; & ideo monent Legatum, ne talia referentibus fidem tribuat, quia si quenkum in hoc scelere inter seipsos inveniret facerent de tali iudicium sine mora.

Interim exheredati significant Domino Legato, quod irreverenter eiecit à Regno quasi totius Regni consilium, Episcopum *Wintoniensem*, Episcopum *Londoniensem*, Episcopum *Cicestrensem*, viros utique consilio & prudentia circumspectos. Quamobrem Regni Consilium in maxima parte debilitatur, & Regnum dilabitur, quia Legatus bona Episcopatum sibi usurpat, et per absentiam consilii exitium induxit status terræ; et ideo monent Legatum, ut hæc faciat emendari. Item significant Legato, ut moneat Regem, quod alienigenas de consilio suo amoveat, per quos terra captivatur. Monent etiam Legatum, ut terræ suæ restituantur eisdem sine redemptione, & ut Provisiones *Oxonienfes* teneantur, & ut obsides eis liberentur in Insulam, ut possint eam pacifice tenere per quinquennium, donec viderint qualiter Rex omnia promissa fecerit observari. Item significant Legato, quod Abbatibus & aliis domus Religiosorum ædificatæ sunt de bonis prædecessorum suorum, quæ nunc per extorsiones & tallagia Regis & Legati destruuntur, & ideo nequeunt fieri eleemosynæ & hospitalitates, sicut solebat. Ideo monent Legatum, ut hoc emendetur. Item significant Domino Legato, quod Ecclesiæ Regni *Anglia* collatæ sunt assensigenis qui sunt inimici terræ, et bona Ecclesiastica quibus naturales terræ vivere deberent et sustentari, in partes transmarinas asportarunt. Et ideo indigne periclitantur, non tantum in corpore sed in anima. Nam pastores non habent, nisi sacerdotes conductitios, qui pro minoris pretio possunt conducti: Ideo monent Legatum, ut hoc faciat emendari. Item significant Legato, quod decimæ, quæ exiguntur a clero, non debent dari, eo quod terra destructa est per regales, et per commune bellum, et terra jacet inculta, et fructus nulli proveniunt, unde populus fame moritur. Rex et Legatus exasperati his responsis anno sequenti Insulam obsiderunt.

Expulsi  
Exheredato-  
rum.

The Barons and disinherited persons returning this answer to the Legate who was much incensed with it; The King thereupon feasting the Cardinal, and placing him in his Royal Throne, to the great offence of his subjects, by his advice summoned a Parliament to subdue them by force; wherein he demanding an ayde and assistance both of men, monyes, and a Disine from the Bishops, Abbots and other Prelates, who held of him Lands and Baronies, they likewise returned him a very peremptory answer, thus related.

Rex venit *Londonium*, ad celebrandum festum Sancti *Edwardi* Regis; prout moris est.

Mat. Paris. Hist.  
p. 969, 970,  
971.

ejus fuerat cunctis annis. Igitur multis convocatis Ecclesiarum Prelatis, simul cum Baronibus, festum illud cum grandi gaudio solemnizavit. In praedio vero Legatum in sedili Regis collocavit, singulis ferculis prae appositis coram eo. An unkingly condescension and flattery in the King, but a greater insolency in this proud and Royal Legate to accept of; who to requite this transcendent honor, presently excommunicated all that were in armes against the King. Soon after,

Rex citari fecit Comites & Barones Archiepiscopos, Episcopos, & Abbates, omnesque communiter militare servitium sibi debentes, ut apud Sanctum Edwardum, equis & armis sufficienter instructi, convenirent, ad impetendum eos, qui contra pacem Regiam occupaverant insulam *Hyensam*. Comes autem *Glovernia*, ceteris mandato parentibus, in confinio *Wallia* congregans exercitum copiosum ad inimicos suos persequendum, venire supersedit. Mittuntur ergo Legati, *Johannes de Warena*, & *Gulielmus de Valentia*, qui illum ad Parliamentum venire monerent: sed nihil quidem profecerunt, propter id quod ejus acceperunt patentes literas sigillo suo signatas, quod nunquam arma portaret contra Dominum suum Regem nec contra filium ejus *Edwardum*, nisi defendendo. Inimicos vero suos *Rogervum de Mortuo mari*, & ceteros pro posse suo suppeditaret. Hoc, ut dicebatur, callide confingebat, quia notam prodicionis sibi imponi timebat. Abadunatis, qui ad Parliamentum citati fuerant, praeter rebelles, primo principaliter Rex & Legatus subscriptos articulos exigebant. (By the answers of the Bishops and Clergy whereunto, you may judge of their Loyalty and good affection to the King and respect to the Popes Legate, the principall continuer of these Proposals.) Ut omnes Praelati & rectores Ecclesiarum decimas sibi concederent, de tribus sequentibus, & de anno proximo praeterito, quantum dabant Baronibus ad custodiendum mare contra alienigenas. *Responsio*. Ad hoc responderunt, quod bellum inceptum fuerat iniquam cupiditatem, & durat in praesens, & necessarium esset, hujusmodi petitiones pessimas praeterire, & de pace Regni tractare, & Parliamentum suum ad utilitatem Ecclesiae & Regni convertere, non ad denariorum extorsionem, praecipue quum terra in tantum destructa sit per bellum, quod nunquam vel saltem sero, poterit respirare. *Secundum*. Item petiit, ut Ecclesiae taxarentur per manus Laicorum iusta & alta taxatione ad valorem omnium bonorum spectantium ad easdem. *Responsio*. Ad hoc respondebatur, quod non est ratio, sed omnino contra iustitiam, ut Laici de decimis colligendis se intromittant, nec in hac unquam consentirent communiter, sed tantum ut taxatio antiqua staret. *Tertium*. Item ut Episcopi & Abbates, &c. decimam suam darent de Baronibus suis plenarie, & de Laico secundo recta & alta taxatione. *Responsio*. Ad hoc respondebatur, quod depredationibus sunt depauperati, & sequuti sunt Regem in expeditione, & tanta pecuniarum effusione, quod omnino pauperes sunt effecti & etiam terrae eorum ineulte jacebant, propter bellum. *Quartum*. Item petiit, ut Clerus communiter daret Domino Regi ad relevandum statum suum triginta Milla Marcarum propter antedictas decimas, quas quidem Legatus vendicabat ad opus *Romane Curie*, propter debita *Siciliae, Apuliae, & Calabriae* contracta in nomine Domini *Edmundi* filii Regis, modo praesentis. *Responsio*. Ad hoc respondebatur, quod nihil darent, quia omnes hujusmodi taxationes & extorsiones per Regem factae prius, nunquam in Regis utilitatem vel Regni sunt conversae. *Quintum*. Item petiit, ut omnes Clerici tenentes Baronias, vel Laicum feudum, personaliter armati procederent contra Regis adversarios, vel tantum servitium in expeditione Regis invenirent, quantum pertineret ad tantam terram, vel tenementum. *Responsio*. Ad hoc respondebatur, quod non debent pugnare cum gladio materiali, sed spirituali, scilicet cum lachrymis et orationibus humilibus et devotis. (Yet they were the prime authors, fomenters of the Wars in the former Wars between the King and his Nobles.) Et quod propter beneficia sua, tenentur pacem manu tenere, non bellum. Et quod Barones eorum ab elemosinis puris stabiliuntur, unde servitium militare non debent nisi certum; nec novum incipient. *Sextum*. Item petiit, ut Clerus communiter ad quietaret novem Milla Marcarum, quas Episcopus *Roffensis Laurentius*, Episcopus *Bathoniensis Wilhelmus*, & Abbas *Westmonasterii Richardus*, mutuo

mutuo receperunt à Mercatoribus Papæ in Curia Romana, quando fuerunt ibidem; pro Regis negotiis expediendis. *Responsio.* Ad hoc respondebatur; quod nunquam consentiebant mutationi tanti debiti, nec unquam inde sciebant, unde in nullo tenentur illud adquietare. *Septimus.* Item petiit ex parte Papæ, ut fieret prædicatio in omni festinatione de Cruce per totum Regnum, ad expugnandum populum, quem Curia provideret, vel ad Crucem perpetuam redimendam. *Responsio.* Ad hoc respondebatur, quod populus terræ per bellum in magna parte perimitur, & si modo Cruce signarentur, pauci, vel nulli ad defensionem patriæ remanerent. Unde manifestum est, quod Legatus vellet naturalem terræ progeniem exulare, ut alienigenæ libere conquirere possint terram. *Octavus.* Item dicebatur, quod Prælati tenebantur ad omnes petitiones, vellent, nollent, propter iuramentum de *Conventre*, ubi iuraverant, quod Domino Regni auxiliarentur modis omnibus, quibus possent. *Responsio.* Ad hoc responderunt, quod quando iuramentum fecerunt, non intelligebant de alio auxilio quam spirituali, consilioque salubri.

A sine prelati cal and Clerical equivocation.

How little Gilbert de Clare Earle of Gloucester, esteemed the Popes Legates Authority, who took more power upon him then the King, possessed himself of his regal Palace and Fort of the Tower of London, promoted, preached this Croysado, excommunicated all the disturbers of the Kingdoms peace and enemies of the King, and interdicted all the Churches in and near London, is thus related by Matthew Westminster, together with the Kings pawning his Jewels to him and giving him power to pawn them, to supply his necessities.

Gilbertus de Clare Comes Gloucestria, cum magno exercitu venit Londinum quasi Domino suo Regi auxilium præstiturus, verba pacifica loquebatur in dolo, si que Civitatem ingressus, ipsam protinus tanquam Dominus occupavit, mandans Nuncios ad Legatum, quod sibi Curiam Londinensem, in qua habitabat, redderet sine mora, et ut posset assequi citius suum velle, prohibuit ne Legato victualia venderentur. Legatus siquidem, tanquam bonus Pastor à bono Pastore directus, veniens ad Ecclesiam Sancti Pauli, Londini, Crucis negotium exposuit coram multis. Quidam ergo corde compuncti, Crucem protinus receperunt, inter quos fuerant Thealdus Archidiaconus Leodicensis, Papa futurus, qui Angliam venerat cum Legato, cui valedicens, iter versus Terram Sanctam arripuit, & Nobilis vir, Thomas de Clare, qui spreto consilio fratris sui, Comitis Gloucestria, Regem adiit, & ei fideliter obediit. Igitar de negotio Crucis sermone completo, Legatus imperterritus sermonem suum in Comitum Gloucestria convertit, monens ut fidelitatem quam Regi debuit et sponsoderat, observaret, addens, quod si hi reformati libertas egrediendi Curiam et Civitatem Londini nec etiam victualia debuerant denegari. Salubria Patris monita, indurati cordis altus non audivit. Legatus, cum quibusdam nobilibus, Regis fidelibus, clam Curiam Londini est ingressus. Inde non pauci, cum uxoribus et parvulis, post Legatum. In the mean time those who where disinherited, marching out of the Isle of Ely; Monasteria invadentes in eisdem deposita rapuerunt; deposita in Ecclesia Westmonast. abstulerunt. Legatus postmodum in perturbatores pacis Regis et Regni, sententiam excommunicationis generaliter promulgavit, et Ecclesias Civitatis Londinensis, et Civitati contiguas supposuit interdicto. In domibus tamen Religiosis, sine strepitu Campanarum et vocis, exclusis pacis perturbatoribus, missas celebrari præcepit. \* The Londoners upon the Legates cursing of them and forbidding them the Company of Christian men besieged him in the Tower of London, till many Bishops armed had him away. Undique vallabant Regem angustia, adversariorum frivicia, & defectus pecuniarum. Imoque consilio, jocalia Ecclesie Westmonast. imagines foretri aureas, & lapides preciosos, in manibus tradidit mercatorum, modicam

Mat. Westm.  
Anno. 1267.  
p. 345, 346.  
Polichronicon;  
l. 7. c. 37.

\* Polichron.  
l. 7. c. 37.



dicam pecuniam mutuo recipiens pro eisdem, quæ tamen tranquillitatis tempore restituit Ecclesiæ supradictæ.

Our Records inform us, that the King being in great want of monies commanded all his Jewels in the *Tower* and elsewhere to be delivered to the Popes Legat, to pawn for what money he could raise upon them, to be reserved in the *Tower of London* under his custody, and desired his favor for levying the Disme granted him by the Pope, not in such manner and form as the Pope expressed in his Bull, and the Legate in his Commissions, but after the old rate in some Diocess for expedition.

Pat. 51 H. 3.  
m. 24: decr.

**R**EX Legato salutem. Auditis & intellectis hiis quæ Magister *Willielmus de Cliford* Clericus noster ex parte vestra nobis exposuit, paternitatem vestram scire volumus, quod quia pro urgentissimis negotiis nostris expediendis pecunia ad præsens, prout nostis non mediocriter indigemus, placet nobis, quod omnia jocalia et alia præciosa nostra, tam in *Turri London.* quam in *Abbatia Westm.* existentia, vobis per Custodes eorundem quibus super hoc scribimus, liberentur ad impignozand, prout expedire videritis pro quanta pecunia poteritis, ad opus nostrum. Ita quod jocalia & præciosa prædicta sub custodia vestra in *Turri* resideant supradicta. Mandavimus enim Custodibus eorundem quod ipsa vobis liberent sine mora. De decima quoque nobis concessa volumus, si vobis videatur expediens: Quod decima illa in Dioc. *Wigorn.* & *Herif.* secundum antiquam æstimationem, per Collectores ejusdem, non obstante aliquo termino prolixiori à vobis super hoc assignato, sine moræ dispendio colligatur, salvo nobis pro loco & tempore quod ad nos pertinet ratione concessionis nobis factæ de decima memorata. De decima etiam in aliis Dioc. similiter colligenda scripsimus *Edw.* primogenito nostro, ut de ipsius consilio & assensu & aliorum Magnatum & fidelium nostrorum qui sunt de Consilio nostro facere possumus, quod honori & utilitati nostro in hac parte secundum ordinationem vestram magis Noverimus conquire. Ceterum de statu & Libertatibus de *London* in instanti Parlamento Nostro apud Sanctum *Edmundum* ordinare curabimus, quod nobis & Civitati prædictæ convenientius fuerit faciendum. In hiis autem & aliis quæ dilectus Clericus noster *Robertus Fals.* lator præsentium vobis dicet ex parte nostra, si placet fidem adhibeatis indubitatam. Teste Rege apud *Cantebriam* octavo die *Marci.*

Ibidem.

**R**EX omnibus, &c. Sciatis quod dedimus potestatem Venerabili Patri O Sancti *Adr.* Diac. Card. Apostolicæ sedis Legato in *Anglia,* recipiendi omnia jocalia et præciosa nostra tam in *Turri nostra London.* quam in *Abbatia Westm.* existentia, à Custodibus eorundem, ea impignozanda, pro quanta pecunia poterit ad opus nostrum, ad quædam urgentia negotia nostra inde expedienda, prout nobis magis viderit expedire. Ita quod jocalia & præciosa illa sub ipsius Custodia in *Turri* resideant supradicta. Ratum habitori & gratum quod ipse super præmissis in forma prædicta duxerit faciendum. In cuius, &c. Teste ut supra.

I Read in (a) *Matthew Parker,* and (b) *Godwin,* that *John Gernsey,* or *de Exonia,* made Bishop of *Winchester.* (c) *Ex collatione Domini Papæ,* was consecrated at *Rome,* Anno 1262. *There he paid to the Pope 6000. Marks for his confirmation, and so much to Jordan the Popes Chancellor,* (no Symony nor sin at *Rome*) yet upon his return home this year he was suspended from his Bishoprick by *Ottobon* the Popes Legate, for taking part against the King in the Barons Wars, he enjoying his honor so dearly bought but a small time, dying the next year in *Italy* for grief.

(a) Antiquitates Brit. p. 189  
190.

(b) Catalogue of Bishops  
p. 177.

(c) *Mat. West.*  
Anno, 1262.

Pope *Clement* the 4th. at the solicitation of King *Henry* the 3d. by this Bull, wherein he recites all the affronts and injuries done to the King, Queen, Prince, by the Barons, and the several miseries which befell them and the whole Kingdome and Church by those Wars, with the Kings extream want of monies, and debts by reason thereof, the necessity of supplying him for the better support and defence of his Kingdome, the Churches and peoples liberties; especially by the Clergy who had received such bountifull gifts and endowments from him and his Ancestors, granted the Tenth part of the profits and rents of all Archbishopricks, Bishopricks, Monasteries, and

and all Ecclesiastical persons and orders whatsoever as well exempt as not exempt, within the Realm of *England, Wales and Ireland*, according to the true improved values, notwithstanding all former Bulls and exemptions to the contrary; authorizing *Othobon* his Legate to Collect it by all manner of Ecclesiastical Censures notwithstanding any Appeals, and by assistance of the Secular arme where need required. Whereupon this Legate having no leisure to Collect it himself, issued Commissions to several other persons to collect this Disme according to the Popes Bull therein recited, which being very memorable, extant in no printed History, I shall present you with a true Transcript thereof out of one Original Commission of *Othobon*, which I found in the White Tower Chappel, Magistro *Waltero Scamell*, Archdiac. *Berke*, & Magistro *Radulpho de Highbam*, Canonico *Sarisburyens*, dated 18. Kal. Febr. agreeing verbatim with this recorded in a *Cedule* of the Charter Roll, Anno 51 H. 3. but only in the Commissioners names, and day of the date, which recites the Popes Bull verbatim, and worthy publication.

**O**TTOBONUS Miseratione divina sancti *Adriani* Diaconus Cardinalis Apostolicæ sedis Legatus, Discretis viris, Abbatibus de *Tynem*, & Archidiacono *Hareford*, *Harefordens*, & *Landavens*, Dioc. salutem, in salutis Authore. Amaro nimis recolens animo sanctissimus Pater Dominus *Clemens* Papa quartus Quanta Regnum *Anglia* inclytum modernis fuerat temporibus turbatione concussam, quantaque quassatum concussione gētratum, et eidem Regno tanquam sibi et Ecclesiæ *Romana* Charissimo pia compassionis affectu compatiens, ac pressuras innumeras quas serenissimus Princeps Dominus *H. Rex Angliæ illustris*, ac Nobilis vir *E. ejus primogenitus*, et Ecclesiæ ac personæ Ecclesiasticæ et seculares Regni ejusdem iisdem pertulere temporibus, lugubri mente considerans, sollicitudine opportuna ut decet, et prompta opportunitate ut expedit, deliberabit statui Regno depresso, graviter et inique gravato, accommodatis remediis providere. Ac pro subventionē Regi faciendā predictā decimam partem omnium Ecclesiasticorum reddituum Archiepiscoporum, Episcoporum aliorumque Prelatorum, nec non Ecclesiarum Cathedralium et aliarum Monasteriorum, Domorum, Prioratuum, ceterorumque locorum Ecclesiasticorum Regularium ac secularium, exemptorum & non exemptorum Regni *Anglia, Hibernia & Wallia*, cujuscunque sint Religionis vel ordinis, (Militiæ Templi, Hospitalis Sancti *Johannis Jerusalemitan*, Sanctæ *Mariæ Theotonicorum*, *Cisterciens*, *Kartusien*, ordinis Sanctæ *Clara* domibus duntaxat exceptis) per triennium de fratribus suorum consilio deputavit. Datis nobis per suas litteras in mandatis, ut per nos vel alium, aut alios viros providos et fideles quos ad hoc reputaremus idoneos, dictam decimam quam secundum veram, non secundum antiquam estimationem reddituum et proventus predictorum per quod hujusmodi estimatio frequenter pro varietate temporum variatur, idem Dominus exigi hult et mandat, in supradictis Regno et locis diligentet colligi faceremus, ejusdem Regis et Regni utilitatibus profuturam, prout in ejusdem Domini *Papæ* Litteris ad nos directis plenius continetur, quarum tenor talis est.

*Clemens* Episcopus servus servorum Dei, dilecto filio *O. sancti Adriani*, Diac. Card. Apostolicæ sedis Legato, salutem, & Apostolicam Benedictionem. Quanta Regnum *Anglia* inclytum fuerit hiis temporibus turbatione concussam, quantaque sit guerrarum concussione quassatum, amaro animo recolentes, eidem tanquam nobis & Ecclesiæ *Romana* Charissimo, pio compatiens affectu compatiatur & ex intimis condoleat: nec minus amaritudine multa percellimur dum pressuras innumeras quam Charissimus in Christo filius noster Rex, & Charissima in Christo filia nostra Regina *Anglia* illustres, ac nobilis vir *Edwardus* ipsorum primogenitus, & Ecclesiæ & Ecclesiasticæ personæ Regni ejusdem iisdem pertulere temporibus recensemus. Cujus enim pectus saxum non anxio repeteret spiritu, non lugubri mente,

Cart. 51. H. 3.  
m. 10. in Cedula.

\* A Character  
of our late wars  
& confusions.

recoletet, qualiter memorati Rex & primogenitus discriminibus bellorum expositi, experti Carceres, mortis frequenter patuere periculis, ab his hucusque solo Dei digito preservati. Qualiter eadem Regina præfatis Rege viro & primogenito suis quasi orbita viventibus, coacta est extra Regnum, paupertatis nihilominus non levi pressa onere, diutius exulare. Qualiter easdem Ecclesias & personas pro libito manus raptoris invasit, ipsarum bona pro velle dirupit & consumpsit. Ad hujus autem amaritudinis vehementis ardorem, cujusdam etiam nostræ frequentis considerationis inspectio timoris verisimilis adjicit incentivum, dum enim conspiciamus attentè meditationis aspectu, tam grandis turbationis reliquias non omnino consumptas, sed adhuc graviore quàm vellemus & prædictis Regno, Regi, ac suis expediat superesse, tantò amplius tranquillitatem ipsius, prout desideramus nondum plenè firmatam, in antiquæ tempestatis angustias recidivare timemus, quanto id eisdem Regno, Regi ac aliis discriminibus guerrarum attritis, bellorum vastitate confectis, laborum diuturnitate lassatis, exinanitis opibus, & oneroso debitorum onere prægravatis, majori posset esse discrimini & efficaciori ingerere pericula nocumenti, cum esse proculcubio soleat recidenti deterius quàm cadenti, propter quod sollicitudine opportuna, ut decet, & prompta oportunitate ut expedit, deliberavimus statui Regio depresso, graviter & iniquè gravato accommodis remediis providere, ut plene sui Judicii solio restituto, ipse quo fortior sedebit in illo, eo libentius suo intuitu dissipet omne malum, eoque utilis regimini ejusdem Regni et Ecclesiarum ipsius possit defensioni vacare, quo ipse ac sui relevato et gravibus quibus tenentur debitorum oneribus, se suosque subditos, et specialiter sibi assistentes in regimine ac defensione hujusmodi, efficacius poterit in suis juribus confovere. Attendentes itaque quanto idem Rex semper ad Ecclesias devotionis zelo servet, quantoque studio ipsarum statum prosperum multo fervore zelatus, ac divini cultus intendit augmentum, quam largifluis munificentis et munificis liberalitatibus ipse ac claræ memoriæ sui progenitores inclyti earundem Ecclesiarum statum et substantias augmentarunt, \* decens arbitramur et congruum, eidem Regi de ipsarum Ecclesiarum bonis necessariæ subventionis porrigere dexteram, et decenter ac congrue in tantæ necessitatis articulo subvenire. Ad subventionem igitur Regis ipsius decimam partem omnium Ecclesiasticorum reddituum & proventuum Archiepiscoporum, Episcoporum, aliorumque Prælatorum, nec non Ecclesiarum Cathedralium & aliorum Monasteriorum, domorum, Prioratuum, cæterorumque Ecclesiasticorum regularium ac secularium exemptorum & non exemptorum *Anglia, Wallia & Hibernia*, cujusunque sunt religionis vel ordinis, Militiæ, Templi, Hospitalis *S. Johannis Jerusalemitanæ, S. Mariæ Theutonicorum, Cisterciensis, S. Clara* Dominibus duntaxat exceptis, usque ad Triennium de fratrurn nostrorum Consilio durimus deputandum. Quocirca discretionis tuæ per Apostolica scripta mandamus quatenus decimam prædictam, quam secundum veram non secundum antiquam estimationem reddituum et proventuum prædictorum pro eo quod hujusmodi estimatio frequenter pro varietate temporum variatur, erigi volumus et mandamus, per te vel per aliquam aut alios viros providos et fideles, quos ad hoc putaveris deputandos, per totum prædictum tempus in prædictis Regno et partibus colligi facias diligenter, in utilitates Regis ejusdem, prout tibi per \* alias nostras literas expressimus dispensandum. Non obstante si aliquibus sub quacunque forma verborum a sede Apostolica sit indultum, quod excommunicari vel interdici non possint, vel quod ad præstationem subventionis vel subsidii alicujus minime teneantur per literas sedis ejusdem, quæ plenam et expressam de indulto hujusmodi et toto tenore ipsius de verbo ad verbum non fecerint mentio, nem, seu quibuslibet privilegiis vel indulgentiis dictæ sedis cujuscun.

\* The principal  
part of his regal  
office & care.

*Nota.*

\* Concealed  
from public  
view.



cunque tenoris existant quibus a præstatione decimæ proventus eorundem valeant quomodolibet se tueri, et constitutione de duabus dietis, edita in Concilio generali: contraditores auctoritate nostra appellatione postposita compescendo. (All former Popes Bulls, Priviledges whatsoever are here nulled by this *Non Obstante*) Dat. *Asterbii*, *Quinto Idus Junii*. Pontificatus nostri Anno secundo. Quia verò executioni prædicti negotii per nos ipsos intendere, variis & arduis occupati negotiis non valemus, de vestra circumspectione plenam in Domino fiduciam obtinentes, vobis in virtute obedientiæ firmiter præcipiendo mandamus, quatenus de universis redditibus & proventus Episcopatus & omnium Ecclesiarum *Lanlavens*. Civitatis & Diocesis, tam Cathedral, quam aliarum, nec non Monasteriorum etiam exemptorum aliorumque locorum Ecclesiasticorum Regularium & secularium quarumlibet personarum cujuscunque ordinis vel dignitatis existant, (hiis qui expresse à talibus in eisdem literis eximuntur, & Venerabilibus Patribus sacrosanctæ *Romane* Ecclesiæ Cardinalibus duntaxat exceptis) decimam secundum veram estimationem reddituum, et proventus eorundem, quod intelligimus secundum verum valorem eorum etiam si verus valor ipsorum proventus ultra taxationem quam fieri mandavimus se extendat, in tribus terminis, tertiam scilicet partem in proximo festo resurrectionis Dominicæ, & aliam tertiam in festo beati *Johanni Baptiste*, & reliquam tertiam partem in festo beati *Michaelis* proximo subsequens ex integro colligentes, Venerabili in Christo Patri *Waltero Eboracen*. Electo, quondam *Bathon*, & *Wilen*, & discretis viris Magistro *Stephano Casuaricus*, & *Ruffinio Clivell*, in *Eboracensi* Ecclesia Archidiaconis, quos ad eam recipiendam & expendendam, de nostro consilio et assensu pro ipsius Regis et Regni utilitatibus durimus deputandos, fideliter assignatis, contraditores et rebelles per Censuram Ecclesiasticam appellatione postposita compescendo; Invocato ad hoc, si necesse fuerit, auxilio brachii secularis. Et ut præfatum mandatum plenam sortiat effectum in non solventes, aut fraudulenter vel minus solventes de suis redditibus seu proventus decimam hujusmodi secundum estimationem prædictam, excommunicationis sententiam ex nunc in scriptis proferimus, eamque mandavimus per vos in omnibus Ecclesiis earundem Civitatis et Diocesis sollempniter publicari singulis diebus Dominicis et festivis. Ad alias graviores penas spirituales et temporales contra tales nihilominus processuri postquam ipsorum trans vel contumacia undecunque patuerit in præmissis. Ab illo autem tempore deberi prædictam decimam declaramus & eam pro eodem tempore solvi præcipimus, quo Dominus Papa præfatus Regi decimam ipsam provida deliberatione concessit. Dat. *Lond.* 17. Kal. *Febr.* Pont. Domini *Clementis* Papæ quarti, Anno secundo.

In this Commission and Bull, it is observable. 1. That this Pope and his Legate expresse an extraordinary compassion, and affection to the King, Crown and Kingdome of *England*; but it was solely for the extraordinary gaines and advantages they received by and from, not out of any cordial affection towards them, as the premises evidence. 2ly. That the Pope takes upon him by his Papal authority at the Kings request, for his and his Kingdoms benefit, as was pretended, to grant the King a three years tenth of the Revenues and Profits of all Archbishops, Bishops, Ecclesiastical or Religious persons and orders whatsoever, as well exempt as not exempt; notwithstanding all former Bulls and Priviledges of Exemption by his predecessors, which must be meer Cyphers and Nullities when he pleases, so little did Popes value the power or Bull of their predecessors. 3ly. That his Legat and his Commissioners must have the sole power of Levying, collecting and ordering this Disme, not the King and his Ministers within his own Realme, who must be subordinate to them, and supplicate his favor upon all occasions. 4thly. That it must be taxed not according to the usuall but improved values, and levied with greatest severity by all sorts of Censures upon such who refused or neglected to pay

\*Mat. Parker.  
Antiqu. Eccles.  
Brit. p. 194.  
\* Here p. 310,  
311.

pay it, the Pope and his Agents being to share with the King (who had the smallest part) in this as well as in former Dismes of this nature, what ever was pretended to the contrary; The arrears of his annual Rent reserved out of *England and Ireland*, being to be paid out of it in the first place, 5<sup>ly</sup>. That the Ecclesiastical livings and preferments of the Popes Cardinals, and creatures within the Kings Dominions mult be wholly exempt from this Disme, but no other persons whatsoever, though privileged by sundry Bulls of his Predecessors, and all benefit of Appeals from his Legats Censures in it, taxing, collecting, taken away; yea the refusers excommunicated before hand, and their excommunications publicly denounced in all Churches every Lords day, and Holy day, such then was the Antichristian Tyranny and abuse of Ecclesiastical Censures for secular ends.

The King having received this great Boon and Favor from the Pope, writ these complemental Letters of thanks to him and his Cardinals, expressing his extraordinary Obligations to them, his readiness to serve them upon all occasions, his flying to them as his refuge, and depending on their sage advice in all his affaires, *ubi domestica consilia non sufficiunt*, desiring them to promote some special extraordinary business concerning him and his Realm, which Sir *William Banquer* his Messenger was to communicate to them.

Claus. 51 H. 3.  
m. 9. dorf.

**D**omino Papæ Rex salutem. Multiplex et recensita beneficiorum et gratiarum sedis Apostolicæ largitio nobis exhibita, nec non honores et commoda quæ a vestrae munificentiae dextera suscepimus et sentimus, animum nostrum crebro lætificant, et jugiter nos excitant et inebitant ad laudum præconia tanto patri præmissorum intuitu exsolvenda, ad quæ digne referenda licet nos minus sufficientes reputemus, ad ea tamen quæ scimus et possumus plena mentis affectione et totius benevolentiae plenitudine sanitati vestrae gratiarum referimus actiones; votum nostrum in hac parte, per effectum operis cum Ecclesiæ Romanæ placuerit, plenius exprimere peroptantes. Cæterum cum pro negotiis arduis & secretis nos & Regnum nostrum tangentibus, vestrae sanctitatis gratiam nobis specialiter requirere sit necesse, dilectum Militem nostrum *Will. Banquer*, de quo plenè confidimus, & cui intentionem nostram ad plenum revelavimus, ad vestram præsentiam destinamus, piæ Paternitati vestrae (de qua post Deum Anchoram fiximus spei nostræ) supplicantes humiliter & devotè, quatenus eundem militem præmissis clementer exaudire, & fidem sibi plenariam adhibere, & ea quæ vobis ex parte nostra proponer, ad exauditionis gratiam solita benignitate admittere dignemini. Teste Rege apud *Westm.* 26. die *Januarii*.

Ibidem.

**V**enerabili Ceteris Cardinalium, Rex *Anglia* salutem. Inter honores & cætera desiderabilia hujus mundi quæ nos & progenitores nostri de manu Domini dignoscimur suscepisse, multimoda beneficia & remedia nobis in variis necessitatis articulis opportuna, quæ Sacrosancta *Romana* Ecclesia Mater nostra, auxilio gratiæ vestrae, & præcipuè istis temporibus impendere non desistit, frequenter ante mentis oculos reducentes, ad tanta promptæ devotionis obsequia nos cernimus. et volumus obligari quod vestris beneplacitis quæ fecisse pro maximo gaudio duceremus, et adhuc pro viribus totis desideris facere cupimus, nos et nostra liberaliter exponamus: Cum igitur ad superexcellentem vestrae paternitatis prudentiam veritatis radiis jugiter illustratam per quam veluti diuturnitate experientiae infallibilis approbatam, universalis Ecclesiæ feliciter gubernatur, Reges et Principes per viam rectitudinis et salutis incedunt, Regnorumque negotia pro sui et temporum qualitate, ubi domestica consilia non sufficiunt, salubriter disponuntur; Pro quibusdam nostris et Regni nostri negotiis arduis recurrere nos oporteat, sicut ad tutissimum spei nostræ refugium, de quo potissime confidentes, vos quanta possumus affectione requirimus et rogamus, quatenus dicta negotia quæ per dilectum et fidelem nostrum *Willielmum Banquer*, latorem præsentium, tantorum patrum reverentiæ reliquimus exponenda, solita benignitate,

nignitate, si placet, habeatis propensius commendata, & ipsa ad præsens favore benevolo efficaciter dignemini promovere. Ita quod vestris beneplacitis, & vestrorum honoribus & commodis in his quæ Regiæ potestatis existunt, gratanti animo futuris temporibus fortius astringamur. Teste Rege ut supra.

**R**EX Albo Cardinali salutem. Super gratia & favore quos ex innata vobis benivolentia quæ erga nos & nostros per operis exhibitionem multipliciter se ostendere non desistit, circa negotia nostra in curia Romana expedienda huc usque multipliciter impendistis, vobis ad quantas possumus gratiarum assurgimus actiones. Regramur vobis insuper ex affectu super Curialitatibus & honoribus multimodis quos dilecto & familiari militi nostro *W. Bonquer*, dum pro negotiis nostris in Curia extitit antedicta liberaliter fecistis, sicut idem *W.* nobis graterter retulit viva voce, reverendam paternitatem vestram quam dominus per suam gratiam continere & feliciter prosperari faciat et conservet, rogantes affectu quo possumus ampliori, quatinus præfato Militi nostro ibidem, si placet, benignitate solita, in negotiis nostris quæ vobis ex parte nostra duxerit intimanda consilium impendere dignemini pariter & juvamen. Ita quod vestris beneplacitis quæ fecisse pro spiritali gaudio duceremus, & adhuc facere peroptamus, futuris temporibus artius teneamur. Teste ut supra.

Clauſ. 1 H. 3.  
m. 9. dorf.

**R**EX Cardinali salutem. Dum beneficia multimoda et consueta quibus Sacrosancta Romana Ecclesia mater nostra, inter cæteras sollicitudines suas circa status nostri reformationem remediis invigilans oportunis, & maxime hiis temporibus dignata est sui gratiâ nos respicere liberaliter & juvare, indeficientis potentia suæ, viribus et auxiliis gratiosis Regni nostri solum juxta mentis nostræ desiderium continue laborando, diligenter recolimus et studiosius intuemur, eidem Ecclesiæ ad summæ gratitudinis et devotionis obsequia, ut teneamur, volumus obligari. Reverendæ quoque Paternitati vestræ, cujus favorem & gratiam in præmissis adjutorium nostrum præcipuum nos sensisse recognoscimus, ad quantas possumus gratiarum assurgimus actiones. Cum igitur ad sedem Apostolicam pro quibusdam nostris & Regni nostri Negotiis arduis et secretis, ad quæ ibidem procuranda dilectum & familiarem Militem nostrum talem exhibitorum presentium, destinavimus, ad præsens oporteat nos habere recursum, paternitatis vestræ Clementiam, in qua spem & fiduciam ponimus specialem, rogamus affectu quo possumus ampliori, quatinus ad dicta negotia promovenda benignitate solita, erga summum Pontificem velitis efficaciter interponere partes vestras, ita quod nos exinde vestris beneplacitis fortius astricti perpetuis temporibus, ea quæ honori vestro, et vestrorum utilitatibus conbenerint, prout in votis gerimus, merito facere debeamus. Prædicto etiam Militi nostro de quo plenè confidimus, et cui nostræ intentionis plenitudinem revelavimus, in iis quæ super præmissis ex parte nostra sinceritati vestræ reliquimus exponenda, si placet exhibeat tanquam nostri cordis Nuncio plenam fidem. Teste ut supra.

Clauſ. 1 H. 3.  
m. 9.

The King having made use of the Popes Advocate in prosecuting his Suites there in his Court, and not sufficiently rewarded him, sent him this Letter of thanks for his Favor, desiring his future care and diligence in expediting his Affairs; promising him an ample reward with usury for the former delay thereof.

**R**EX Sacrosanctæ Curia Romane Advocato salutem. Prudentiam vestram quam circa negotia nostra in prædicta Curia expedienda laudabiliter & strenuè sicut pro certo didicimus, laborasse, & quam propter hoc specialiter commendantes vobis quantas possumus gratiarum referimus actiones, vos rogantes affectu quo possumus ampliori, quatinus circa negotia quæ nos tangunt in Curia antedicta juxta vestræ probitatis industriam, de qua fiduciam gerimus specialem, more solito adeo viriliter laborare velitis, quod vobis ad majorem retributionem, prout in votis gerimus, & Regiæ magnificentia convenit fortius astringamur, nec videatur vobis remunerationis nostræ dilatio tardiosa, præmia namque vestra quæ varia impedimenta contra voluntatem nostram hæcenus distulerunt, vobis quam citius poterimus cum usuris reddi copiosius faciemus. Ita quod liberalitatem nostram in hac parte, debebitis merito commendare. Teste ut supra.

Clauſ. 1 H. 3.  
m. 9.



The King having voluntarily, not of right submitted the Security to be given to him by *Gilbert de Clare*, to the determination of the Pope (as an Umpire only, not Sovereign Judge) and to appear in his presence by their Proctors at a certain day, constituted Proctors for that end and cause by these Letters Patents.

Par. 51. H. 3.  
m. 6. intus.  
De Procurato-  
ribus constitutis  
Curia Romana.

**R**EX omnibus &c. salutem. Cum super quadam securitate nobis à *Gilberto de Clare* Comite *Glouc. & Hertf.* præstanda, hinc inde *nos supposuerimus ordinationi et voluntati* Sanctissimi Patris in Christo C. Dei gratia, Sacrosanctæ *Romane Ecclesiæ summi Pontificis* certo termino comparendi in sua presentia per procuratores idoneos assignatos, ad audiendum, & acceptandum quicquid super prædicta securitate nobis à prædicto Comite facienda *idem sanctissimus pater duxerit ordinandum*, discretos viros Magistros *Rollan. de Lanam. & Bonetum de Sancto quintino* Clericum nostrum, utrumque eorum scilicet in solidum; ita quod non sit potior conditio occupantis, procuratores nostros constituimus ad prædictam securitatem prosequendam & ordinationem prædicti Sanctissimi Patris super hoc audiendâ, & acceptandam, & etiam ad faciendum super præmissis quod eisdem vel alteri eorum expedire videbitur in hac parte, *Dantes* eisdem & eorum alteri potestatem alium vel alios procuratores substituendi & revocandi eosdem, Ratum habituri quicquid per eosdem procuratores vel eorum alterum, altero absente seu per substitutos factum fuerit in præmissis: Et hoc omnibus quorum interest significamus per has patentes literas sigillo nostro signatas. Teste Rege apud *Salop.* 26. die *Septembris*.

Ibidem.

**R**EX omnibus, &c. salutem. Noveritis quod nos dilectos nostros Magistros *Rolland. de Lavann. & Bonetum de Sancto quintino* Clericum nostrum constituimus & ordinamus procuratores nostros in *Romana* Curia ad impetrandum & contradicendum, literas simplices, & legendas, sive jus, sive quantamque gratiam continentes, Ratum habitura quicquid iidem procuratores, seu alter eorum faciend. duxerint super præmissis, & in quoscunque iudices duxerint consentire. Et hoc omnibus quorum interest (significamus) per has patentes literas sigillo nostro signatas. Teste Rege apud *Salop.*

Ibidem.

**D**omino Papæ Rex salutem & obedientiam filialem. In causis seu negotiis quas vel quæ contra *G. de Clare* Comitem *Glouc. & Hertf.* habeamus, vel habere intendimus in vestra Curia Sanctitatis, dilectos nostros Magistros *Rolland. de Lavann. & Bonetum de Sancto quintino* Clericum nostrum vel alterum eorum Procuratores nostros constituimus ad procedend. in præmissis causis seu negotiis prout eisdem vel alteri eorum expedire videbitur iustitia mediante, Ratum habituri quicquid per eosdem vel eorum alterum factum fuerit, ut superius est expressum. Et hoc omnibus quorum interest significamus per has patentes Literas Sigillo nostro signatas. Teste Rege apud *Salop.* 26. die *Septembris*.

The King to defend his Rights in the French Kings Courts, as well against Ecclesiastical as Temporal persons, constituted Proctors for that end by this Patent.

Par. 51 H. 3.  
m. 19.  
De Procurato-  
ribus constitutis  
in Curia  
Regis Franciæ.

**R**EX omnibus, &c. salutem. Scitis quod nos facimus, & ordinamus, & constituimus procuratores nostros, dilectos & fideles nostros *Imbertum Guidonis & Iterum de Penris*, & quemlibet eorum in solidum, ita quod non sit potior conditio occupantis, in omnibus causis motis & movendis contra nos in Curia Serenissimi Principis & Consanguinei nostri Charissimi Regis *Francia Illustris* à Venerabili Patre Episcopo & Capitulis *Anciens. Ecclesiæ, & à Vice-Comitissa Lem. & quibuscunque* aliis personis Ecclesiasticis, & secularibus *Petragonicen. Lemovic. & Cantuacen.* Civitat. & Dioc. et in omnibus causis motis & movendis à nobis vel nostris procuratoribus nomine nostro in prædicta Curia, contra prænominatas & quascunque alias personas Ecclesiasticas & seculares, & in omnibus negotiis quæ habemus & habituri sumus in prædicta Curia expedire, *Dantes* eisdem procuratoribus nostris & cuilibet eorum in solidum speciale mandatum & liberam potestatem agendi, proponendi, defendendi excipiendi & requirendi Curiam nostram de personis & rebus nobis subjectis, & de illis quarum cognitio ad nos spectat, jurandi de calumpnia, vel de veritate dicenda, & præstandi in animam nostram cujuscunque alterius generis jamentum compromittendi, et componendi procuratorem, seu procuratores alium seu alios in causis & negotiis

gotiis supradictis, loco cui substituendi quotiens sibi vel cuilibet eorum placuerit & videbitur expedire. Damus etiam & concedimus eisdem procuratoribus & eorum cuilibet speciale mandatum & liberam potestatem requirendi & recipiendi nomine nostro à Domino Rege Franc. supradicto Cambium competens de personis, terris & rebus aliis quas idem Rex habet in *Lemoie. Petragoric. & Cantur.* Civit. & Dioc. quas per literas suas vel predecessorum suorum non potest extra manum suam ponere, & omnia alia faciend. quæ faceremus nos vel facere possemus, si præsentem essemus, & quæ facere possunt veri & legitimi procuratores. Ratum & gratum habituri quicquid cum dictis procuratoribus vel eorum quolibet, & quicquid cum procuratore vel à procuratore substituto vel substitutis ab ipsis, vel eorum altero in omnibus & singulis causis & negotiis supradictis in instanti Parlamento Pentecostes & omnibus aliis diebus assignatis & assignandis in prædictis, circa vel coram Domino Rege prædicto, pro causis vel negotiis huiusmodi procuratum fuerit siye actum, & volentes relevare dictos procuratores & eorum quemlibet & procuratorem seu procuratores substitutum vel substitutos ab ipsis ab onere satisfaciendi promittimus sub ypotia rerum nostrarum si opus fuerit, quod absit, iudicatum solvi. In cuius, &c. Teste Rege apud *Stratford.* 16. die *Maii.*

The King having approved the confirmation of a Bishop in *Ireland*, whereof he had received a Certificate, issued this Writ for the restitution of his temporalities.

**R**EX Militibus, liberis hominibus & omnibus aliis tenentibus de Episcopatu *Carliagens.* salutem. Cum Venerabilis Pater, *J. Portunus.* & Sanctæ *Ruffine* Episcopus Electionem nuper factam in Ecclesia Cathedrali *Carliagens.* de fratre *Willelmo Monacho de Joriponte* in Episcopum ejusdem loci confirmaverit, sicut per literas Patentes ejusdem Episcopi *Portunus.* plenius accepimus, Nos confirmationem illam acceptantes, temporalia Episcopatus sui cum omnibus pertinentiis suis eidem Episcopo reddidimus. Et ideo vobis mandamus, quod eidem Episcopo in omnibus quæ ad prædictum Episcopatum pertinent intendentes sitis & respondeant. In cuius rei Testimonium, &c. Teste Rege apud *Kennill.* 28 die *Novembris.*

Pat. 51 H. 3.  
m. 34. intrus.  
De temporalibus restituendis.

King *Henry* upon the Complaint of the Archbishop of *Canterbury*, of lands escheated belonging to the Archbishop, granted by the King and Prince to the Constable of *Dover* and others; during the Troubles and Wars, against the ancient Rights and Privileges of that Church; issued this Commission of inquiry to right the Church, if found injured therein, upon the Inquisition returned.

**R**EX dilectis & fidelibus suis *G. de Preston.* & *Fulconi Payforer.* salutem. Monstravit nobis Venerabilis Pater *B. Cant.* Archiepiscopus, quod cum ipse & predecessores sui Archiepiscopi ejusdem Ecclesiæ huiusmodi libertatibus, videlicet quod nullus sine ipsorum licentia & voluntate feoda sua ingredi, aut de eis intrinittere posset hactenus sint gavisus, & ipsi annui, diem & vatum, & escaet. de terris forisfactis quæ sunt de feodo suo retroactis temporibus habere & inde disponere consueverint, pro suæ libito voluntatis *Matth. de Bezell. Caust. Castri Dover.* quasdam terras & *Ten.* in *Relin.* *Johannes de Rokely.* quasdam terras & *Ten.* in *Tilemansston.* & plures alii quasdam alias terras & tenementa alibi quæ sunt de feodo prædicti Archiepiscopi, & quæ ex donatione nostra habere clament, de mandato nostro & *Edwardi* primogeniti nostri, utasserunt, sine licentia & voluntate ipsius Archiepiscopi tempore turbationis habitæ in Regno nostro, sunt ingressi, & ea detinent ad ipsius Archiepiscopi non modicum dispendium & gravamen, & libertatis prædictæ Ecclesiæ præjudicium manifestum. Nos igitur inter ceteras Ecclesias Regni nostri prædictam Ecclesiam in suis Juribus et libertatibus conservare volentes, & ei si in aliquo occasione prædicta laesa fuerit specialiter subvenire; Assignamus Vos ad inquirend. &c. in præmissis diligentius veritatem. Et ideo vobis mandamus, &c. Mandavimus enim Vic. nostro *Kanc.* &c. Teste Rege apud *Kenill.* 8. die *Novemb.*

Pat. 51 H. 3.  
m. 37. dorf.

The King issued these Commissions for Collecting the Dismes granted him by the Pope.

**R**EX Magistro *Constantino de Mildhal.* Archidiacono *Sutbir.* salutem. Cum Venerabilis Pater *O. Sancti Adriani* Diaconus Cardinalis Apostolicæ sedis Legatus de Assensu nostro Vos assignaverit ad decimam nobis a sede Apostolica concessam in Diocesis *Einc. London. Nordic. Elyen. & Coventr. & Lichfeld.* colligendam

Pat. 52 H. 3.  
m. 31. intrus.  
De Collectoris Decimar assignatis in diversis Diocesis.

dam, prout in Literis suis Patentibus quas vobis transmittimus plenius continetur. Vobis rogamus quatinus prædictæ Collectioni faciendæ diligenter intendatis juxta traditam vobis formam, & prout nobis magis videritis expedire. In cujus, &c. Teste Rege apud *Clarendon*. 18. die *Decembris*.

Consimiles Literæ diriguntur Episcopo *Lincolniensi* in sua Dioc.  
 Consimiles Literæ diriguntur Custodi Episcopatus *London*. in Dioc. *London*.  
 Consimiles Literæ diriguntur Episcopo *Norwic*. in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Elyensi* in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Cownt*. & *Lich*. in sua Dioc.  
 Consimiles Literæ diriguntur Archiepiscopo *Cantuariensi* in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Roff*. in sua Dioc.  
 Consimiles Literæ diriguntur Custodibus Episcopatus *Cycest*. in sua Dioc.  
 Consimiles Literæ diriguntur Custodi Episcopatus *Winton*. in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Exon*. in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Bathon*. & *Wellens*. in sua Dioc.  
 Consimiles Literæ diriguntur Episcopo *Wigorn*. in sua Dioc.  
 Consimiles Literæ diriguntur Offic. Episcopi *Hereford*. in Dioc. *Heref*.

Pat. 52 H. 3.  
 m. 33.  
 De Collectori-  
 bus Decimæ in  
 certis Diocesi-  
 bus Assignatis.

**R**EX dilecto Clerico suo Magistro *Waltero Scamel Arch. Berk*. salutem. Cum Venerabilis Pater *O. Sancti Adriani* Diaconus Card. Apostolicæ sedis Legatus, de assensu nostro Vos assignaverit, ad Decimam nobis a sede Apostolica concessam in *Cant. Roff. Cycest. Wynton. Sar. Exon. Bathon. & Wellen. Wygorn. & Hereford*. Civitatibus & Diocesisbus Colligendam, prout in Literis suis Patentibus quas vobis transmittimus plenius continetur, Vobis Mandamus rogantes quatinus collectioni prædictæ faciendæ diligenter intendatis juxta traditam vobis formam, & prout nobis (or ad opus nostrum *as some Patents*) magis videritis expedire. In cujus, &c. Teste Rege apud *Clarendon*. 13. die *Decembris*.

Consimiles Literæ diriguntur Episcopo *Sar*. de dicta Decima colligenda in Dioc. *Sar*. Teste ut supra.

The like Letters issued Episcopo *Menevensi*, Pat. 52 H. 3. m. 25. intus, with this addition at the close, *Ita quod diligentiam vestram merito debeamus commendare*. Teste Rege apud *Westm*. 10. die *Maii*.

The Kings Proctors in the Court of *Rome*, borrowing 540. marks sterling mony, of forraign Merchants, to expedite the Kings affairs there, by his Commission und the Popes authority, obliged the King and his Successors, and the Kings Diffmes, obventions, granted him by the Pope out of his Lands and Kingdoms, to pay the same by a certain day, with interest and damages, by this forme of Obligation usually made in those dayes to the Popes Merchants, (for monyes taken up by and for the Pope) who were ready to advance monyes upon such gainfull termes and grand penalties, upon good security.

Pat. 52 H. 3.  
 m. 28. dorſ.

**I**N nomine Domini nostri Jesu Christi Amen. Anno Nativitatis ejusdem 1237. In dictione prima, Mense Novembr. die quinta, Pontificatus Domini Alex. Papa quarti. Anno tertio, in presentia mei No clerici seruanagii ac testium subscriptorum ad hac specialiter vocatorum & rogatorum, Venerabiles in Christo patres Domini *Randalfus Archiepiscopus Tarantas & Wellen. Bath. & Laur. Roff. Epif. & Magister Nicholaus de Plumpton. Domini Papa Capellanus, Archidiacon. Norff. Nuncii & Procuratores Domini Dei gratia Regis Angliæ Illustris, apud sedem Apostolicam constituti, habentes a Domino Papa Alex. 4. potestatem et mandatum mutuum contrahendi pro expediendis, negotiis dicti Domini Regis apud eandem sedem Apostolicam promovendis et expediendis, usque ad summam quingentarum et Quadraginta Marcarum sterlingorum noborum, et obligandi Decimam Ecclesiasticorum proventuum Regni Angliæ et aliarum terrarum suarum, ac quascunque alias obventiones ejusdem Regi et Regno et terris ejusdem, pro sui voti prosecutione ab Apostolica sede concessas, sicut in ipsius Domini Papæ literis inde contentis plenius continetur. Auctoritate ipsarum litterarum de consilio Magistri *Randalfi ipsius Domini Regis consiliiarii Domini Papa Capellani, pro ipsius Domini Regis & Regni Sicilia**



Siciliz, & defensionis Civitatis Aquilæ, negotiis confessi sunt & recognoverunt, se in-  
tuo recepisse & habuisse à Canaliante de Lastala, Jacobo Tiberti, & Bartho Gindi,  
Civibus & Mercatoribus Florent. & Senens. mutuantibus & solventibus, tam pro se  
quàm pro Mamecto Spina, Rusichello Cambi, Carlino Tiberti, Jacobo Dernazati,  
Ildebrando Aldebrandi, Reinerii Bonaccurtii, alijsq; eorum socijs & contrivibus suis  
quingentas quadraginta marcas bonorum novorum & legalium sterlingorum, tresdecim so-  
lid. & quatuor sterlingis pro marca qualibet computatis. De quibus dicti procuratores se  
bene quitos & pacatos vocant exceptioni non numerata, non soluta sibi pecunia omnino renun-  
ciando. Quis prater actas quingentas & quadraginta marcas sterlingorum, ipsis vel uni eorum  
aut ipsorum nuncio, vel socio prasens publicum instrumentum deferenti & presturanti, cum  
Literis Domini Papæ de mutuo contrahendo summam prædictam conti-  
nentibus, in festo Pentecostes proximo futuro London. apud Novum Templum, per legi-  
timam stipulationem, dicti procuratores dictum Regem prædictæ pecunie plene soluturam &  
videtur. Quod si in dictis loco & termino prædicta pecunia ipsis Mercatoribus, ac dictum  
est, non fuerit integrè persoluta, extunc in antea stipulatione prædicta promiserunt eis pro  
damnorum expensarum & interesse recompensatione persolvere, per singulos duos menses,  
pro singulis decem marcis prædictis, \* unam marciam ipsorum sterlin-  
gorum et expensas unius mercatoris, cum uno equo, et uno servi-  
ente ubicunque fuerit, usque ad plenam totius dictæ pecuniæ solu-  
tionem, quam prædictam recompensationem damnoz et expens.  
et interesse antedictis mercatoribus promiserunt, in sortem dicti debi-  
ti nullatenus computare, ac non detinere memoratum debitum  
contra ipsorum mercatorum voluntatem sub prætextu recompensa-  
tionis prædictæ ultra terminum prælibatum. Pro quibus omnibus  
et singulis supradictis firmiter observandis et plenarie adimplendis,  
dicti procur. præfatum Dominum Regem et successores suos, eisdem  
Mercatoribus principales constituerunt debitores, et paratores,  
et \* decimam Ecclesiasticorum proventus Regni Angliæ et aliarum  
terrarum suarum, ac quascunque alias obventiones eisdem Regi et  
Regno, et terris eisdem ab Apostolica sede concessas, specialiter  
obligando. Renunciaverunt in præscriptis omnibus dicti procurato-  
res ipsius Domini Regis nomine, omni juris et legum auxilio Ca-  
nonici et Civis, consuetudini, et statuto privilegio fori, et beneficio  
restitutionis in integrum, constitutioni de duobus dietis Concilii ge-  
neralis, omnibus Apostolicis literis, indulgentiis, et alijs quibuscun-  
que a sede Apostolica impetratis, et etiam impetrand. et omni excep-  
tioni, actioni, defensionis, ac rei quæ obici posset contra hoc instrumen-  
tum vel factum. In hujus itaque rei testimonium, & evidentiam pleniorẽ præfens  
instrumentum dicti procuratores suis sigillis roborarunt. Actum Viterbii, coram hijs  
testibus, scilicet Magistro Angliæ dicto Priore, Domini Papæ Capellano. Teste Ma-  
gistro Rustando Domini Papæ Capellano. Teste Petro Lamot. Clerico, & Micho  
Nepote dicti Domini Prioris.

\*Grand Exce-  
tion.

\*Nota.

Signum, Ego Notclerus Autoritate Imperiali scrinarijs prædictis omnibus inter-  
fui, & hoc Instrumentum scripsi & compleri rogavi.

The King granted this acquittance to the Collector of the Dismes for what he had  
payed into his Wardrobe.

**R**EX omnibus, &c. salutem. Sciatis quod dilectus nobis in Christo Prior Sanctæ  
Frethswid. Oxon. nuper Collector decimar nobis à sede Apostolica concessæ  
per præceptum nostrum liberaverit in Garderoba nostra Petro de Winton. Custodi  
ejusdem Garderobæ apud Wyndes per manum Radulphi le Boiler, Clerici nostri  
die Martis proxima post festum Sanctæ Trinitatis, Anno Regni nostri quinquagesimo  
secundo, Viginti & unam Libr. arrearag. decimar in Episcopatu prædicto collectæ;  
de primo anno de illis tribus annis quibus Dominus Papa, de eadem decima gra-  
tiam

Par. 52 H. 3.  
m. 12. intus.  
De Priora  
Sanctæ Frethe-  
swid. Oxon. de  
Decima.

tiam nobis fecit, de qua quidem pecunia prædictum Priorem penitus quietamus. In  
cujus rei, &c. Teste Rege apud *Westm.* primo die *Junii*.

The King assigned some monyes borrowed by his Son *Edmund*, of the Arch-  
bishop to fortify the Castle of *Dover*, to be satisfied out of the Dismes of the Arch-  
bishoprick of *Canterbury*, by this Patent.

Pat. 52 H. 3.  
m. 13.  
Pro Archiepif.  
Cantuar. totius  
Angl. Primatæ.

**R**EX Venerabili in Christo Patri *B.* eadem gratiâ *Cantuar.* Archiepisco totius  
*Angliæ* primati, salutem. Cum dilectus nobis in Christo Prior de *Rochestr.*  
nup̄r penes vos manuceperit pro triginta & duabus libris duobus solidis, & novem  
denariis, quos *Edmundus* filius noster Charissimus à vobis mutuo cepit ad Castrum  
nostrum *Dover.* inde muniend. vobis ad certum terminum reddendis. Nos indem-  
nitati vestræ & ipsius Prioris in hac parte prospicere volentes, volumus & concedi-  
mus, quod prædictam pecuniam de decima temporalium Archiepiscopatus vestri reci-  
piatis, prædictum Priorem occasione obligationis prædictæ nullatenus molestantes.  
Et ideo vobis mandamus quod prædictas triginta & duas Libras duos solidos, & no-  
vem denarios, de dicta decima recipiatis in forma prædicta. Et nos eandem pecu-  
niam in decima temporalium prædictorum, vobis volumus & faciemus allocari.  
Teste meipso apud *Westm.* 30. die *Maii* anno regni nostri 52.

Per *R. de Leyburne.*

The Dean and Chapter of *Sarum* having compounded with the King, for all the  
Dismes arising within the Diocesse of *Sarum*, for a 1000*l.* a year fine, the King  
thereupon issued this Patent wherein the agreement is expressed, and granted all the  
Dismes levied and to be levied to be payd to them, with allowances in some cases,  
for such sums they would not levy.

Pat. 52 H. 3.  
m. 9. intus.  
De Fine pro  
Decima Epif-  
copatus Sarum.

**R**EX omnibus, &c. salutem. Cum Dominus *Radulphus* Cancellar. *Sar.* &  
*Johannes* Rector Ecclesiæ de *Chalk*, procuratores Decani & Capituli *Sar.* pro  
decima reddituum beneficiorum Maneriorum, pensionum & quorumcunque aliorum  
proventuum Ecclesiasticorum secundum veram estimationem reddituum, beneficiorum  
Maneriorum & Pensionum eorundem à Domino Papa per Regnum *Angliæ* nobis  
concessa convenerint, ac promiserint dare & solvere nobis pro tempore gratiæ hu-  
jusmodi tam præterito quam futuro, mille Libras per annum pro Dioc. *Sar.* Ita ta-  
men quod id quod hætenus de decima ipsa solutum existit, vel aliter allocandum in  
quantitate prædicta eis allocetur. Ac iidem procuratores pro dictis Decano & Capi-  
tulo & Clero *Sar.* Dioc. de dicta quantitate nobis, prout conventum est, cum inte-  
gritate solvenda Dominos Decanum & Capitulum principales erga nos constituerint  
debitores. Nos ut indemnitati eorundem Decani & Capituli plenè prospiciatur in  
hac parte, Volumus & concedimus, quod executores ad decimam hujusmodi colligendam per Dominum Papam, Dominum Legatum, & nos deputati, per se, vel per  
alios decimam ipsam ab hiis à quibus solvenda fuerit, cum arreragiis præteriti tem-  
poris secundum formam gratiæ nobis exinde concessæ levare & eisdem Decano &  
Capitulo, cum integritate persolvi faciant. Ab hiis vero qui certam pecuniæ sum-  
mam nomine decimæ hujusmodi dare jam convenerunt, pecuniam sic conventam  
eisdem Decano & Capitulo, tam pro tempore præterito, ubi adhuc aretro est,  
quàm futuro solvi faciemus, & quod jam solutum est allocari. Et si aliquis vel  
aliqui *Italici Curiales*, vel alii quicunque in solutione decimæ hujus-  
modi Contradictores extiterint et rebelles, qui per ipsos Executo-  
res compelli nequeant; Nos per Vicecomites et Ballivos nostros  
ad requisitionem seu denunciationem Decani et Capituli prædicto-  
rum ipsos ad hoc distringi faciemus et compelli. Et si nec fortè eo  
modo pecunia levare poterit, aut fortè nos aliquibus personis qui ad dictam decimam  
teneantur remittendo seu componendo gratiam fecerimus, de eadem hoc pro rata  
personas hujusmodi contingente dictis Decano & Capitulo allocabimus in solutione  
sua supradicta. Ita quod tantundem subtrahatur de quantitate supradicta. Donec a  
*Woodstock* le seizime jur de *July* le Ann. &c.

The King made almost the like composition with the Dean and Chapter, Abbots  
and others of the Diocesse of *Bath* and *Wells*, for 500. markes fine and 350*l.* 4*s.* ob.  
each year for their own intire Dismes, except two Bishops, as this Patent informes us.

R E X

**R**EX omnibus, &c. salutem. Sciatis nos concessisse Decano & Capitulo *Wellen*. Pat. 52 H. 3. m. 2. intus. Pro Decano & Capitulo Ecclesie *Welle* de sine pro Decima. Abbatibus, Prioribus & toti cetero Clero Episcopatus *Bathon. & Wellen*. pro quingentis marcis semel solvendis, quas nobiscum componendo, ob hoc se dare promiserunt, quod ipsi pro gratia Decimæ reddituum Maneriorum, beneficiorum, pensionum eorundem nobis per Dominum Papam *Clementem* quartum, omnium secundum veram æstimationem concessæ, quieti sunt, pro trecentis quinquaginta libris quatuor solidis, & ob. per annum durante gratiâ prædictâ, nec quicquam amplius ab ipsis exigemus occasione dictæ decimæ in toto Episcopatu prædicto, præterquam duntaxat de maneriis & proventibus, quæ habent Venerabiles Patres *Winton. Bathon. & Wellen*. Episcopi in Episcopatu memorato. Allocabimus etiâ illud quod jam solutum est seu alias allocandum in prædictâ quantitate decimæ. Ad hæc volumus & concedimus, quod executores ad decimam colligendam per Dominum Papam, Dominum Legatum & nos deputati, per se, vel per alios decimam ipsorum à quibus solvendum fuerit, cum arreragiis præteriti temporis, cum integritate levare faciant, usque ad prædictam summam annuam trecentarum quinquaginta librarum quatuor solidorum & oboli & non ultra, nisi forte aliqui fuerint ita rebelles, quod dictæ Compositioni quingentarum marcarum contribuere noluerint, tunc eos volumus ad decimam secundum veram estimationem omnino compelli, & quod superest in auxilium dictæ compositionis dictis decano Capitulo & Clero assignari. Et si aliqui curiales, vel *Italici*, vel alii quicunque in solutione decimæ huiusmodi contradictores extiterint & rebelles, qui per ipsos executores ad solutionem compesci nequeant, nos per Vic. & Ballivos nostros ad requisitionem dictorum executorum, ipsos ad hoc distringi faciemus & compelli. Et si nec forte eo modo pecunia ipsa levare poterit, aut dictus Dominus Legatus nuper in *Anglia* aut nos eis, qui ad dictam decimam tenentur remittendo seu componendo, aut aliis gratiam fecerimus; de eadem hoc pro rata personas huiusmodi contingente in dictâ annua quantitate allocabimus; Ita quod tantundem subtrahatur de prædictâ quantitate. Nos etiam eisdem Decano & Capitulo omnem compulsionem & commissionem, quam à nobis vel ab executoribus nobis super hoc datis habere voluerint, contra nolentes contribuere ad dictam compositionem quingentarum Marcarum fieri faciemus. In cujus rei Testimonium has Literas nostras fieri fecimus patentes. Teste meipso apud *Westmonasterium* 23. die *Octobris* anno Regni nostri 52.

The King not contented to procure an Ayde for himself from the Pope; endeavored to obtain another for his Brother King of *Almain*, toward the satisfying of his Debts, as this Record amongst other things attests.

**R**EX Regi *Aleman*. salutem. Bene recolimus qualiter vobis dudum concessimus providere in Mille Marc. terræ de Wardis nostris, cum eas in Regno nostro accidere contingerit, & in partem satisfactionis concessionis prædictæ, vobis dedimus custodiam terrarum & Heredum *Rogeri de Mubray*. Etiam quod vobis promissimus assignare duo Millia Marcarum terræ de terris exheredatorum, per quod vobis tradidimus terras & tenementa *Ada de Nova Mercato*, & quorundam aliorum in partem assignationis ejusdem. Et insuper, quod *Londonenses* ad pacem nostram recepimus sine Vobis & consilio vestro contra promissionem nostram vobis inde plenius factam, super quo fatemur nos minus bene fecisse, et quod erga summum Pontificem super auxilio vobis præstando prout inter nos et vos secretius erat prolutum, salvis sententiâ et interdicto viriliter intervenimus partes nostras. Et quia super hiis & aliis, quæ commodum & honorem vestrum contingunt acquiescere volumus, ut tenemur, vobis Mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod in instanti festo *Nat. dominicæ* sitis ad nos, apud *Winton*. nobiscum super præmissis locutur, & idem festum nobiscum celebratur. Nos enim vobis tunc omnia, præmissa compleri faciemus pro vestræ libito voluntatis, & rotulos nostros in quibus concessionem nostram prædictam continentur, & qui sunt apud Novum Templum *London*, inquiri & ad nos venire faciemus, prout negotium requirit antedictum, & commodo vestro citius & melius noverimus convenire. Et hoc sicut nos & honorem nostrum & vestrum diligitis, & sicut de vobis præ ceteris viventibus confidimus nullo modo omittatis. Teste Rege apud *Merleberg*. 20. die *Novembrii*.

Claus. 52 H. 3. m. 13. intus. Pro Rege & Rege *Aleman*.

The



The King having erected a Chauntry in his Hospital of *Basingstok* for decayed Priests, within his own Demesne, and commanded Masse to be sung there by virtue of his Royal Prerogative, belonging to his Predecessors Kings of *England*, ever since the first planting of Christian religion, and Cardinal *Ottoboni* authority too; issued this Prohibition to the Official of the Bishop of *Winchester* and others, not to disturb, question or hinder the Guardians or bretheren of the Hospital concerning this Chauntry, against his said antient Royal Priviledge.

Claus. 3. H. 3.  
m. 5. dori.  
Naa.

**R**EX Magistro *N. de Rosland* Offic. *Winton.* salutem.. Cum ex privilegio Regibus *Anglie* predecessorum nostris et nobis in ipsis \* a prima institutione Christiane Religionis concessio, libera semper Cantaria in singulis domibus nostris et nostre fundationis, et maxime in propriis dominicis nostris hactenus habitae sint et obtentae; Ac nos in Hospitali nostro de *Basingstok*, quod in proprio dominico nostro ad sustentationem ministrorum altaris Christi ad imbecillitatem vergentium fundavimus, auctoritate nichilominus Venerabilis Patris *O. Sancti Adriani* Diaconi Cardinalis interveniente, divina prout convenit, fecerimus et mandaverimus celebrari; dilectionem vestram rogamus, ne Custodibus vel fratribus Hospitalis praedicti super eorum Cantaria praedicta molestiam aut impedimentum inferatis vel procuratis inferri. Vobis insuper prohibemus, ne sicut honorem nostrum et Coronae nostrae conservare tenemini, ipsos contra privilegium nostrum praedictum in placitum inde trahere praesumatis. Teste Rege apud *Wodestok* 8. die Julii.

Consimilis Litera dirigitur Priori de *Seleburne* hoc adjecto, et ne insuper hiis, quae ex gratia nostra tenetis et habetis, vos ingratos reputare debeamus.

Consimilis Litera dirigitur Vicario de *Basingstoke*.

The King out of his extraordinary grace, granted the profits of the Temporalities of the Bishoprick of *Worcester*, of antient right belonging to him during the vacancy, to *Godfry Gifford* his Chancellor Bishop elect thereof, towards the repair of the Houses and Edifices of the Bishoprick fallen to decay.

Pat. 11 H. 3.  
m. 12. inrus.  
Pro Electo  
Wygorn.

**R**EX omnibus, &c. salutem. Licet ad nos de antiqua et approbata consuetudine Regni nostri custodia Episcopatum vacantium et fructus de eisdem vacationis tempore provenientes pertinere noscantur, Pensantes tamen merita probitatis discreti viri Magistri *Godfridi Giffardi*, Cancellarii nostri ad *Wygorn.* Ecclesiam Electi, qui per continuum suae familiaritatis obsequium quasi a pueritia, gratum se nobis semper exhibere studuit & devotum; Attendentes insuper quod Domus & Aedificia dicti Episcopatus per negligentem praelatorum praeteriti temporis custodiam diruta sunt non mediocriter & consumptae, ita quod magna reparatione & sumptuosa refectione indigent in praesenti, ad quae idem Electus, qui nostris insistendo obsequiis, gravibus se ipsum sumptibus & expensis propter maliciam temporis exinanivit hiis diebus, non sufficeret fructus praedicti Episcopatus quos in proprios usus convertere, aut aliter sicut placeret disponere potuimus de eisdem, eidem Electo donamus & concedimus, de gratia nostra speciali. In cujus, &c. Teste Rege apud *Wyndes.* 30. die Junii Anno Regni nostri 32.

\* See here, p.  
1017. 1018.

The Archbishop of \* *Cassal* in *Ireland*, having through ignorance, not fraud, malice or contempt of the King, confirmed some elections of Bishops made in his province, before the election presented to and confirmed by the King, did by his special Patent under his Seal, acknowledge this his Error (to avoyd a heavy fine and censur) and oblige both himself and his Successors for all time to come, to confirm no Bishops election, till first certified to and confirmed by the King, and promised to do his endeavour that his Chapter should make the like acknowledgment, thus entred on

Record

Record for preservation of the Kings Right and Prerogative. An excellent preside for all Bishops guilty of the like or greater incroachments upon the Kings Crown, Dignity and Prerogative; to make the like submissions and acknowledgements upon Record, for the Kings honor and prevention of future encroachments, upon his Ecclesiastical Jurisdiction and Regal authority.

**U**Niversis presentes Literas visuris vel audituris *David* permissione divina Archiepiscopus *Cassalen.* salutem in Domino. Cum nos Electiones de quibusdam in nostra Provincia *Cassalen.* factas, non in contemptum Regie dignitatis sed sine fraude et malitia confirmaremus, ignorantibus ipsas Electiones prius esse Domino nostro *H. Illustri Anglia* presentandas, quam ipsis Electis munus confirmationis impenderemus; idcirco nos propter ignorantiam Juris Regii, gratiam ipsius Regis in hac parte assecuti, tenore presentium, pro nobis et successoribus nostris obligamus et bona fide promittimus, quod nullum de cetero de nostra Provincia Electum auctoritate nostra confirmabimus, antequam licentia eligendi a Domino Rege, prout moris est, fuerit petita, ac etiam ipsa Electio eidem Domino Regi fuerit presentata. Ad hoc etiam apponemus diligentiam quam cito post reditum nostrum commodè intendere poterimus, quod litera Capituli nostri super eodem conficiatur, et cui Rex placuerit tribuatur. In cuius rei testimonium sigillum nostrum presentibus duximus apponendum. Dat. apud *Winton.* 4 die *Novembris.* Anno Regni Regis nostri *Henrici* tertii 52.

Pat. 52 H.3.  
m. 36.  
Hibernia.

The Cardinal of *Prædix* in *Rome*, having obtained by colour of a Provision an annuity of 80. Marks by the year from the Archbishop of *Tork*, till he should be promoted to a Prebendary of 100s. a year in that Church, and a controversy arising thereupon; *Othobon* the Popes Legat making an award, that the Cardinal during his life should receive an Annuity of 40. Mark each year out of the Prebendary of *Newband*, and 60. Marks out of the Prebendary of *Weitewang*, and that these Prebendaries should be therewith charged into whose hands soever they came; the King by his Patent confirmed this award, so that if the Prebendaries by any avoydance should be in his or his heirs disposal, they should yet be charged with these Annuities.

**R**EX Venerabili Patri Archiepiscopo *Eboracensi* & Capitulo salutem. Cum Dominus *Ancherus* titulo Sanctæ *Prædix* Sanctæ *Romane* Ecclesiæ Presbyter Cardinalis; peteret à Domino Archiepiscopo *Ebor.* Octoginta Marc. annuas donec esset ei provisorum in Ecclesia *Ebor.* de Prebend. Centum libr. ratione Prebend. de *Wetewang* eidem Cardinali per summum Pontificem assignatæ & per bonæ memoriæ *Godefridum*, quondam *Eborac.* Arch. *Th. de Ludeham* fratri suo collocatæ, & nihilominus Prebenda quæ consistit in Ecclesia de *Neband*, à Domino Cancellar. *Eborac.* vendicaret. Tandem de consilio venerabilis Patris Domini *O. Sancti Adriani*, Diaconi Cardinalis Apostolicæ sedis in *Anglia* tunc Legati, de voluntate & consensu dicti Domini Cardinalis, pro bono pacis inter ipsum Dominum Archiepiscopum & Cancellarium, memoratis alis mota perpetuo concorditer conquievit. Ita quod Prebenda de *Neband*, ad cuiuscunque manus pervenerit, in præstatione annua quadraginta Marcarum maneat onerata; et Prebenda de *Weitewang*, in præstatione sexaginta Marcarum ad quemcunque pervenerit, oneratur præfato Domino Cardinali quamdiu vixerit solvendi. et omni dicti Card. petitione et vendicatione et per hoc omnis litis materia perpetuo sopiatur. Nos igitur pro nobis et heredibus nostris concedimus, quod supradictarum Prebendarum vel alterius earum collatio ad nos vel heredes nostros, per vacationem sedis vel alio modo aliquo tempore devolvatur, in nullum nisi tam prædicto vivere transferantur vel transferatur, sed liceat præ-

Pat. 52 H.3.  
m. 5. intus.  
Pro Decano &  
Capitulo *Ebor.*  
& quibusdam  
Card.

prædicto Capitulo Præbendas vel Præbendam in suis manibus retinere donec a substituendis Canonicis vel substituendo Canonico de dictis præstationibus statutis terminis solvendis eidem Capitulo idoneo caveatur. Pro quibus præstationibus prædictum Capitulum se prædicto Cardinali ad instantiam Domini Arch. obligavit. In quorum omnium robur & Testimonium has literas fieri fecimus Patentes. Teste meipso apud Eboracum 15. die Septembris. Anno Regni nostri, quinquagesimo secundo.

Mat. Westm.  
p. 348  
Contin. Mat.  
Paris p. 1004.  
& Holinshed  
An. 1268.  
Antiqu. Eccl.  
Brit. p. 190.  
\* Constitutio-  
nes Legitimæ  
Ecclesiæ toti-  
usque regio-  
nis Anglicanæ  
ab Legatis à  
latere summo-  
rum Pontificum  
collectæ, & a  
Dom. Johanni  
de Aton diligen-  
ter explanatæ  
Divinæ o pus  
omnibus iis  
qui sacris initi-  
ati sunt utile  
ac necessarium  
Parrisis, 1504.  
f. 19, 60.

Anno 1268. 9. Kal. Maii. Orthonus Legatus, with the Kings consent, apud Sanctum Paulum Londini, magnum Concilium celebravit, præsentibus Universis Prælatibus Angliæ, Scotia & Hibernia, in eadem, as Matthew Westminster and others relate. In which Council he thus complains of the general corruption of our Church and Realm in that age, there held by his Legatine authority, making and publishing sundry Constitutions therein for the Regulation of the Clergy and Churches of England, Scotland and Ireland, quæ inter jura hujus Regni Ecclesiastica etiamnum observantur, writes Matthew Parker, which I finde published at large by \* Johannis de Aton, with his Glosses on them. They are prefaced with an Elegant Prologue, wherein the Legate complains, Sanè si antiqua, & remota pestis hujusmodi exterminia dolenda suscepimus amarius flendo modernum vulnus incumbens, quod non modo auribus, sed etiam oculis & manibus se palam exhibet estimamus, eo quod temporibus hujusmodi diei mali, quantum à primis longanimitate discedant, tanto duriori cervice in profundiora malorum contemptu damnabiliore descendunt, dum juxta semita directa divertitur in obliquum: cedit potentia veritas, justitiam favor expellit, et dum omnes quæ sua sibi videntur exposcunt, quæ Christi sunt, quæ animarum profectibus consulunt, quæ Ecclesiarum decus erigunt, non solum in negligentia nebulis, sed etiam in dispectus et ignorantia latebris tenebrosis abscondunt. And then subjoynes Nos igitur ad Regnum inclitum, quod diebus proximis, a gloriæ suæ culmine in obtensionem utriusque potestatis exciderat; necnon ad Scotia, Hibernia et Wallia partes, de gremio sanctæ matris Ecclesiæ commissio nobis in ipsos plenæ legationis officio destinati, plantandi et evelendi, atque edificandi sollicitudinem de manu sanctissimi patris Domini Clementis in ipsius Universalis Ecclesiæ summi Pontificis; non ex affectu propriæ voluntatis, sed pro debita obedientia bono suscepto, ut nostrum (juxta doctrinam Apostoli) Ministerium impleamus; cum sacrorum Canonum instituta, quorum imitationem Principum quoque secularium leges assumunt. Constitutiones quoque bonæ memoriæ Orthonis Portuensis Episcopi, tunc Sancti Nichæi in carcere Tulliano Diaconi Cardinalis, in Regnis Angliæ & Scotia, Apostolicæ sedis Legati, necnon Provincialium Conciliorum Provisiones, mores & actus fidelium subditorum salubriter informantes, quod harum aliqua a nonnullis invenimus observari, dignum duximus præsentis sacro approbante Concilio ad omnem sanctam et Dei placitam observacionem certas Constitutiones facere; atque jam promulgatis, certa quedam capitula, necnon pœnas adscribere, quæ auctore Deo profectum valeant inducere salutarem. I shall recite only the Prologues and contents of some few of these Constitutions, discovering the grosse Symony, Covetousnesse, Pride, Pluralities, Commendaes, Nonresidence and other abuses of the Clergy in that age, principally occasioned by the Symony, Covetousnesse, Provisions dispensations of Popes themselves and their instruments against all Laws and Canons, and worthy our consideration, to reforme the like abuses.

Johannis Atho-  
nis Constit.  
Dom. Orthoni-  
boni, f. 63

**De pro Sacramentis Ecclesiasticis aliquid exigatur.** Quoniam cæca cupiditas ita ruit in præceps, ut operum terrenorum quæstus minimè contenta, pro sacramentis etiam Divinis, quæ æstimationem non capiunt, precium profana venalitate fuscipiat, Præfatus Legatus contra hoc statuit & præcepit, oleum sanctificatum & chrisma à ministris Ecclesiæ purè atque devotè (qualibet exclusa cupiditatis labæ) conferri, nulla difficultate in eis exhibendis adhibita prætextu alienius consuetudinis



tudinis quæ dicatur ab eis qui ea recipiunt aliqua quibuslibet persolvenda, &c. *De Clericis arma portantibus*, and *De habitibus Clericorum*; he relates the abuses in both these at large. \* *De residentia Archiepiscoporum et Episcoporum*, recites and defines, Pastor bonus cognoscens gregem suum, debet ipsum et mentis et corporis oculis jugiter intueri, ne ipsum invidiosus lupus invadat, sicut hostis persequendo indigat: Ac prelati resistat continue defendendo. Oportet igitur ut corporali presentia ipsum tueatur sollicitè; quia vadens pastor et veniens sæpe non invenit quod reliquit, ea quod illuc adversarius non resistens nec recedens, neque dormiens asportabit. Sane licet Episcopi ad personalem residentiam cura gregis Domini sibi commissam distinis quam Ecclesiasticis præceptis nosterentur assidue, quia tamen in partibus nostræ Legationis nonnulli sunt qui hoc attendere non videntur, nos igitur prædicti Legati monitionem & exhortationem super hoc ad Archiepiscopos & Episcopos providenter emissam, emulationis condignæ studio subsequentes ipsos hortamur in Domino, & in virtute sanctæ obedientiæ, atque sub divini attestacione judicii monemus, ut ad commissi gregis curam, et ad dispensatarum sibi Ecclesiarum solatium, præcipue diebus solemnibus quadragesimalibus et adventus, presentiam suam debitam exhibeant, &c. \* *De appropriacionibus Ecclesiarum*, discovers their mischiefs and inconveniences. *De Delegacionibus causarum*, intimates that a judicial power intrusted in and appropriated to a particular person by divine or humane Lawes, cannot be delegated by him to another person of inferior quality. *De Juramento Advocatorum*, shewes their corruption in that age.

The Constitution, *Ne Clerici Jurisdictionem secularem exerceant* (which they and this Legate himself then did, and others since) is worthy our present consideration,

Cum honestatis, & Ecclesiasticæ speciale decus existat à Carnalibus longè fieri actibus, nec secularibus negotiis ministrare manus deputatas cælestibus ministeriis, grave ac sordidum reputamus, quod Clerici quidam terrena lucra et Temporales Jurisdictiones sedita petulantia et auda horacitate sectantes, jurisdictionem recipiunt a laicis secularem, ut \* Justitarii nuncupentur, et Ministri stant justiciæ, quam non possunt sine Canonice dispositionis et Clericalis ordinis injuria ministrare. Idus igitur horrendum hoc vitium extirpare volentes, universis Ecclesiarum Rectoribus et perpetuis vicariis; imo quibuscunque in sacerdotio constitutis districtius inhibemus, ne jurisdictionem secularem a persona seculari suscipiant, vel ipsam exercere presumant; qui autem eam susceperint ipsam etiam infra duos menses omnino dimittant, eam de cætero nullatenus resumpturi. Quia verò apud malevolas animas inhibicio non valeret, nisi contra hujusmodi delinquentes penalis ultio subsequatur; decrevimus, ut quisquis contra prædicta venire tentaverit, ipso facto ab officio & beneficio sit suspensus; ad quæ si temerè sic suspensus se ingesserit, ultionem Canonicam non evadet. Hujusmodi verò ultio per Diocesani eius qui contra ista fecerit donec emendaverit, ipsius Diocesani arbitrio, et juramentum præstiterit, quod de cætero similia non committeret, nullatenus relaxetur, salvo Domini Regis privilegio in hac parte, whose Clerks were then most guilty in this kind.

After which follows another Constitution of the same Nature, *Ne Clerici Advocati sint in causis secularibus, nec Iudices, nec Assessores*, and yet again of a penitential nature, facta illi Reformatione, Tit. de Concubinariis informs us, that Clergymen in their ordinibus constituti, in Domibus suis vel alienis decedunt publice concubinas, such was the fruit of their vowed Virginity and restraint from Marriage. *De residentia Vicariorum* relates, and provides against the general Incontinentie of Rectors, and Vicars, resolving that he Qui curam obinet animarum, ut qui clero præstat curam, vagari non debet, & paratus sit in statione continua vocantibus, & non vocantes

Ibid. f. 66. 67. 91.

Ibid. f. 93. &c.

Ibid. f. 69. 70.

\* Nota.

\* Ibid. f. 74.

\* Ibid. 85.

suis exhortationibus quasi pastor sollicitus ad se trahat, (*which I wish might be well considered by all who have care of souls.*) \* Ne Prælati fructus Ecclesiarum vacantium percipiant *followers whereby Bishops robbed and spoiled the Churches they were obliged paterne consolari affectu, viduatis rectoribus propriis, duplici desolatione confectæ. De procuratoribus quæ ratione visitationis debentur non accipiendis, &c. (is worthy perusal, to reforme the extorsions of this kind in that and succeeding ages.)* And ne pecunia recipiatur à subditis pro crimine vel delicto notario. *The Decretal* \* De formatione citationis *riches*, Ita mortalium sæva cupiditas suum in seipsos reflectit ardorem, ut quicquid sibi possit attrahere non desistat, non timens divinam offensam vel proximi læsionem. Quod litigiorum anfractus & procellæ causarum manifestè declarant, in quibus seipsum solum respiciens litigator sic errat in via Justitiæ, ut æquum & justum æstimet quicquid adversario noceat, & jure vel injuria sibi prosit. Sanè quum in citationis articulo fraudem præcipuè fieri est compertum, prædictus Legatus *Otho* statuit, ut per impetrantes vel eorum Nuncios in causis Regni *Anglia*, contortæ literæ non mittantur, sed iudex moderatis sumptibus impetratis per suam fidelem manum eas mittat, qui vocandum diligenter perquirat, quem si invenire non poterit, die Dominico vel alio sollempni, apud Ecclesiam loci istius in quo degere consuevit, dum missa cāntatur, literas legi faciat & exponi, vel saltem ad Decanum in cujus Decanatu moratur, qui vocandus existit, citatio dirigatur, qui à iudice jussus finaliter exequatur, per se vel per certos Nuncios & fideles, quodque inde fecerit eidem scribere non omittat. Nos autem ut circa citationis articulum cautius procedatur, & totius discriminis materia (quantum in nobis est) penitus auferatur, constitutioni dicti Legati adjiciendo statuimus, ut quum iudex contra quemlibet absentem emittit citationis edictum, citationem faciendam decano loci vel alicui certæ personæ demandet. Is vero cui demandata fuerit cum eam fideliter fuerit executus secundum statuti formam, se citasse rescribat, alioquin citationi quæ aliter facta appareat fides nulla adhibeatur, cum nec secundum eam contra eum qui citatus dicitur, ad pœnam aliquam procedatur. Which if duly observed, would rectifie many grievances by Apparitors undue citations since revived.

\* Ibid. 9, 96.

*The Decretal* De institutionibus seu collationibus, *thus notably discovers the illegality, mischief of Pluralities, and avarice of Clergymen, which I wish all pluralists would seriously consider.*

Ibid. p. 98, 99.

Christianæ Religionis veritas ita plerosque in suorum Cordium elatione reliquit, ut cum animæ suæ curæ vix unusquisque sufficiat, ipsi se mendaci statera pensantes non solum unius beneficii, sed multorum intrepide curam suscipiunt, in quo quum non resident, nec ad sacros ordines se faciunt promoveri, quos ipsius cura beneficii, requirit, sed etiam multas & innumeras curas sibi congregant impudenter, & per vanitates & falsas insanias ambulantes, miseras animas quas curandas acceperunt necessario negligunt, nec onustale implere ipsi facti impossibilitati possunt. Sanè hos Carni contra spiritum & adversus Deum & proximum assistentes, & quasi de industria recedentes adeo dum seipsos in manus Diaboli manifestè præcipitant, animas Christo auferunt, & pauperum Eleemosynas in usus superfluos (ne dicamus in malos) nephanda perveritate convertunt, è tantis erutæ periculis sanctorum Patrum *Romanorum* Pontificum, & cæterorū super his auctoritatē gerentiū Constitutiones tam ab antiquis retrò temporibus quàm modernis multiplici sollicitudine laboraverunt. Quorū labor & si meritorius fuerit his qui vineam Domini fidei exercito coluerunt, quibus virtus fuit etiam malè viventibus materiam ministrare virtutis, multis tamen in hos prophanæ cupiditatis ardore crescentibus, hujus laboris profectū invenimus defuisse, qui præter clavē dispensationis Apostolicæ sedis pluralitatē Ecclesiasticorū beneficiorū animarū curam habentium, non solum de manu Prælatorum malè suscipere, verum etiam propria auctoritate violentaque manu damnabiliter occupare præsumunt, & temere per excogitatas malicias & subterfugia detinere. Ex his autem dicere non sufficimus \* quanta mala proventiunt Ecclesiæ; namq; maculatur honestas, annullatur auctoritas, fides Christi prostermitur, Charitas exulat, spes pauperum deperit; quod intrat omne beneficium vacaturum, quod suum non est miser peccator et cæcus, Rectorum se jactans, non tam recipit quam futatur. Inter ipsos quoque divites contentiones, et scandala oriuntur, lites et odia consensunt, digne etiam

\* The more shame and blame for Popes or others to dispense with or tolerate such mischiefs.

am super hu jufmodi regnozū homines dīvinę indignationis exariffe ignem, et pꝛopꝛter aliquozū delicta in omnes mīffe formidinem ſi be vindictam ex hoc pꝛæcipue formidamus, et dum nihil aliud ita periculis plenum conſpicimus, talia vel gravioꝛa etiam pertimeſcimus in futurum, niſi Dei miſericordiã nos reſpiciens correctionis remedium apponat ſalutare. Volentes igitur & cōtra hunc mōrbū peſtiferū & vix curabilem quā poſſumus officiī noſtri diligentiam adhibere, & totū quantum in nobis eſt virtute curare; pꝛædicti quoq; Legati Conſtitutionem ſuper his editam ipſius inhzendo veſtigii, adjuvantes adjiciendo pꝛæcipimus, ut de pꝛæteritis ante hanc noſtram conſtitutionem beneficiorum cum cura pluralitatem, nec non contra illos qui prout debent in beneficiis ſuis nec reſident, nec ordinem ſacrum ſuſcipiant quem beneficii ipſius cura requirit, de commiſſis Pꝛælati ſine ulla diſſimulatione diligenter inquirant, & in illis faciant ſtatutum generalis Concilii fideliter obſervari. Archiepiſcopi etiam diligenter & efficaciter ſuper pꝛæmiſſis inquirant in provincialibus conciliis ſuis, & negligentes corrigant ut tenentur. In poſterum autem cum ad beneficium curam habens animarum quemque pꝛæſentari aut ipſius collationem aliã fieri contigerit, ſtatuiſmus, ut Pꝛælati qui circa id ſuum gerit officiū, prius de vita & conſervatione pꝛæſentari vel inſtituendi, ac de aliis quæ jura pꝛæcipiunt inſpectione pꝛæmiſſa, hoc quōque diligenter diſcutiat & inquirat, utrum habeat pꝛæſentatus vel inſtituendus hujusmodi, perſonatus vel beneficia alia curam animarum habentia, & ſi quidem habeat, an illa cum diſpenſatione an ſine illa tenuerit; quam ſi ſe habere aſſerit illam intra terminum à Pꝛælato ſtatuumdum poſt aſſertionem hujusmodi ipſi Pꝛælato exhibere procuret, alioquin ex tunc nullatenus admittatur. Quod ſi inſtitutus fuerit, nulla inſtitutio ſit ipſo jure; diſpenſatione verò exhibita ipſe Pꝛælatiſ providē conſideret, an ex diſpenſationis ipſius aliud vel alia cum jam habitis valeat obtinere? Quod ſi eum plura beneficia curata ſine diſpenſatione habere vel habuiſſe compererit, ipſum ad idem conſervans ſi exhibita diſpenſatio non ad futura ſed tantum ad pꝛæterita ſe extendit, niſi prius in hoc caſu inſtituendus ipſe pꝛæſtet corporaliſter juramentum, quod habita poſſeſſione in beneficio in quo inſtituitur, ſtatim alia beneficia quæ prius habuit ſine difficultate dimittens, de illis per ſe vel per alium extunc nullatenus ſe intromittat; quod ſi facere pꝛæſumpſerit, pꝛæter notam perjurii quam incurrit, habitis et habendis ipſo jure noverit ſe pꝛivatū. Poſtquā autem ſecundum ea quæ diximus, quiſquam fuerit inſtitutus, illico pꝛælatiſ in Regno eodem conſtitutis in quorum diceſi conſiſtunt, priora beneficia quæ habebat, necnon patronis ipſorum quod geſtum eſt (ſi commodè poterit) denunciēt inſtitutorum, ut de beneficiis ipſis quæ ad ipſos ſpectare videntur diſponant, & nihilominus nomina beneficiorum ipſorum conſcribens, tunc in proximo provinciali concilio ea denunciēt, in quo videatur qualiter ſit de ipſis beneficiis ordinatum, & ut appareat utrum ſic inſtitutus verum dixerit qui prius dixit ſe alia beneficia non habere. Quod ſi Pꝛælatiſ inſtituens ſecus egerit, inſtitutionem factam revocet infra menſem, alioquin à Collatione & inſtitutione ad ipſum in quibuſcunque beneficiis ſpectantibus quouſque revocaverit ſit ſuſpenſus, juſ conferendi ad proximum ſuperiorem devolvendo. Quod ſi de hiis nihilominus intromiſerit, etiam ab ingreſſu Eccleſiarum ſit ſuſpenſus. Cum eum qui a ſe reprobatur crimen incurrit merito culpa redarguit, & in quo alium indicat ſe ipſum condemnare, dum in eodem ipſe reprobus invenitur; hanc fugiendam, Apoſtolo dicente, labem in pꝛælatiſ Eccleſiæ deſtantes, firmiter inhibemus, ne Pꝛælatiſ qui pꝛæſentatum ſibi ad vacantem Eccleſiam ob defectum ſacrorum ordinum recuſat admittere, alii eandem Eccleſiam conferre qui defectum hujusmodi patiatur, ne ſic potius videatur acceptaſſe perſonam quā juſtitiam dilexiſſe; quod ſi fecerit, ejus collatio vel inſtitutio ipſo facto ſit invalida, & nullius momenti penitus cenſeatur.

\* Is not this the caſe of Popes & other Prelates diſpenſing with Pluralities which they thus condemne.

The Decretall *De Commendis Eccleſiarum*; a great grievance, innovation then newly introduced by Popes and practiſed afterwards, notwithstanding this Decree, is worthy ſpeciall obſervation.



Ibid. f. 101,

102.

De Commendis Ecclesiarum.

\* Ministerii.

\* Let Popes and Prelates consider this.

Nota.

\* The Popes crime, practice and evasion.

Nota.

\* The original chief Author, sower, protector of these abusive Commendates for filthy lucre, into whose hands they must fall again by this Provision, to sell or dispense with them as usual.

Miserabili humana dignitati casus ille commisit, ut decessu a cunctatione & contra nulla parata irrationabilitate solgia committatur; Melius putetur iniquum quod in inextinguibili vase cupiditatis videatur induere, nichil inhonestum quo avaritia non paratur cibum, esurientem non imminuens sed augmentans; huc si animos simplicium obfident, dolendum est in uno genere hominum qui Laici idcirco dicuntur, cum popularibus sunt \* Ministerii derelicti, sed in illis in quibus Dominus pars est eorumdem hereditatis, qui hereditatis suae restitutionem sibi debent a Domino praestolari, qui \* dueatu suo regere alios et gubernare tenentur, huc tanto amarior et acerbior fiendo conspicimus, quanto iniquius committuntur in illis et periculosius tolerantur. Sane inter adinventiones eorum qui fraudes contra suas animas moluntur, hanc maxime compertimus divini et humani Juris praestidia confundentes, quod cum una Ecclesia unus debet esse rectoris, sicut et ratio dicat, et multiplicis juris statuta declarant, quidam tamen rationis expertes vel juris regulas contemnentes, dum ab plurimum Ecclesiarum occupationem belamen aliud non habentes, quoquo modo ditari festinent, vacantes Ecclesias sibi commendari procurant, amplectentes juris verba non sensum, quod aliquando permittit unam habere Ecclesiam intitutam et aliam commendatam. Et cum juxta sanum intellectum propter necessitatem, vel utilitatem vacantis Ecclesiae iam commendationis, non tam praepositorum quam permissivum fuerit introductum, \* ipsi ad cupiditatis suae lucrum omnia convertentes, in ipsarum Ecclesiarum dissipationem, non solum unam, sed plures recipiunt commendatas. Inter multa vero pericula quae ex hac pestifera latione proveniunt, adversimus Ecclesiasticarum rerum dispendia, spiritualium negligentiam et contemptum certum inseri, dum miseri cupientes casu in malum suum quae aliena esse debuerant congregantes, aut in proprios luxur et pompas superbiae profundentes, quae sunt ad pauperum Eleemosynam constituta. Hac autem pro mole peccati, furta, rapinas & filii in conspectu patris vindictam excedere, divini juris testimonio comprobantur. Nec praeterit divinum intuitum cecitas concedentis, qui cum Ecclesiae prospicere debet personam hominis accipit, cui non tam curandam obem committit, quam miserabiliter deprecandam. Quia igitur nec timorem divini iudicii, nec sacrorum Canonum intentionem ad conversionem talium sufficere vel proficere nunc usque videntur; Nos & animarum saluti & Ecclesiarum statui ut indemnitas, Cura qua possumus, ex officio nostri debito proficere capientes, universas Ecclesiarum Commendationes hactenus quibuscumque factas (nisi ex evidenti utilitate unum tantum Ecclesia commendatio facta sit) penitus revocamus, et ipsas ex nunc vacare decernimus; eis ad quos ipsorum collatio, vel ad eas praesentatio spectat districte mandantes, ut infra duos menses post praesentis constitutionis nostrae publicationem conferant seu praesentent, alioquin ipsarum collatio ad \* sedem Apostolicam devolvatur. In posterum autem prohibemus Ecclesiam quamlibet commendari, nisi iusta causa vel legitima id exposcat. Et ut omnibus versatilis, adinventoribus & fallaciis occurramus, statuimus ut cuius ultra unum cum cura animarum beneficium obtinenti Ecclesia commendatur, neque plures Ecclesiae alicui personae valeant commendari. Quod si contra ea qua salubriter hac nostra provisione statuta sunt, Ecclesiae commendationem a quodam & aliquam in locis nostra legationis fieri contigerit, ipsa, et quicquid ex ea factum fuerit ipso jure decernimus non valere. Episcopis vero qui commendationem contra praemissa fecerit, donec ipsam revocaverit, ipso facto

a collatione seu presentatione beneficiorum quorumlibet sit suspensus.

De his qui tempore electionis dimittunt Beneficia, & postea reassumunt eadem. *Ibid. l. 1043*  
se eligi non contingat; thus discovers the ambition, avarice, fraud of Clergy in that age.

Ambitionis vitium in ardore suis exarsitans, dum nec *Maria* optimam partem amplectitur, nec ad *Marsia* ministerium in frequenti profectus aspirat: sed per dominandi libidinem ad omnem eum datentem transicere detorquetur, abjecto rationis intuitu, fas & nefas improba temeritate permiscet. Sandillud evenire intendam didicimus, ut quum vacante sede quam quis ascendere concupiscit, ipse merens: *Si obtemperum beneficium pluralitate in suo desiderio posse deficere*, ipsa beneficia resignat, immo penes eum ad cuius collationem spectant, detestabili quadam passione deponit, ut si eligi eum non contingat, eadem beneficia quasi deposita postmodum reassumat. Contra hoc igitur tam abominabile collodium, & sanctum & Deo plucens obstaculum oppositas districtius, inhibemus, ne cuquam de cetero sua beneficia taliter resignanti eadem restituantur, nec quasi de novo aliquatenus concedantur; sed tanquam vacantis de personis alius canonice ordinentur. Quod si huiusmodi resignanti beneficia; ipsa vel aliqua ex eis fuerint reddita vel concessa; redditionem vel concessionem in eum factam invalidam decernimus & inanem. Qui vero taliter in suis manibus resignata postmodum scienter contra sic premissa contulerint, aut ipsum resignantem instituerint in eisdem, si quidem Episcopus fuerit, & dalmatica & pontificalium indumentorum usu, alius vero Prælatus inferior ab officio sit suspensus, donec illud duxerint revocandum.

His Constitution, *De Confirmatione Episcoporum*, is observable. Pastoralis sedis eminentia multis indigens gratiæ divini muneribus, ut Pastor in se mundus ambulet coram Deo in meritum, & in conspectum populi ad doctrinam, inter alia quæ de Pontificum electione, sancti Canones providerunt, idem præcipuum sibi vindicat locum; ut talis ad eam persona conficiatur, quæ nullis (quantum humanitus possibile est) sit maculis denigrata. Quorundum igitur ignorantiam, vel negligentiam, aut dissimulationem, qua contra Electorum confirmationes frequenter habetur, vel etiam procuratur, ex officii nostri debito diligentia quæ possumus corrigentes; Statuimus, & in virtute sanctæ obedientiæ præcipimus districtè, ut cum electionis Episcopalis confirmatio postulatur, inter cetera super quibus inquisitio & examinatio procedere debet secundum Canonum instituta, illud exactissime inquireatur, utrum plura beneficia cum animarum cura qui electus est, antequam eligeretur habuerit? Et si habuisse invenitur, an cum eo super hoc fuerit dispensatum? Et an dispensatio si quæ exhibuerit vera sit, & ad omnia beneficia quæ obtinuit extendatur? Quod si in aliquo præmissorum, is ad quæ confirmatio spectat, electum deficere sua discussione compererit, eidem nullatenus munus confirmationis impendat. These wholesome Constitutions by reason of the Popes and his Legates dispensations against them, were only pious frauds to pke others, and fill their own purses; not effectual Medicines to cure these grievous Maladies; so pernicious to religion and the peoples souls.

An Oxford Jew having in contempt of Christ, and Christian Religion, in a solemn Procession there held by the University, cast down and broken the *Crucifix* carried before them; and escaping, and the Jewes not producing his body as the King ordered them; the King thereupon out of his piety and Sovereign Ecclesiastical Authority; commanded the Sheriff of Oxford, by several Writs to seise the bodies and goods of all the Jews in Oxford, till they gave sufficient security at their proper costs, to erect a beautifull high Marble Crosse, with the Images of Christ on the one side, and the Virgin *Mary* with Christ in her armes, on the other side, curiously and decently guilt, and the cause thereof engraven on it, in the place where the Offence was committed; calling the Major of the Town and Cofferers of the Jewes to his assistance; and till they made and delivered to the Proctors of the University another portable Crosse of Silver handsomely gilded, with a spear as large as that carried before the Archbishop, to be carried before the Masters and Schollers of the University in their future Processions. And because divers Jewes to prevent it, had secretly conveyed away their goods to others; so inquire diligently after such goods and sell them, that the work might be speedily effected before the Feast of St. Edward.

REX

Claus. 53 H. 3.  
m. 12.  
De duabus  
Crucibus & bo-  
nis & Catallis  
Judæorum  
Oxon. facien-  
dis.

**R**EX Vicecomiti *Oxonie*, salutem. Cum Judæi nostri *Oxon.* nobis adhuc non responderint de Corpore illius Judæi, qui in vituperium Crucifixi Crucem in solemnibus Processione die Ascensionis Domini prostravit et fregit, per quod tibi pluries præcipimus, quod omnes Judæos prædictos sine dilatione caperes, & salvo custodies; Et quod non permitteres eos aliquam administrationem habere de bonis et Catallis eorum donec sufficientem tibi præstarent securitatem, quod sumptibus suis quandam Crucem marmoream pulchram et altam, bene et decenter incisam et politam, cum imagine Crucifixi in capite, ex parte una, et cum imagine beate Virginis cum filio suo, ex parte altera, convenienter sitis et auro deplatis, una cum causa prædicta manifeste superscripta, in loco ubi scelus prædictum extitit perpetratum; Et quandam aliam Crucem portatilem argenteam, bene et subtiliter et decenter fabricatam, et deauratam, cum hasta sive baculo, ejusdem magnitudinis cum Crucibus honorificis quas Archiepiscopi eorum se facient deportari; deferendam ante Universitatem Magistrorum et Scolarum *Oxon.* in processibus suis, faceres. Et quod provideres, quod pecunia ad præmissa facienda cito levaretur, & quod omnia præmissa cum omni festinatione qua fieri posset expleres; et prædictam Crucem portatilem Procuratoribus Universitatis prædictæ custodiendam liberes, ita quod fierent citra festum Sancti *Edwardi*, quod erit in Vigilia Epiphaniæ Domini proximi futuræ. Ac tu quosdam de *Judeis* prædictis juxta mandatum nostrum prædictum ceperis, qui ante captionem suam bona & Catalla sua diversis hominibus Civitatis prædictæ liberaverunt, per quod tu mandatum nostrum prædictum minus plenè exequi potes. Nos volentes quod præmissa modis omnibus fiant in forma prædicta, tibi præcipimus, quod assumptis tecum Majore Villæ prædictæ & Cofrariis Judæorum nostrorum ejusdem Villæ, in præsentia proborum & legalium hominum de Villa prædicta, per quos rei veritas melius sciri poterit, diligenter inquiras ad quorum manus bona & Catalla prædictorum Judæorum devenerunt, & qui ea tenent, & de bonis & Catallis prædictis, in quorumcunque manibus existant, omnia præmissa fieri facias per visum & testimonium hominum prædictorum, prout melius videris expedire, & si necesse fuerit bona & Catalla prædicta, ad hoc vendas, & taliter te habeas in hoc mandato nostro exequendo, quod id quod ad honorem Dei intendimus in hac parte, manifestetur publice per effectum, et quod præmissa fiant sine mora. Teste Rege apud *Winton.* 27. die Decembris.

The Money hereupon being levied of the Jewes to make these Crosses, and the King being informed, that the *Marble Cross* could not be erected in the place prescribed without damage and prejudice to some Burgeses of *Oxford*, whereupon they purposed to erect it just over against the *Jewes Synagogue* there; The King and his Counsel conceiving that place inconvenient, ordered it to be set up within the place of *Merton Colledge* near the Church, and the other portable Crosse to be delivered to the Schollars thereof, to be kept in their House, and carried in Processions of the University as aforesaid, by this Writ to the Sheriff, Major and Cofferers of *Oxford*.

Claus. 53 H. 3.  
m. 80.  
De Cruce marmorea erigend.  
in placia Scholar de Merton.  
Oxon. de quadam Cruce portatili eisdem liberand. in Domino sua.

**R**EX Vicecomiti, Majori, Ballivis & Cofrariis suis *Oxon.* salutem. Cum Judæi nostri *Oxon.* quandam Crucem quæ in solemnibus processione die Ascensionis Domini per Villam nostram *Oxon.* deferrebat in vituperium Crucifixi prostraverint et fregissent, per quod vobis alias præcipimus quod sumptibus Judæorum prædictæ fac. quandam Crucem marmoream pulchram et altam bene incisam et politam, cum imagine Crucifixi in capite ex parte una, et cum imagine beate Virginis cum filio suo ex parte altera convenienter sitis, et auro deplatis



pietis una cum causa prædicta manifeste superscripta, in loco ubi scelus prædictum extitit perpetratum; et quandam altam Crucem portatilem argenteam bene, subtiliter et decenter sabycatam et beauratam cum hasta sive baculo, ejusdem magnitudinis quam habent Cruces quas Archiepiscopi faciunt coram se deportari, ante Universitatem Magistrorum et Scholarium Oxon. deferendam in processionibus suis. Et postmodum intelleximus, quod Crux prædicta marmorea in placea ubi scelus prædictum extitit perpetratum, sine damno & nocumento quorundam Burgensium ejusdem Villæ erigi non posset, per quod vobis alias præcepimus, quod Crucem prædictam in alia placea, ubi sine damno & nocumento ejusdem Villæ fieri possit, erigi faceretis, quod ex opposito Synagoga inde ejusdem Villæ facere provid. ut accepimus: Nos perpendentes, quod hoc indecens & inhonestum esset, de consilio Edwardi primogeniti nostri, & aliorum fidelium nostrorum qui sunt de Consilio nostro, volumus, quod prædicta Crux marmorea erigatur in placea Scholarium de Meron, juxta Ecclesiam suam Sancti Johannis Baptiste in Villa prædicta: Et ideo vobis mandamus firmiter injungentes, quod Crucem prædictam marmoream modo prædicto factam, in placea prædictorum Scholarium erigi & prædictam Crucem portatilem prædictis Scholaribus liberari faciatis, custodiend. in domo sua ibidem: Ita quod eum deferri faciant in solempni processione coram Magistris & Scholaribus prædictis sicut prædictum est. Et hoc nullatenus omitatis. Teste Rege apud Westm. 3. die Februarii.

The King for maintenance of his Sovereign Ecclesiastical Jurisdiction in his own free Chappels, issued this Writ to the Bishop of *Cowenry and Litchfield*, not to exercise any Ecclesiastical censure or Jurisdiction within the Church of *Al. Sains*, in *Derby*, which was his free Chappel, nor any other his Chappels; nor yet to Tax them towards the Disme granted him by the Pope, for which they had compounded and payd six marks into his Wardrobe, notwithstanding their fine and composition made with the King for all the Dismes within his Diocesse, for which he should have an allowance by way of defalcation.

Claus. 53 H. 3.  
m. 9. dorso

**R**EX Venerabili in Christo Patri *Cowenr. & Litch.* Episcopo salutem. Cum nuper inter ista beneficia Ecclesiastica vestre Dioc. taxari fecerimus Ecclesiam *Omnium Sanctorum*, de *Derb.* quæ est libera Capella nostra, per dilectos & fideles nostros *Robertum de Bakpise*, & *Johannem de Saxon*, & hujusmodi taxationem faciendam per nos & Venerabilem Patrem & Sancti *Adriani* Diaconum, Cardinalem tunc Apostolicæ sedis Legatum in *Anglia*, specialiter deputatos, ac dilectus nobis in Christo Decanus *Lin.* persona Ecclesiæ prædictæ, pro se & Canonici ejusdem liberæ Capellæ nostræ, ratione decimæ proventuum ipsius Capellæ secundum taxationem prædictam sex Marc. per manum suam solverit in *Gardero* nostra. Nobis mandamus, quod occasione finis quem nobiscum fecistis pro decima beneficiorum et proventuum vestre Dioc. in præfatos Dioc. et Canonicos, seu etiam liberam Capellam nostram prædictam ratione prædicta vel alia quacunque occasione nullam coercionem exercere præsumatis; eo quod sustinere nolumus sicut nec debemus, quod vos seu Ministri vestri de prædicta Capella seu aliis liberis Capellis nostris in vestra Dioc. quæ a vestra Jurisdictione totaliter erimuntur, aliquatenus intrumittatis. Nos tamen prædictas sex Marcas, & siquid ulterius ad nos pervenire debeat, secundum aliam taxationem, si necesse fuerit, alterius faciendam prout justum fuerit, in fine prædicto vobis allocari faciemus. Teste Rege apud Westm. 8 die Aprilis.

The King to effect his designs in the Court of *Rome* against the Barons and others, was forced to grant some Cardinals annual Pensions during their lives, and to augment them upon all new occasions, as is evident by this Record, for paying the arrears and augmentation of one of their Annuities out of the Dismes granted him by the Pope, whereof the King had usually the least share, the Pope the Cardinals and Legates swallowing up the greatest part of them; as \* *Mathew Parker* observes.

\* *Antiqu. Eccles. Brit. p. 194*

R EX

Pat. 53 H. 3.  
m. 3. intus.  
Pro Episcopo  
Ostensi.

**R**EX Omnibus, &c. salutem. Scitis quod *Fulco Lovet*, Archid. *Colecestre*. & Magister *Godefridus* de Sancto *Dunstano* Collectores in Episcopatu *London*, liberaverunt per praeceptum nostrum Venerabili Patri *H. Ostensi*, & *Willelmo* Episcopo *sacrosanctae Romanae Ecclesiae* Cardinali quinquaginta libras de terminis *Pasche*, & *Sancti Michaelis* Anno Regni nostri quinquagesimo secundo, & de termino *Pasche*, Anno Regni nostri quinquagesimo tertio de arrearagiis quinquaginta Marcarum annuarum sibi per nos concessarum, in augmentationem annui feodi sui Centum Marcarum, & viginti & quinque Marcas de termino Sancti *Michaelis* proximo praeterito de feodo supradicto, de fine quem praedicti Archid. & *Godefridus* nobiscum fecerunt pro Decima Episcopatus praedicti, de qua quidem pecunia praefatos Archidiaconum & *Godefridum* tenore praesentium quietamus, & eandem pecuniam in fine decimae praedictae allocamus. In cujus &c. Teste Rege apud *Westm.* 7. die *Octobris*.

How the Pope and King by his command, exempted his own *Italian* Agents, who had benefices or Prebends in *England*, from the payment of *Dismes*, and all Ecclesiasticall Censures which he with utmost rigour imposed upon all others, making the *English* the only *Isachars* to undergo his unsupportable burdens imposed on them without the least exemption or moderation, this Record will clearly evidence.

Pat. 53 H. 3.  
m. 28. intus.  
Pro Domino  
Papa & Episcopo  
Capitulo  
Sar.

**R**EX Omnibus, &c. salutem. Inspeimus literas Venerabilis Patris *W. Ebor.* Archiepisc. *Angliae* Primatis, dispensatoris decimae proventuum Ecclesiasticorum nobis in Regno nostro a sede Apostolica concessae, collectoribus ejusdem decimae in Episcopatibus *Sarum*, & *Cicestr.* directas in hac verba, *W.* permissione divina *Eborum* Archiepiscopus *Angliae* Primas dispensator decimae proventuum Ecclesiasticorum Domino *H.* Illustri Regi *Angliae* in eodem Regno sibi a sede Apostolica deputatae, ac Reverendi Patris *O. Sancti Adriani* Diaconi Cardinalis olim Legati in *Anglia* vicem gereus, Venerabili Patri in Christo Domino Episcopo *Sarum*, & aliis Collectoribus ipsius decimae in *Sarum*, & *Cicestr.* Episcopatibus deputatis & impostero deputandis, salutem in Domino. Cum discretus vir Magister *Sinicius* Domini Papae Camerae Clericus Canonicus *Cicestr.* persona Ecclesiae de *Danington*, *Sarum* Dioc. obsequiis Domini Papae et Romanae Ecclesiae, ac Domini Regis praedicti in partibus *Angliae* fideliter nunc ex alias instituerit et instituat, et propter hoc sit et ab Apostolica sede indultum, ut excommunicari vel interdici nequeat, vel suspendi, et pro reverentia praedictae sedis ab exactione decimae praedictarum Ecclesiae et Praebendae, et pro honore ipsius Domini Regis cujus est specialis, Idem Dominus Rex et nos volumus eum esse immunem et penitus liberari, Paternitati et discretionis vestrae qua fungimur auctoritate mandamus, quatenus decimam praedictam ratione primi, vel secundi aut tertii anni praefato Magistro *Sinicio*, vel ejus procuratoribus seu firmariis, vel aliis quibuscunque pro praedictis Ecclesia et Praebenda nullatenus per vos aut alios exigatur vel recipiatur, vel erigi aut recipi permittatur. Dat. apud *Westm.* 5. Kal. *Novembris* Anno Gratiae, 1268.

\* Nota.

Nos autem quietantiam & liberationem praedictas ratas habentes & gratas, volumus & concedimus, quod praefatus Magister *Sinicius* immunis & quietus existat ab exactione & praestatione decimae praedictarum Ecclesiae & Praebendae de tribus annis praedictis, juxta tenorem literarum Archiepiscopi supradicti. In cujus rei testimonium. Teste Rege apud *Westm.* 8. die *Novembris*.

King *Henry* in the 34. year of his Reign was very active and intente in collecting and disposing the *Dismes* granted him for 3. years space by the Pope, towards the relief of his necessities and satisfying of his Debts by reason of the late Wars and troubles, and levying the *Dismes* granted him for the relief of the *Holy Land* and calling the Collectors thereof both in *England* and *Ireland* to an account, for which many Bishops and Diocesses compounded for a certain summe in grosse, or annuall payment, which some Bishops advanced beforehand, as these ensuing Records attest, wherein our Histories are silent.

REX

**R**EX Archiepiscopis, Episcopis, Abbatibus, Prioribus & aliis viris Religiosis, Archid, Officialibus, Detanis, Rectoribus, Vicariis, ac Universis & singulis beneficiatis in *Hibernia* Constitutis, ad quos, &c. salutem. Cum Dominus Papa propter aduersitates et angustias quæ nos in turbatione in Regno nostro nuper habita multipliciter impimebant, decimam omnium beneficiorum Ecclesiasticorum totius *Hibernie* per triennium nobis concesserit ad relevationem status nostri, et nos dictam decimam Karissima Consorti nostræ *Alyanore* Reginæ *Anglia* assignaverimus, quæ circa collectionem supradictæ decimæ non modicè extiterit prægravata sumpibus & expensis, licet modicum affecta fuerit hæcenus exinde subsidium & iuvamen, & prædicta Consortis nostra fratrem *Stephanum* de *Fulburn*, Hospitalem, & Magistrum *Johannem* de *Bosco* conjunctim & divisim suos ordinaverit procuratores & Nuncios ad Colligendam & recipiendam decimam supradictam, & ad audiendum rationes de præceptis a quibusque Collectoribus decimæ supradictæ. Nos tenore præsentium ratum habentes & firmum quicquid procuratores & Nuncii prædicti, vel eorum alter nostro & prædictæ Consortis nostræ nomine duxerint vel duxerit faciendum, Vobis mandamus firmiter injungentes, quod eisdem Procuratoribus & nunciis in omnibus quæ ad id pertinent intendentes sitis & respondentes, consulentes & auxiliantes, prout ipsi vobis scire facient ex parte nostra. In cujus, &c. Teste Rege apud *Bampton*, 5 die Septembris.

Pat. 54. H. 3.  
m. 3. intus.  
Pro Regina  
Dicima  
*Hibernie*.

**M**andatum est omnibus Ballivis & fidelibus Regis *Hibernie*, quod eosdem Procuratores & Nuncios & eorum homines ac bona manuteneant protegant & defendant, non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum seu gravamen. Et si quid eis, &c. id eis, &c. Ipsi etiam cum per eos seu potestatem suam transitum fecerint saluum & securum conductum habere faciant, prout ab eis super hoc fuerint requisiti. In cujus, &c. Teste ut supra per unum Annum duraturum.

Ibidem.

Et Mandatum est *Jacobo* de *Aldithelays*, & omnibus fidelibus Regis per totam *Hyberniam* constitutis, quod eisdem *Stephano* & *Johanni*, & eorum substitutis ad decimam prædictam levandam & ad opus Reginæ colligendam intendentes, & respondentes, consulentes & auxiliantes prout ab ipsis, ex parte Regis & prædictæ Reginæ plenius fuerint requisiti. In cujus, &c. Teste ut supra.

King *Henry* having many years before taken up the Croffe, and vowed to go in person to the *Holy Land* to relieve it, and Collected much money upon that pretext, perverted to other uses, all swallowed up by the Pope under pretext of gaining *Apulia* and *Sicily* for his Son *Edmund*, did now by his regall authority and advice of his Prelates, Barons and Commons, dispense with this his Croysado vow, and transferre it to his Son Prince *Edward*, to execute, and assigning the ayde granted to him for that end, by this Charter to the Prince.

**R**EX Omnibus, &c. salutem. Licet nos, sicut *Edwardus* primogenitus noster, totis desideriis affectemus transire in subsidium *Terræ Sanctæ*, quia tamen Prelatis, Magnatibus et Communitati Regni nostri non videtur expedire, neque ratum, quod nos ambo extra Regnum istis temporibus ageremus, nos votum nostrum quatenus possumus perfici, et Regni nostri Regimini, de Consilio doctorum Prelatorum et magnatum salubriter prospicere cupientes, negotium Crucis una cum signo Crucis nostræ præfato primogenito nostro ex plena et summa confidentia commisimus vicem nostram. Et idem negotium quoad votum peregrinationis nostræ, et suæ, prout decet et expedit ad Christiani nominis exaltationem efficacius peragendum, totam vicissimam nobis in subsidium *Terræ Sanctæ*, per totum Regnum nostrum concessam tam collectam quam colligendam, eidem pri-

Pat. 54 H. 3.  
m. 7. intus.  
De signo Crucis tradito E. primogenito Regis & vice-sina sibi concessa.



mogenito nostro durimus plenarie conferendam. In cujus, &c. Teste Rege apud *Winton.* 4 die *Augusti*.

Pat. 54 H. 3.  
m. 14. intus.

**R**EX Dilectis sibi in Christo Abbati & Conventui Sancti *Augustini Cantuar.* salutem. Cum concessimus universis et singulis Episcopis Regni nostri, quod vicesimam ipsos et Ballivos suos contingentem, quam nobis in subsidium *Terra Sancta* nuper Curialiter concesserunt, per fideles Ministros suos taxari et colligi faciant, ita quod pecuni- am de vicesima ipsorum Episcoporum nobis habere faciant in die instantis festi Sancti *Johannis Baptiste*, nobis deferendam in *Terram Sanctam*, et totam pecuniam de bonis villanorum suorum proben- tem habeant *London* in festo Sancti *Michaelis* proximo futuro, Nunciis nostris quos ad hoc deputabimus integraliter exhibendam; Nos de fidelitate et promptitudine vestra plenius confidentes, et gratiam quam ipsis Episcopis in hac parte fecimus vobis facere volentes, vobis concedimus, ut vicesimam bonorum vestrorum et etiam villa- norum vestrorum taxari et pecuniam inde probentem levare et colligi faciat. Ita quod pecuniam illam habeamus terminis predictis in forma supradicta. In cujus, &c. Teste Rege apud *Westm.* 26. die *Mai*.

Pat. 54 H. 3.  
m. 11. intus.

**R**EX Omnibus, &c. salutem. Inspeximus Literas Patentes sigillis Magistri *Walteri Scamell.* Thesaurarii *Sarr.* & *Petri de Winton.* ad audiendum compo- tum decimæ nobis à sede Apostolica concessæ in quibusdam *Cantuariensis* Provincie Diocesis deputatorum, signatas in hæc verba. Omnibus ad quos presentes literæ pervenerint *Walterus* Thesaurarius *Sar.* & *Petrus de Winton.* ad compotum decimæ Domino Regi per Dominum Papam concessa per prædictum dominum Regem & ve- nerabilem Patrem Dominum *Othobonum Sancti Adriani* Diaconum Cardinalem nu- per Apostolicæ sedis Legatum in quibusdam *Cantuar.* Provincie Diocesis audien- dum deputatis salutem in Domino. Scitis quod Venerabilis Pater Dominus *Nicholaus Winton.* Episcopus qui finem fecit cum Domino Rege pro tota decima prædicta, ip- sum Dominum Regem de tribus annis de quibus ipsa Decima Domino Regi fuerit concessa de *Winton.* Dioc. contingente, & *Gilbertum* Prior de *Merton.* & *Walterum de Briche,* dictus de la *Croce,* dictæ decimæ Collectores, reddiderunt coram nobis compotum de tribus millibus libris secundum finem prædictum cum Domino Rege factum, de totali decima trium annorum. Quo quidem compoto audito allocatis, Ve- nerabili Patri Priori & *Waltero* prædictis, liberatis factis expensis & aliis rationabili- bus de voluntati Domini Regis & consilii sui allocandis, Venerabilem Patrem Prio- rem & *Walterum* prædictos tam pro se quam pro toto Clero *Wintoniensis* Diocesis ei- dem Domino Regis de tribus Millibus invenimus satisfecisse & præfatum Dominum Regem totaliter esse pacatum. Et ideo prædictum Patrem Priorem, & *Walterum*, & totum Clerum *Wintoniensis* Diocesis de præfatis tribus Millibus libris pro fine prædi- cto quantum in nobis est quietos clamamus in perpetuum. In cujus rei testimoni- um præsentibus literis sigilla nostra apposuimus. Dat. apud *Westm.* 17. die *Julii*, Anno Regni Regis *Henrici* filii Regis *Johannis* 53. Nos igitur redditionem compo- ti prædicti acceptantes, prædictos Patrem Priorem & *Walterum* de eodem compoto quantum in nobis est, tenore præsentium quietamus. In cujus, &c. Teste Rege apud *Westm.* 11. die *Julii*.

Pat. 54 H. 3.  
m. 13. intus.

**R**EX Universis & singulis de Episcopatu *Cicestrensi* salutem. Scitis quod de- putavit dilectum Clericum nostrum *Radulphum le Builler* ad arrearagia de- cimæ nobis à sede Apostolica concessæ in Episcopatu prædicto, de primo anno de illis tribus annis quibus Dominus Papa nobis gratiam fecit de decima beneficiorum Ecce- siasticorum Regni nostri levanda, & ad opus nostrum colligenda prout ei injunxi- mus & melius viderit expedire. Et ideo vobis mandamus, quod eidem *Radulpho* in præmissis intendentes sitis & respondentes, consulentes & auxiliantes prout vobis sci- re facit ex parte nostra. In cujus rei testimonium &c. Teste Rege apud *Westm.* 26. die *Mai*.

REX

**R**EX Omnibus &c. salutem. Inspeximus Literas Patentes sigillis Magistri *Con-* *stantini* Archid. *Subbr.* & *P. de Wynton.* ad audiendum compotum decimæ nobis à sede Apostolica concessæ in quibusdam *Cant.* Provincie Dioc. deputatorum, signatas in hæc verba. Omnibus Christi fidelibus præsentibus literas inspecturis *Constant.* Archid. *Subbr.* & *P. de Wynton.* ad compotum Decimæ domini Regis per dominum Papam concessæ à prædicto Domino Rege & à venerabili Patre Domino *O. Sancti Adriani* Diacono Cardinali nuper Apostolicæ sedis Legato audiendum deputati, salutem in Domino. Sciatis quod Venerabilis Pater *H. Episcopus Elyensis*, qui finem fecit cum Domino Rege pro tota decima ad Dominum Regem ratione prædictæ concessionis Domini Papæ pertinet, de omnibus bonis spiritualibus & temporalibus Ecclesiasticarum personarum in Civitate & Dioc. *Elyen.* de illis tribus annis quibus dicta decima fuerat præfata Domino Regi secundum verum valorem concessa reddidit compotum eorum nobis per Magistrum *Alanum de Rokeland*, officialem, *Elyensem* & *Nicholaum de Ware*, Clericum ipsius Episcopi coram nobis, de Mille & Ducentis Libris sterlingorum, per quas finem fecit cum prædicto Domino Rege pro tota decima prænominata de tribus annis prædictis pro compoto audito, allocatis prædicto Episcopo solutionibus factis, expensis & omnibus aliis idem negotium contingentibus rationabiliter allocandis, de voluntate Domini Regis & consilii sui prædictum Episcopum tam pro se quam pro toto Clero Civitatis & Dioc. *Elyen.* invenimus de prædictis mille & ducentis libris præfata Domino Regi plenè satisfecisse, secundum finem prædictum quem cum Domino Rege fecit. Et ideo præfatos Episcopum & Clerum de tota prædicta pecuniæ quantitate quantum in nobis est plenè acquietamus. In quorum testimonium præsentibus sigilla nostra duximus apponenda. Dat. apud *Westm.* 1 die Idus Maii. Anno Regni Domini Regis prædicti 54.

Nos igitur redditionem compoti prædicti acceptantes, præfatos Episcopum & Clerum de eodem compoto, quantum in nobis est tenore præsentium quietamus. In cuius &c. Teste Rege apud *Westm.* 3 die Maii.

Pat. 54 H. 3.  
m. 15. intus.  
De Decima  
Elyen.

**R**EX Vic. *Cantabr.* salutem. Quia dilectos Clericos nostros Magistrum *Alanum de Rokeland*, Officialem *Elyensem*, & *Nicholaum de Ware*, assignavimus ad colligendum arreragia Decimæ in Episcopatu *Elyen.* nobis à sede Apostolica concessæ. Tibi præcipimus sicut pluries præcepimus sub fidelitate qua nobis teneris firmiter in iungentes, quatenus eadem arreragia tam temporalium quam spiritualium quociens ab eis vel uno eorum fueris requisitus, de bonis eorum qui dictam decimam nobis nondum solverunt, de quorum nominibus dicti Clerici tibi constare faciant, sive fuerint infra libertates sive extra, cum omni festinatione levare & eisdem vel alteri eorum integrè solvi facias. Ita quod ipsa omni modo habeamus ad urgentissima negotia nostra expedienda ad diem quem dicti Clerici nostri tibi præfigent. Et hoc nullatenus omittas sicut indignationem nostram perpetuam & dampnum in rebus propriis volueris evitare. Sciturus quod nisi hoc feceris nos de terris & Catallis tantam Summam faciemus ad opus nostrum levare, nihilominus propter mandati nostri contemptum gravius puniendo: Teste ut supra.

Ibidem.

**R**EX Omnibus &c. salutem. Inspeximus literas Patentes sigill. Magistri *Constantini* Archid. *Subbr.* & *P. de Wynton.* ad audiendum compotum decimæ nobis à sede Apostolica concessæ in quibusdam *Cant.* Provincie Dioc. Deputatorum, signatas in hæc verba. Omnibus Christi fidelibus præsentibus literas visuris vel audituris, *Constantinus* Archid. *Subbr.* & *Petrus de Wynton.* ad Compotum Decimæ Domino Regi per Dominum Papam concessæ à prædicto Domino Rege & à Venerabili Patre *Othobono*, Sancti *Adriani* Diacono Cardinali Apostolicæ sedis nuper in *Anglia* Legato audiendum deputati salutem in Domino. Sciatis quod Dominus *Willus Decanus Linc.* Ecclesiæ & Magister *Rogerus de Ramkyngham* Archid. *Huntingdon.* qui composuerunt cum Domino Rege pro tota decima spiritualium & temporalium ac quorumcunque aliorum præventuum Ecclesiasticorum Ecclesiæ *Linc.* & Dioc. ad Dominum Regem ratione prædictæ concessionis Domini Papæ pertinet, de illis tribus annis quibus dicta decima fuerat prædicto Domino Regi concessa, reddiderunt compotum coram nobis de novem millibus ducentis sexaginta sex libris tresdecim solidis & quatuor denariis, per quas composuerunt cum prædi-

Pat. 54 H. 3.  
m. 15. intus.  
Pro Deima  
Linc.

cto Domino Rege pro tota decima prænominata de tribus annis supradictis. Quo compoto audito allocatis prædictis *Willielmo & Rogero* solutionibus factis, expensis primi anni, & omnibus aliis idem negotiis contingentibus rationabiliter allocandis, dictos *Willielmum & Rogerum* tam pro Ecclesia quam pro Dioc. memoratis invenimus de supradictis novem millibus Ducentis sexaginta sex libris tresdecim solidis & quatuor denariis præfato Domino Regi plenè satisfecisse, secundum Compositionem quam cum Domino Rege fecerunt cum ducentis quinquaginta sex libris tresdecim solidis & quatuor denariis adhuc debitis diversis mercatoribus certis die & loco solvendis, secundum formam litterarum obligatoriarum ejusdem Decani in *Gardereba* Domini Regis depositarum, donec idem Decanus vel Archid. prædictus de dictis ducentis quinquaginta sex libris tresdecim solidis & quatuor denariis plenè satisfecerint. Quæ quidem littera obligatoria debet dicto Decano vel dicto Archid. restitui, facta solutione Mercatoribus antedictis. Et sic præfatos *Willielmum & Rogerum* de prædictis novem millibus Ducentis sexaginta sex libris tresdecim solidis & quatuor denariis de voluntate Domini Regis & Consilii sui quantum in nobis est plenè acquietamus. In quorum testimonium præfenti scripto sigilla nostra sunt appensa. Dat. apud *Wylm.* in *Gardereba* præfati Domini Regis. Anno Regi ejusdem 54. Nos igitur redditionem compoti prædicti acceptantes præfatos *Willielmum & Rogerum*, de eodem compoto quantum in nobis est tenore præsentium quietamus. In cujus, &c. Teste ut supra.

Ibidem.

**R**EX Vic. & Ballivis suis Dioc. *Linc.* constitutis salutem. Quia dilectum Clericum nostrum Magistrum *Johannem le Flemeng.* una cum Decano *Linc.* Ecclesie assignavimus ad colligendum arreragia decimæ in Episcopatu *Linc.* nobis à sede Apostolica concessæ. Vobis præcipimus sicut alias præcepimus sub fidelitate qua nobis tenemini firmiter injungentes, quatenus eadem arreragia tam temporalium quam spiritualium quotiens ab eis vel uno eorum fueritis requisiti, de bonis eorum qui dictam Decimam nobis nondum solverunt, de quorum nominibus dictus Decanus vel dictus Clericus noster vobis constare fac. sive fuerit ipsa libertatem sive extra, cum omni festinatione levari eisdem vel alteri eorum integre solvi faciatis. Ita quod ipsa omni modo habeamus ad urgentissima negotia nostra expedienda ad diem quem dictis Decano et Clerico nostro præfiximus. Et hoc nullatenus omitatis sicut indignationem nostram perpetuam & dampnum in rebus propriis volueritis evitare, scituri quod nisi hoc feceritis, nos de terris & Carallis vestris tantam summam faciemus ad opus nostrum levare. Vos nihilominus propter mandati nostri contemptum gravius puniendo. Teste ut supra.

Pat. 54 H. 3.  
m. 22. incus.  
De Decima  
Archiepiscopus  
Cantuar.

**R**EX Omnibus Christi fidelibus ad quos, &c. Inspeimus Literas Patentes sigillis Magistri *Walteri Scamell* Thesaur. *Sarr.* *Petri de Winton* ad audiendum compotum decimæ nobis à sede Apostolica concessæ in quibusdam *Cantuariensis* Provincie Diocesibus deputatorum, signatas in hæc verba. Omnibus Christi fidelibus præfentes literas inspecturis, Magister *W. Scamell* Thesaur. *Sarr.* & *Petrus de Winton.* ad compotum Domino Regi concessæ audiendum deputati salutem in Domino. Noverit Universitatis vestra quod Magister *Stephanus* Archid. *Cantuar.* coram nobis per Clericos suos reddidit compotum & respondit de mille ducentis Marc. octo solid. & decem denar. de decima primi anni Domino Regi concessæ & contributione in Civitate & Diocesi *Cantuarie*, & de Contributione Decanatus de *Sborham*, & de bonis temporalibus & spiritualibus Domini Archiepiscopi *Cantuar.* ubicunque existentibus receptis, & de viginti duabus Marc. quatuor solid. & duobus denar. receptis de decima Episcopatus *Roff.* Et de tribus Marc. receptis de decima Ecclesie de *Newnton*, *Linc.* Dioc. & de tribus Marcis sex solidis & octo denar. receptis de decima præbende Magistri *Pauli* in Ecclesia *Smulling* *Cicestr.* Dioc. & de Centum quinquaginta Marc. de Cancellar. *Cicestr.* receptis de decima per ipsam collecta in *Cicestr.* Dioc. de quibus omnibus supradictis est summa mille trecent. sexaginta decem & novem Marc. sex solid. & quatuor denar. de quibus compoto diligenter audito & alloc. dicto Archid. & Clericis suis solutionibus & liberationibus dictum

ne



negotium tangentibus rationabiliter allocandis, nos dictum Archiepiscopum & Clericos suos de predictis mille trecentis sexaginta decem & novem Marcis, sex solidis & quatuor denariis. Domino Regi plenarie satisfecisse, propter quod ipsos per predictum compotum quantum in nobis est de tota predicta pecunia totaliter acquietamus. In cuius rei testimonium sigilla nostra presentibus duximus apponenda. Dat. apud Westm. 12. die Febr. Anno Regni Domini Regis predicti. 54.

Nos autem redditionem compoti supradicti acceptantes, prefatum Archiepiscopum & Clericos suos de eodem compoto quantum in nobis est, tenore presentium quietamus. In cuius &c. Teste Rege apud Westm. 12. die Febr.

**R**EX Omnibus, &c. salutem. Inspeximus Literas Patentes sigillis Magistri *Walteri Scamell*, Thesaur. Sar. & Petri de Winton. ad audiendum Compotum decime nobis a sede Apostolica concessa in quibusdam Cantuariensis Provincie Diocesis deputatorum, signatas in hac verba. Omnibus Christianis fidelibus presentes literas inspecturis, Magister *Walterus Scamell*, Thesaur. Sar. & Petrus de Winton. ad compotum decime Domino Regi a sede Apostolica concessa a predicto Domino Rege & venerabili Patre Domino O. Sancti Adriani, Diacono Cardinali audiendum deputati, salutem in Domino. Scitis quod Venerabilis Pater *Laurenceus* Episcopus Ross. reddidit compotum coram nobis de Centum sexaginta duodecim libris & decem solidis de decima omnium bonorum & proventuum Ecclesiasticorum Temporalium & spiritualium tam dicti Episcopi quam virorum Religiosorum & aliorum Ecclesiasticorum personarum Ross. Dioc. de secundo Anno illorum trium annorum quibus Dominus Papa decimam huiusmodi proventuum Domino Regi concessit, secundum taxationem factam per Magistrum *Bernardum* de sancto Quintino ad hoc specialiter deputatum. Et de tresdecim libris quindectim solidis, & duobus denariis arrearius decime bonorum spiritualium de primo anno. Quo compoto audito, & allocatis dictis Episcopo & Clero solutionibus, liberationibus ac aliis dictum negotium tangentibus rationabiliter allocandis, de voluntate Domini Regis, Nos dictos Episcopum & Clerum de predictis Centum sexaginta & quoddecim libris & decem solidis ex una parte, & de tresdecim libris quindectim solidis & duobus denariis de arrearius ex altera parte invenimus predicto Domino Regi plenarie satisfecisse propter quod ipsos per predictum compotum quantum in nobis est & de tota predicta pecunia totaliter acquietamus. In cuius rei testimonium sigilla nostra presentibus duximus apponenda. Datum apud Westm. 27. die Januarii. Anno Regni Domini Regis supradicti. 54.

Rex autem redditionem Compoti supradicti acceptans prefatum Episcopum de eodem Compoto quantum in ipso est tenore presentium quietat. In cuius, &c. Teste Rege apud Westm. 30. die Januarii.

**R**EX Omnibus, &c. salutem. Inspeximus Literas Patentes sigillis Magistri *Walteri Scamell* Thesaur. Sar. & Petri de Winton. ad audiendum compotum decime nobis a sede Apostolica concessa in quibusdam Cantuariensis Provincie Diocesis deputatorum, signatas in hac verba. Universis presentes Literas visuris vel auditoris *Walterus* Thesaur. Sar. & Petrus de Winton. Custos *Gardroba* Domini Regis auditores rationum decime Domino Regi a sede Apostolica concessa, salutem in Domino. Noverit universitas vestra quod *Willielmus* Archidiaconus *Hereford.* Collector. decime supradicta in Episcopatu *Hereford.* duobus primis annis coram nobis compotum reddidit de quingentis quadraginta tribus tresdecim solidis & octo denariis per ipsum & Nuncios suos receptis in dicta Dioc. de decima supradicta, videlicet de quingentis triginta & octo libris tresdecim solidis & octo denariis receptis in Episcopatu *Hereford.* Et de Centum solidis receptis in Episcopatu *Wygn.* de quibus liberavit in *Gardroba* Domini Regis apud Westm. *Nicholas de Lenchew.* Custodi ejusdem *Gardroba* ibidem viginti & duas Libras tresdecim solidos & quatuor denarios. Idem *W.* Archidiaconus liberavit diversis personis quadringentas Triginta & unam libras, & quatuor denarios de mandato Domini Regis & Legati & per literas eorundem, quas literas nobis in Compoto suo restituit. Item allocantur eidem *W.* Archidiacono pro expensis suis factis circa taxationes bonorum Ecclesiasticorum in *Wygn.* & *Herefordens.* Episcopatibus, & pro dicta pecunia colligenda & pro parte *London.* deferenda triginta Libr. Et ideo dictis

Pat. 74 H. 3.  
m. 23. intus.  
De Decima  
Episcopatus  
Roffensis.

Pat. 74 H. 3.  
m. 23. intus.  
De Decima  
Episcopatus  
Hereford.

dictis libertatibus solutionibus & allocationibus factis nos dictum *Willelmum* Archidiaconum vice & nomine dicti Domini Regis de dictis quingentis & quadraginta tribus libris tresdecim solidis & quatuor denariis finaliter quietum clamamus. In cujus rei testimonium presentibus sigilla nostra apposuimus. Dat apud *Westm.* 28. die *Januarii*, Anno Regni Regis *Henrici* tertii. 54.

Nos autem redditionem Compoti predicti acceptantes prefatum Archidiaconum de eodem Compoto quantum in nobis est tenore presentium quietamus. In cujus &c. Teste Rege apud *Westm.* 28. die *Januarii*.

What arrearages the King ordered to be paid this year out of this Disme to the Pope for his annual rent for *England* and *Ireland*, granted him by King *John*, I have already printed page 311. whereon you may reflect.

Pat. 53 H. 3.  
m. 27.  
De Decima.

**R**EX Vic. *Ebor.* & omnibus Ballivis, &c. salutem. Cum mittamus dilectos Clericos nostros Magistrum *Henricum de Brandeston*, & *Henricum Sampson*, ad decimam nobis a sede Apostolica in Com. predicto concessam ad opus nostrum sine dilatione colligendam prout melius & citius viderint expedire. Vobis mandamus firmiter injungentes quod eisdem *Henr.* & *Henrico* ad premissa facienda intendentes sitis consulentes ad auxiliantes prout vobis scire facient ex parte nostra, & de omnibus bonis & Catalis illorum de Balliva vestra qui dictam decimam solvere contradicunt, eandem decimam tam infra Libertates quorumcunque quam extra levare faciatis sine mora sicut ab eisdem *Henrico*, & *Henrico* fueritis requisiti. Et ita viriliter & diligenter vos habeatis in hac parte quod diligentiam vestram exinde merito debeamus commendare, & quod pro defectu vestri in premissis dampnum non incurramus. Teste ut supra.

Consimiles Literæ diriguntur Vic. Nor. *Northumbria*, *Cumberl.* *W. Smt.* & *Launcestr.*

King *Henry* to gratifie the Pope for the Dismes granted him, which his Legate and his Assignees only must collect, assigned the Dismes of *Ireland*, and of some Bishopricks in *England*, to the Popes Agents towards the speedy satisfaction of the Arrears due to him for the annual rent granted him by King *John*, and payment of annuities granted by the King to some of his Cardials in the first place, as appears by Pat. 54 H. 3. m. 27. intus, already Printed page 311. and by these two Records.

Pat. 54 H. 3.  
m. 23. intus.  
De Domino  
Papa & Eccle-  
sia Romana.

**R**EX Universis, &c. salutem. Noverit universitas vestra quod cum decimam proventuum Ecclesiasticorum *Hibernia* nobis a sede Apostolica concessam deputaverimus assignandam Magistro *Sinicio*, Apostolicæ sedis Camerae Clerico nomine *Romane* Ecclesiæ pro Arrearagis annui Censui in quibus eidem Ecclesiæ tenebamur usque ad certam summam, et de eadem decima prout volebamus non posset eidem Ecclesiæ festina et debita satisfactio provenire, ac postmodum decimam *Lin.* Episcopatus simili modo nobis ab Apostolica sede concessam pro arrearagis ejusdem Censui usque ad quantitatem quæ de dicto consensu aretro est eidem Magistro *Sinicio*, nomine ipsius Ecclesiæ duxerimus deputand. dictusque magister mille et Centum marcas tantum et nihil amplius receperit nomine ipsius Ecclesiæ de decima *Hibernia* supradicta, pro eo quod dilectæ consorti nostræ *Alienore* Regina *Anglia*, dicta decima *Hibernia*, pro quibusdam suis debitis a prædicta sede Apostolica, et a nobis postmodum extitit concessa et deputata, licet appareat per quosdam patentes literas *Ruk.* *Salveterra*, et *Bartholemei Jacob.* mercatorum Florentinorum lociozum *Reinerii de Fur.* et *Thaddei*, *Orlandi*, ipsos mercatores ad mandatum prælatæ Consortis nostræ et prælati magistri *Sinicii*, ducentas et quinquaginta marcas recepisse nomine prædictæ Ecclesiæ de summa qua-

quadringentorum Marc. quas ibidem Magister eis persolvi mandaverat per Generabilem patrem *Midd. Episcopum et Decanum Ossarum*, Executores negotii dictæ decimæ in *Hibernia*. Quia tamen in veritate dictus Magister *Senicus* non recepit prædictas ducentas & quinquaginta Marc. sed eas volumus & mandamus prædictæ Consorti nostræ assignari, pro eo quod de prædicta decima *Lin.* Episcopatus sicut mandavimus præfato Magistro nomine præfata Ecclesiæ poterit plenarie satisfieri de Censu prædicto, confitemur & retognoscimus ipsum Magistrum Mille & Centum Marc. prædictas & nihil amplius ut prædictum est recepisse de decima *Hibernia* supradicta. Et Ecclesiam *Romanam* prædictam & Magistrum ipsum erga omnes plenarie acquietabimus & reddemus indemnes de ducentis & quinquaginta Marc. supradictis. In cujus, &c. Teste Rege apud *Westm.* 16. die *Febr.*

**R**EX Decano *Lin.* & socio suo Collectoribus Decimæ in Episcopatu *Lincoln.* salutem. Cum teneamur Ven. Patri Sanctorum *Cosinæ & Damiani* Decano Card. in quadraginta & quinque Marc. de termino sancti *Michaelis* Anno Regni nostri 52. & de terminis Paschæ & sancti *Michaelis*, Anno Regni nostri 53. de annuo feodo suo triginta Marcarum quod percipit ad Scaccarium nostrum. Vobis mandamus, quod de arrearagiis finis quem nobiscum fecistis pro decima Episcopatus prædicti, habere faciatis eidem Cardinali triginta Marc. de duobus primis terminis prædictis. Proviso, quod primo satisfiat Domino *Papæ* de arrearagiis suis annui Censui quem percipit ad Scaccarium prædictum iuxta tenorem alioz mandatorum nostrorum quæ inde recepistis. Et nos prædictas triginta Marcas vobis in arrearagiis finis prædicti faciemus allocari. In cujus, &c. Teste Rege apud *Westm.* 5 die *Aprilis*. So as you see the King must have only the gleanings of the Dismes after the Pope and his Creatures harvest.

Pat. 54 H. 3.  
m. 27. intus.  
P. 1. Sancto-  
rum Cosme  
& Damiani  
Diac. Card.  
Decima.

**R**EX Universis & singulis Collectoribus decimæ per Regnum *Anglie* constitutis salutem. Cum dilecti nobis in Christo Abbas & Conventus de Sancto *Albano* pro necessariis utilitatibus nostris Centum Marcas sterlingorum de mandato nostro Magistro *Gesfredo Camerario Genera-  
bilibus Patris O. Sancti Adriani Diaconi Cardinalis* nuper Apostolicæ  
sevis Legati in *Anglia* persolverint, per quod per nostras Patentes Literas vobis mandaverimus quod dictas Centum Marcas eidem Abbati & Conventui in solutionem decimæ quam nobis solvere tenebantur de primo Anno de illis tribus annis quibus eadem decima pro nobis colligebatur computaretis, & de solutione residui si quod esset secundum formam qua idem Legatus decimam illam autoritate Apostolica solvi mandavit, staretur conscientie eorundem. Vobis mandamus, quod a præfatis Abbate & Conventu de Decima primi anni prædicti ratione dicti residui ultra id quod iuxta Conscientiam suam solverint de eodem residuo si quod fuerit nihil penitus exigatis contra tenorem literarum nostrarum prædictarum. In cujus, &c. Teste Rege apud *Westm.* 4. die *Febr.*

Pat. 54 H. 3.  
m. 23. intus  
De Decima  
Abbatia de  
sancto Albano.

The King granted this Patent to *John Walerand* his Clerk; that he should detain his own Dismes towards satisfaction of a Debt the King owed him, whiles he had the Custody of the Tower, and some others had the like for their debts to be allowed the Collectors upon that account.

**R**EX Collectoribus Decimæ in Episcopatu *Norwicen.* salutem. Cum concessimus dilecto Clerico nostro *Johanni Walerand*, quod decima ipsum contingens ratione beneficiorum suorum in Regno nostro sibi allocetur in debitis quibus ei tenemur, de tempore quo habuit custodiam Turris nostræ *London.* ex concessione nostra. Vobis mandamus, quod ab exactione quam eidem *Johanni* de decima beneficiorum suorum prædict. Dioc. vobis solvenda de illis tribus annis de quibus Dominus *Papa* nobis gratiam fecit de decima beneficiorum Ecclesiasticorum Regni nostri desistentes, si quod ab ipso ea occasione reperitis, sine dilatione restituatis eidem. Et nos de decima ipsum contingente certiores, ut vobis inde in compoto vestro debitam allocationem habere faciemus. In cujus, &c. Teste Rege apud *Westm.* 28. die *Aprilis*.

Pat. 54 H. 3.  
m. 18. dorso.

Con-



Consimiles Literas habet idem *Johannes* in singulis Dioc. in quibus beneficia sua exstant. Teste ut supra.

The King granted this License to *Herbert Boyvil* his Tenant in *Capite*, in the manner of *Ferling*, to sell it to the Bishop of *Norwich* and his successors, to furnish himself with monies to accompany Prince *Edward* to the holy Land, for which he had crossed himself.

Pat. 54 H. 3.  
m. 14. intus.

**R**EX Omnibus, &c. salutem. Cum dilectus & fidelis noster *Herbertus de Boyvil*, Crucesignatus, profecturus sit ad partes transmarinas in subsidium *Terra Sancta*, & oporteat ipsum in peregrinatione illa multas impensas facere, nos eidem *Herberto* in hac parte gratiam facere volentes specialem, concedimus ei, quod ipse manerium suum de *Ferling*, quod de nobis tenet in *Capite*, vendere possit Venerabili Patri *R. Norwicu*, Episcopo & successoribus suis imperpetuum, faciendo nobis & heredibus nostris servitia inde debita & consueta. In cujus, &c. Teste Rege apud *Westm.* 10. die *Maii*.

The King having granted the profits of the Archbishoprick of *Dublin* to Prince *Edward*, towards the expenses of his voyage to the Holy Land, except Knights fees, wards, releases, &c. issued this Patent to his Escheator of *Ireland*, concerning it.

Pat. 55 H. 3.  
m. 13. intus.

**R**EX Dilecto Clerico suo *Willielmo de Bakewuz*, Escaetori suo *Hibernia*, salutem. Cum in presenti vacatione Archiepiscopatus *Dublin*, per mortem *Fulconis* de *Samsford*, nuper Archiepiscopi *Dublin*, concesserimus Charissimo filio *Edwardo* Primogenito nostro omnes exitus & Proventus ejusdem Archiepiscopatus, ad expensas ejusdem filii nostri in subsidium *Terra Sancta*, salvis nobis feodis Militum, Wardis, releviis, & escaetis quibuscunque, & etiam advocationibus Abbatiarum, Prioratum, dignitatum, Præbendarum, & Ecclesiarum quarumcunque quamdiu vacans fuerit, ut prædictum est. Vobis mandamus quod de Custodia ejusdem Archiepiscopatus in nullo vos intromittatis, sed Attornatos ipsius *Edwardi* exitus & proventus prædicti percipete & habere permittatis in forma concessionis nostræ prædictæ. Et si quid per vos vel vestros de exitibus seu proventus ejusdem perceptum fuerit, id sine dilatione eidem *Edwardo* vel Attornatis suis prædictis restituatis. Provisum quod omnia feoda, Wardæ, relevia, Escaetæ, advocationes Abbatiarum, Prioratum, dignitatum & Præbendarum quarumcunque per vos vel vestros ad opus nostrum salvo custodiantur prout ad opus nostrum magis videritis expedire. In cujus, &c. Teste Rege apud *Westm.* 13. die *Junii*.

Et Mandatum est Militibus liberis hominibus & omnibus aliis tenentibus de Archiepiscopatu *Dublin*, quod Attornatis ipsius *Edwardi* quos per ipsum ad Custodiam ejusdem Archiepiscopatus deputari contigerit in omnibus quæ ad Custodiam illam pertinent intendentes sint, & respondentes sicut prædictum est, & Attornatos filii nostri prædicti exitus & proventus illos recipere, & habere permittatis, prout commodo Domini sui prædicti magis viderint expedire. In cujus, &c. Teste ut supra.

King *Henry* being desperately sick past all hopes of recovery, made a vow that if he recovered he would go in person to the holy Land, according to his former vow which he had assigned over to his Son Prince *Edward*, to perform for him, after which vow made he recovering his health, and resolving to proceed in his voyage, to raise up monyes from his Brother *Richard* for that use, made this assurance to him of all the revenues of the Realm except Wardships and other casual revenues, and for the regulation of his household and the affaires of the Kingdome.

Pat. 55 H. 3.  
m. 16. intus.

\* See *Mss. Hist.*  
An. 1270.

**H**ENRI Par la Grace Dieu, Rex *Dangleterre*, seigneur de *Ireland*, è Duc *Aquaine*, à Erceveskes, Eveskes, Priurs, Cuntees, Baruns, Chevelers, fraun es hommes, è tuzses autres feals à ki cestres lettres vendrunt saluz. Nus voluns ke vus touz le sachez, ke cum nus nadgeres de \* si grevé malady esteiouns suspris ke de nostre garesun ne feu nul espeyr, nous ky gardionus ke eyde de ho-

ume

houme, ne nulle terriene chose for sul Deu nus pour mester aver, meismes nostre espeir tote nostre fiancée en le Merti en la meneye nostre creature, a le signe de la seynt croiz ke nous nadgeres à nostre Cher suiz *Edward*, nostre esnez aviouns baille, à parfere por nous le veage en la terre seynne par nostre propre volente, è en pure devotiun avouns fermement voue, è meintenaunt apres nostre vou fet de jour en jourse amenda nostre estat, issi ke la merci nostre seignour outre tote humeyne quidance par marveillus miracle à recoveraunce, à saunte nus ad restore. Et purceo ke nous nostre vou avandit si tost come nus pouns nostre passage arrair, è ordener veouns acumpler par la grace deu, effurnir è veonus ben ke nostre pelrinage ne peaussè en bone manere, ne à nostre saunete enprendre, si nous devaunt nostre passage a nos creaunces à ki nous devons fessuns lur assez, è ensement ke nous eussuns graunt sune de avoir en tresor encuntre nostre passage solemnement e honurement a fere, nous par nostre propre esmouvement, e de nostre fraunce volente, avouns grante a nostre cher frere, le Noble Rey de *Almayne*, nostre honorable pere *Walter*, *Arceveske de Everwyke*, *Primate Dangleterre*, e as autres de nostre conseil jurez e en bone fey promettuns, ke toutes les issues de nostre terre, e de nos Cnutez, e de eires de *Juifices*, e de nostre *Juris*, e nos eschaetes, e Wardes, e Mariages, e releus, e toutes autres illues ke par nule veie nus purrunt eschair, retendrouns eu nos meins, a nostre oes propre a nostre sustenaunce, è de nostre Reyne, e de nos Mesnees, e a nus de nos dettes aliger. Issi fet a saver ke les avaundites issues, eschaetes, e Wardes, e Mariages, e releus, a nul autre ne durrouns graunteruns oulerrouns, for sulitaunt ke si Wardes, ou Mariages doivent estre vendu, si soient vendu a lur plene value, e ceo par nostre conseil, e le avoir de ceo surdaunt a nos propres usages, ou a nos dettes aquiter, solunc le purveaunce de meimes le conseil afeit a turne solunc kil verrunt ke seit a fere, E, par ensoun si voluns e ottreouns ke nostre conseil avantdit eit poer de ordeiner e adrester le stat de nostre hostel solunc ceo kil verrunt ke meuz seit a fere a nostre prou & a nostre honour. E si par aventure nul eyde nus seit graunte de nos feals a nostre passage avandit, ou de la Clergy par lour curtiseye demeine, ou par le grant le Apostoyle, ou de *Blank* moynes ou de gent de autre Religion, voluns ke tot seit a nostre oes garde en meymes la furme ke de sus est dite, e meismes la chose grauntouns en dreit de la dette ke *Llewellyn* Prince de *Wales* nus deite, tuz ceus choses avonus grante issi ne pur, quaut ke a nos chevalers, seriaunz, vallez, e garcouns ki nous unt servi, ke ren ou poy oune eu de nus por lur travail, par meismes nostre conseil seit purveu, ke lur assez lur seit fet si tost com le verra lius, & teus solunc lur desertes, e solunc le tens e le manere de lour servise, e sausa nus sis vintz livers endever a doner dedenz le tens anavaunt nome per parcelles a nostre volente. Estre ceo nus voluns & ottreouns, ke si nule lettre de nostre Curt seit purchace en cuntre iceo nostre grante e nostre ottrey, comment ke le soit purchacee ou par procurement envers nous ou en nule autre manere, icele lettre de nulle force ne seit ne de nulle value, ne nuls de nos feals ne seit tenuz abbeir al execution fere de cele lettre. En tesmoyne de toutes ces choses i cestes Lettres avouns fez fere oertes a durer par un an enter, issi ke en le fin del an en nostre pleisir, e en nostre volente seit a renoverer un autel eserit si nus veonus ke ceo nus soit bon, ou ke de ceu tens en avaunt iceo nostre grante e ottrey cesse du tot si nus voluns, issi ke utre ceu terme ne seionus tenuz a ren ke contenu est en cest eserit. Done per nostre Mayne à *Westm*, le seifzine jour de *Avril*, Lan de nostre Regne Cinquaunte quint.

King *Henry* being doubtful of his recovery from that sickness, whiles Prince *Edward* his Sonne and heir to the Crown, was engaged in the Holy Wars, writ this Letter of advice to him speedily to returne into *England*, upon his Fatherly blessing for the reasons therein expressed, notwithstanding his vow, and engagement, in that affaire, in such manner as might be most for his honor.

**R**EX *Edward* primogenito suo Karissimo salutem, & paternam benedictionem, Tenore: literarum vestrarum nobis super vestro Comitatu vestro statu prospero & jucundo benedictus Deus transmissarum audito plenius & intellecto, lati efficebatur & hilares in immensum. Et etiam ante receptionem ipsarum literarum, \* tanta & tam gravi infirmitate detinebatur, quod omnes & singuli ex-

Claus. 55 H. 3  
m. 8. intus.

\* See Mar West.  
Anno 1270

istentes physici & alii de vita nostra communiter desperabant, nec tempore quo labor præsentium à nobis recessit de nostra convalescentia spes aliqua habebatur, verumtamen prout Altissimo super statu nostro placuerit ordinare, vos inde per nostros nuncios reddemus frequentius certiores, unde cum vos in hæreditatem Regni nostri tanquam primogenitus & hæres noster post nos succedere debeatis, vos post receptionem præsentium ad partes remotiores nullatenus transferatis, antequàm de statu nostro certitudinem habueritis pleniorẽ, tum quia si Papa crearetur & mandaret Charissimo fratri nostro R. Regi *Alem.* illustri a vineulo vestro, cui Custodia Regni prædicti de consilio vestro commissã fuit, oporteat ipsum pro statu Regni sui *Alem.* ad Curiam *Romanam* modis omnibus personaliter accedere. Ita quod ad depressionem quorundam mavleolorum infra Regnum nostrum existentium sicut nostis, intendere non posset ut expediret, tam quia si occasione mortis nostræ, quod absit, vos oporteat ad propria remeare causa regiminis Regni prædicti recipiendi, cum Rege *Francia* qui ad partes *Francia* in brevi reversurus est, ut dicitur, honestè redire poteritis & decenter, super quibus omnibus tale consilium habeatis quale vobis, & honori vestro, ac ipsi Regno, & paci & tranquillitati ejusdem magis videritis expedire. Et hoc sub obtentu paternæ benedictionis nullatenus omitatis. Et ut vobis de voluntate nostra constet in præmissis, consulimus bona fide, quod ad propria redeatis sine mora, quia vestris & Regni prædicti negotiis ad votum ordinatis & dispositis, poteritis, cum præfato Rege *Franc.* redire versus *Terram Sanctam* in subsidium ejusdem, prout magis noveritis convenire. Teste Rege apud *Westm.* 6. die *Febr.*

The King during these Wars, to shew his disaffection to the Jewes and Judasme, and ingratiate himself with the Citizens of *London*, and other his Christian Subjects, published these Statutes and Proclamations against any Jewes purchasing or acquiring any kind of Freeholds in *England* by any Charter, gift or conveyance whatsoever, and concerning their houses in Cities wherein they inhabited, their Suites at Law, and other particulars therein expressed.

Pat. 55 H. 3.  
m. 10. dorso.

**R**EX Dilectis & fidelibus suis Majori & Vicecomitibus suis *London*, & Omnibus Ballivis & fidelibus suis ad quos &c. salutem. Sciatis, quod ad honorem Dei & Universalis Ecclesiæ, ac emendationem & utilitatem terræ nostræ & relevationem Christianorum de dampnis & gravaminibus, quæ sustinuerunt occasione liberorum tenementorum quæ Judæi Regni nostri clamabant habere in terris, tenementis, feodis, redditibus & aliis tenuris, & ne vobis seu Communitati Regni nostri, vel ipsi Regno possit de cætero præjudicium generari, providimus de consilio Prælatorum, Magnatum & Procerum qui sunt de Consilio nostro, ac etiam ordinavimus & statuimus pro nobis & hæredibus nostris. Quod nullus Judeus liberum tenementum habeat in maneris, terris, tenementis, feodis, redditibus, vel tenuris quibuscunque per Chartam, donum, feofamentum, confirmationem, seu quamcunque aliam obligationem, seu quocunque alio modo. Ita tamen quod domos suas quas ipsimet inhabitant in Civitatibus, Burgis, seu aliis Villis, inhabitent de cætero et eas habeant sicut habere consueverunt temporibus retroactis, et etiam alias domos suas quas locandas habent, licite locare possint Judæis tantum et non Christianis. Ita tamen quod non liceat Judeos nostros *London.* plures domos quam nunc habent emere, sive quocunque alio modo perquirere in Civitate nostra *London.* per quod Ecclesiæ perochiales ejusdem Civitatis vel Rectores earundem jurisdictionem incurrant. Poterunt tamen iidem Judæi *London.* domos & ædificia sua antiqua prius diruta & destructa reparare, & in statum Pristinum redigere ad voluntatem suam. Providimus etiam & statuimus de eodem consilio nostro quod de domibus suis prædictis inhabitandis vel locandis, ut prædictum est, nullus Judeus placet vel placitare possit per brevia nostra Originalia de Cancellaria, sed tantummodo coram Justiciariis nostris ad Custodiam Judeorum assignatis, per brevia Judaismi consuetæ et hactenus usitatæ de terris autem et tenuris de quibus Judei ante præsens statutum feofati fuerunt,



fuissent, & quas nunc tenent, volumus, quod huiusmodi infeodationes & dona penitus aduellantur; & terræ & tenementa illa Christianis qui sibi ea dimiserunt remaneant. Ita tamen, quod Christiani satisfaciant ipsis Judæis de pecunia seu Catallo contento in Chartis & Cyrographis suis, sine usura, quod Judæi pro huiusmodi dono vel infeodatione dederint Christianis. Hac autem adjecta conditione; ut si Christiani illi incontinenti inde satisfacere non possint, liceat Judæis prædictis tenementa illa aliis Christianis dimittere, donec inde per rationabilem extentam secundum verum valorem eorundem Catalla sua sine usura levare possint. Salvo tamen Christianis illis herbergagio suo; Ita quod Judæus pecuniam seu Catallum suum per manus Christianorum & non Judæorum inde recipiat sicut prædictum est. Et si contingat Judæum aliquem Feoffamentum amodo recipere à quovis Christiano de aliquo feodo seu tenemento contra præsens statutum, Judæus ipse dictum tenementum seu feodum penitus amittat, & in manum nostram capiatur, & salvo custodiatur. Et Christiani illi vel eorum hæredes terram vel tenementum illud de manu nostra rehabearnt. Ita tamen quod totam pecuniam quam ab ipsis Judæis pro huiusmodi Feoffamento receperint nobis tunc solvant, vel si eorum facultates ad hoc non sufficiant, tunc verum valorem tenementorum vel feodorum nobis & hæredibus nostris annuatim reddant ad seccarium nostrum per veram & rationabilem extentam eorundem, donec de huiusmodi pecunia seu Catallo nobis plenè fuerit satisfactum. De nutricibus autem parvulorum, pistoribus, Braccatoribus & Cocis Judeorum, Quia Judæi et Christiani in cultu fidei dispares sunt, prævidimus et statuimus, quod nullus Christianus vel Christiana eis ministrare præsumant in Ministeriis prædictis. Et quia Judæi quosdam redditus, de terris et tenementis Christianorum tanquam perpetuos dudum recipere solent per manus Christianorum, qui etiam feoda dicebantur, volumus, et statuimus, quod statutum tunc inde per nos factum firmitatis robur obtineat, nec ei per præsens statutum in aliquo derogetur. Et ideo vobis præcipimus firmiter injungentes, quod provisionem, ordinationem & statutum prædictum publicè per totam Ballivam vestram proclamari & firmiter teneri & observari faciatis. In cujus, &c. Teste Rege apud Westm. 25. die Julii.

Eodem modo mandatum est singulis Vicetomitibus per Angliam. Teste ut supra.

The Superior & Covent of *Canterbury* oppressing and annoying the Prior & Covent of Saint *Martins Dovor*, belonging to the Archbishop of *Canterbury*, against their Priviledges, during the vacancy of the Archbishoprick then in the Kings hands, the King thereupon by his Sovereign Ecclesiasticall Authority, issued this Writ to the Constable of *Dovor* to maintain their priviledges; and not suffer them to be injured or molested in any kinde.

**R**EX Constabulario Castri sui *Dovor*. salutem. Cum Prior & Conventus Sancti Martini *Dovor*. immediate sint subjecti Archiepiscopo *Cant.* qui pro tempore fuerit, & de temporalibus & aliis ad domum suam spectantibus eidem Archiepiscopo & non aliis respondere debeant, prout eis a sede Apostolica est indultum, sicut pro certo intelleximus, ac subprior et Conventus *Cant.* præfatis Prioris et Conventus occasione Archiepiscopatus prædicti vacantis, et in manu nostra existentis, injurias et gravamina multipliciter inferant contra indulgentiam prædictam, sicut ex relatu eorundem Prioris et Conventus didicimus evidenter. Nos libertates tam Archiepiscopatus prædicti, quam dicti Prioratus *Dovor*. quamdiu idem Archiepiscopatus in manu nostra extiterit illesas in omnibus observare volentes, mandavimus præfatis Subpriori et Conventui in personis aut rebus suis, in instanti vacatione Archiepiscopatus prædicti contra indulgentiam prædictam qua idem Prior et Conventus in huiusmodi vacationibus hactenus rationabiliter uti fuerint, injurias, grava-

Chauf. 55 H. 3.  
m. 10. dorso.  
\* See Monasticon Anglicanum. vol. 2. p. 1  
2, 3, 4 Brevia Regis Anno 14. E. 2.

na seu molestias aliquas nullatenus inferre præsumant. Et ideo vobis mandamus, quod ipsos Priorem & Conventum & bona Prioratus sui in hac parte protegatis & defendatis, non permittentes ipsos per præfatos Subpriorem & Conventum in præmissis, quantum in vobis est indebitè prægravari. Teste Rege apud *Westm.* 8. die *Januarii*.

\* See Monasticon Angl. vol. 2. p. 1. 2, 3.

The Official, Subprior and Covent of *Trinity* in *Canterbury*, notwithstanding invading the Rights and Priviledges of the Prior and Covent of Saint *Martins* in *Dover*, immediately subject to the Archbishoprick of *Canterbury*, during the vacancy of that See, whiles the Temporalities were in the Kings hands, against the Priviledges granted them by the Pope, the King as supream Ordinary and preserver of the Rights of the Archbishoprick, and this Priory, issued this further Writ to the Constable of *Dover* Castle, to protect them in their Priviledges and Rights, against those of *Trinity*.

Pat. 36 H. 3. m. 14.

**R**EX Dilecto & fideli suo *Stephano de Penestrefre* Constabulario Castri sui *Dover*, salutem. Cum Monachi Prioratus Sancti *Martini* *Dover*, immediatè sint subiecti Archiepiscopo *Cantuar.* qui pro tempore fuerit, & de Temporalibus & aliis ad Prioratum illum spectantibus eidem Archiepiscopo & non aliis respondere debeant, prout eis à sede Apostolica est indultum, sicut pro certò intelleximus. Ac Offic. Subprior & Conventus Sanctæ *Trinitatis* *Cant.* præfatis Monachis *Dover* ratione Archiepiscopatus prædicti vacantis, & in manu nostra existentis, molestias, injurias & gravamina multipliciter inferant, contra indulgentiam supradictam. Per quod nos libertates tam Archiepiscopatus prædicti quàm dicti Prioratus *Dover*. quamdiu idem Archiepiscopatus in manu nostra existerit, illas, ut tenemur, in omnibus observare volentes, mandavimus præfatis Offic. Subpriori et Conventui *Cant.* quod præfatis Monachis in personis aut rebus suis instanti vacatione Archiepiscopatus prædicti, contra indulgentiam prædictam quam prædictis Monachis *Dover*. in hujusmodi vacationibus hætenus rationabiliter usi sunt, injurias, molestias seu gravamina aliqua nullatenus inferant, Ac ipsi quasi mandata nostra in præmissis contempnentes, nihil inde facere curaverint, sed præfatis Monachis gravioza dampna quam prius de die in diem inferant de quo miramur non modicum et movemur. Vobis mandamus sicut alias mandavimus firmiter injungentes, quod prædictos Monachos *Dover*. homines, terras, res, redditus & omnes possessiones suas in Balliva vestra manuteneatis, protegatis & defendatis, non permittentes ipsos per præfatos Offic. Subpriorem & Conventum quantum in vobis est, durante vacatione prædicta super aliquibus molestari indebitè seu gravari, sed ipsos Offic. Subpriorem & Conventum ex parte nostra moneatis & efficaciter inducatis, quod ab hujusmodi gravaminibus & molestiis præfatis Monachis de cætero inferendis penitus desistant. Ita quod diligentiam vestram exinde meritò commendare debeamus, & quod non oporteat nos amplius super hoc sollicitari, per quod manum ad hoc aliter apponere debeamus. Teste meipso ipso apud *Westm* 3 die *Maii*. Anno Regni nostro 36.

The Official of the Prior of Christ Church in *Canterbury*, notwithstanding the former Writs, claiming a Jurisdiction over the Prior and Covent of Saint *Martins* *Dover* during the vacancy of the Archbishoprick, excommunicated them for not submitting to his Jurisdiction, whereupon they appealed against his excommunication and undue proceedings to the Court of *Rome*; yet afterwards the Prior of Saint *Martins* released the Appeal, and wasted the Corn and other goods of the house, by means whereof the Covent were likely to beg and be dispersed; the King upon the Subpriors and Covents complaint thereof, as supream Patron & founder, impowred the Constable of *Dover* Castle, and two Monks of St. *Martins*, by this commission to preserve the goods of the house, and apply them to the benefit thereof, till the King and his Council took further order therein.

R E X

**R**EX *Stephano de Penecestra* Constabulario Castri sui *Dovor.* & fratri *Roberto de Cantuar.* salutem. Ex parte Subprioris Prioratus Sancti *Martini Dovor.* nobis est ostensum, quod cum Offic. Prioratus Ecclesie Christi *Cantuar.* clamantes habere Jurisdictionem super Priorem & Conventum predicti Prioratus *Sancti Martini* vacante sede *Cantuar.* in ipsos Priorem & Conventum S. *Martini*, pro eo quod ipsi predictos Offic. & Conventum Ecclesie Christi Jurisdictionem illam exercere non permiserunt, excommunicationis sententiam fulminaverint; Et idem Prior & Conventus Sancti *Martini* sentientes se ob hac & alia gravamina eisdem Priori & Conventui Sancti *Martini* per predictos Offic. & Conventum Ecclesie Christi multipliciter illata indebite pręgravari, ab eisdem Offic. & Conventu Ecclesie Christi ad Curiam *Romanam* appellaverint & certos procuratores ad appellationem illam proseguenda ibidem transmiserint. Ac predictus Prior S. *Martini* appellatione predicta quantum in ipso fuit, sponte et sine assensu et voluntate Conventus supradicti postmodum renunciaverit, et blada et alia bona ad priozatum suum spectantia, pro voluntate sua incessanter devastet et consumat, per quod predictum Conventum suum mendicare et in dispersionem mitti oportebit, nisi remedium ad hoc celerius apponatur. Nos quia idem Prioratus Sancti *Martini* de nostra et progenitorum nostrorum Regum *Anglia* fundatione existit, sustinere nolentes, quod bona ejusdem quę ad sustentationem Conventus illius et pauperum Christi ad locum illum confluentium deputantur, per presumptionem alicujus dilapidentur seu distrahantur, sed potius quod salvo custodiantur et in utilitatem Prioratus illius prout opus fuerit convertantur: Assignavimus vos, una cum duobus de discretioribus et probioribus Monachis Prioratus illius, ad bona ad Prioratum illum pertinentia conservanda et in utilitatem domus ejusdem ut predictum est, convertenda. Et ideo vobis mandamus, quod una cum predictis duobus monachis diligenter et fideliter pręmissis intendatis, donec de consilio nostro aliud super hoc fuerit ordinatum. In eujus, &c. Teste Rege apud *Winton.* 28 die Decembris.

Boniface the Military Archbishop of Canterbury, deceasing beyond the Seas, Anno Dom. 1271. when he had reaped the profits of that See, and pill-aged that Province no fewer than 26. years 6. month and 16. daies, most of which he spent in Wars and negotiations beyond the Seas, and never preached one Sermon all that time for ought I find: His Calamitatibus & Cruentis Papę rapinis, Bonifacii Archiepiscopus in nomine & infeliciter gestus ac transactus est; cujus autoritas jam tandem exola Regibus & populo vacillare, & ad ruinam paulatim vergere cepit: *as his successor Matthew Parker observes. He adds out of Petrus de Ickeham, and Walterus Glabernensis, (to which I shall annex Henr. de Knyghton) that in the year he dyed; Tanta fuit apud Cantuariam inundatio pluvie, fulguris & tempestatis quanta a diebus antiquis nunquam audita vel visa fuerit, durante tonitruo & horribiliter quasi ex uno ictu tonante tota die & nocte, & tanta inundatio aquę secuta est, quod saxa vineas, & arbores subvertit, & saepe radicitus emulsit greges & armente ex agris abduxit, ipsam pene Civitatem inundavit, ita quod incedere non possent homines nec equi. Et perclitabantur multi impetu aquę decurrentis per placeas. Hoc diluvium in domibus Civitatis & tota regione secuta est fames maxima, famemque contagio & pestis occupavit. Ut vulgus dicere & estimare solebat, hanc divinam cladem, et ultionem ob Bonifacii permissa et perpetrata scelera Cantuarię contigisse. \* Interea Henricus Rex, Clemente Papa mortuo, Romanę sedis triennio pene vacante, aliquam alleviationem intollerabilis illius jugi Papalis sensit, ad exactione intercedere concessa, tanquam respiratione et paucorum dierum ab hostili direptione inductis datis. Anno 1272. Rex licentiam monachis Cantuariensibus eligendi debet. Conventus Willielmum de Chyllinder, sui Subpriorum in Archiepiscopum Cantuariensem elegit. Is Electus, Romam ad Gregorium 10. qui Urbano successit, ut electio firmaretur profectus est: sed Gregorius, ut majorum suorum exemplo specimen aliquod in Papatus sui primordio illius (ut nuncupant) plenarię potestatis ostenderet, Hominem apertum atque*

Pat. 56 H. 3. m. 27.

contin. Mat. Paris p. 924. Mat. Parker Antiqu. Eccles. Brit. p. 1912. 192. Godwin in his life, and the life of Rob. Knyghton, de Eventibus Anglia l. 2. c. 1460

\* Mat. Parker P. 192.



atque simplicem ut Electioni facillima non suasionem sed oratione coegit. *I find by these Records, that the King himself did not ratify, but except against his person, and forms of his Election by the Monks, and sent special Proctors to Rome to oppose it, wherein our Histories are silent, and that made him more willing to resign it.*

Pat. 56 H. 3.  
m. 15 inus.

**S**anctissimo in Christo Patri & Domino Reverendo G. Dei gratia sacrosanctæ Romanæ Ecclesiæ summo Pontifici H. eadem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, salutem, cum omni reverentia & honore. Ad impetrandum & contradicendum in Curia vestræ sanctitatis literas tam simplices quam generales gratiam seu gratias continentes, dilectum Clericum nostrum Petrum de Montilio, Canonicum de Castro Tiburicæ. Dioc. procuratorem nostrum facimus, constituimus & ordinamus. Ratum & gratum habituri quicquid idem Petrus nomine nostro in præmissis vel in aliquo præmissorum duxerit faciend. In cujus, &c. Teste Rege apud Westm. 12. die Aprilis.

Pat. 56 H. 3.  
m. 17. inus.

**S**anctissimo in Christo Patri & Domino reverendo G. Dei gratia sacrosanctæ Romanæ Ecclesiæ summo Pontifici H. eadem gratia Rex Angliæ, Dominus Hiberniæ & Dux Aquitaniæ, salutem, cum omni reverentia & honore. Ad impetrandum & contradicendum in Curia vestræ sanctitatis literas tam simplices quam generales gratiam seu gratias continentes, dilectum & familiarem Clericum nostrum, I. Burchard, procuratorem nostrum facimus, constituimus & ordinamus. Ratum & gratum habituri quicquid idem Ierus nomine nostro in præmissis vel in aliquo præmissorum duxerit faciend. In cujus, &c. Teste Rege apud Westm. 27. die Martii.

That his particular employment there was to oppose this Archbishops person and election, this Letter of Procuration directed to the Pope, relates.

Pat. 56 H. 3.  
m. 33.

**S**anctissimo in Christo Patri & Domino divina providentia sacrosanctæ Romanæ & universalis Ecclesiæ summo Pontifici, suis humilis & devotus H. eadem gratia, Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ recommendationem, & seipsum ad pedum sanctissima oscula beatorum. Roberit reverenda paternitas, nos fecisse, ordinasse et constituisse præsentium per tenorem dilectum Clericum nostrum I. Burchard, Rectorem Ecclesiæ de Overton Winton. Dioc. latozem præsentium, procuratorem nostrum, ad proponendum impedimenta et crimina tam contra Electionem Monachorum Sanctæ Trinitatis Cantuar. et ejus formam de futuro Archiepiscopatu præficiendo, quam contra personam Electi, coram vobis in Curia vestra, vel vices vestras gerentibus quibuscunque. Dantes eidem potestatem nomine nostro in præmissis agendi, defendendi, excipiendi, replicandi, impetrandi, contradicendi, et in Judices consentiendi, petendi beneficium restitutionis in integrum, præstandi in animam nostram cujuslibet generis sacramentum, ponendi, respondendi et substituendi unum vel plures ad præmissa omnia et singula quociens viderit expedire; Procuratores nostros in eadem Curia per nos, vel alios nomine nostro constitutos vel substitutos totaliter revocandi; et omnia alia et singula faciendi quæ verus procurator potest facere, etiam si mandatum exigant speciale. Ratum et gratum habituri quicquid idem Ierus, constitutus vel substitutus ab ipso nomine nostro fecerint in præmissis, pro eisdem iudicatum solvi promittentes. Hoc etiam quibuscunque adversis partibus intimamus. In cujus, &c. Teste Rege apud Westm. 28. die Martii. *Hereupon the Pope, \*Hujus loco sine Monachorum Electione vel consensu, simulans in Subprioris illius Electione vitium manifestum, quod in suam potestatem jus conferendi transiit intervenisse; Robertum de Kyliwaby, et plenitudinem potestatis Archiepiscopum pronuntiavit, being then Provincial of the Friars Minorites in England, chief promoter of the Popes Dismiss, Crayfades, and other exactions in the Realm for a 11 years space: The Monks*

\*Antiq. Eccles.  
Brit. p. 193. 193

*Monks*, quorum insolentia Regibus saepe molesta (est oppositum themselves against their Kings and lawfull Princes recommendations of an Archbishop to them.) jam tandem ab ipso Papa, quem contra Reges implorare consueverunt, fracta est, so as they durst not oppose this intruder of the Popes sending by way of Provision. But yet to preserve their right of Election in some measure, they were content forsooth, to chuse him whom the Pope had before designed, without and against their wills; then sent their subprior (who had formerly renounced his Election at Rome before the Pope) together with the Prior of Dover, and Official of Canterbury to him to London, qui cum Conventus nomine Electum salutarent. Ac Robertus; etsi Archiepiscopatum hunc Papæ acceptum tulit, ut Monachorum gratiam & benevolentiam colligeret, perhumaniter eos accepit & petrauit; secumque de Ecclesiæ (Cantuariensis) negotiis consilium daturus, octo diebus retinuit. Concessit autem ei Dominus Papa, ut munus consecrationis eligere possit à quocunque Episcopo Catholico quem ad hoc duxerit eligendum, Elegit autem Willielmum Batboniensem, quem fama sanctitatis inter ceteros multum efferebat. On the day of his consecration March 4. 1272. the Prior of Canterbury demanded of him the sum of 3000. Marks which the Covent had spent in the Election of their subprior *Chilindon*, which the Pope had promised him upon his renunciation, the next Archbishop should satisfie: but he loth to disburse this money, began to pick holes in the Priors coat, threatening to deprive him for his misdemeanors, whereupon the Prior perswaded this Covent to abate 1300. pounds of the 3000 Marks. The King was so much engaged to the Pope for supporting him against his Barons, and granting him three years Dismes and Croyfades towards the holy Warre, which *Kilwarby* and his Freers promoted, that he made no opposition against this promotion by the Pope. Soon after his consecration, \* *Richard More*, Doctor of Divinity being elected Bishop of *Winchester*, he made exceptions against and refused to confirme him, for holding many benefices, according to the \* Constitution of the Council of *London* under *Othobon*, And said, that a man of such conscience as was fit for that place, would rather content himself with lesse living, then load himself with the care of so many soules.

Yet notwithstanding though Pluralities were thus condemned by this Archbishop, the Council of *London*, and several Councils decrees before that, as very mischievous and scandalous to the Church, contrary to the Apostles Doctrin and practice, (\* who ordeined many Bishops and Presbyters in every Church, not one over many; ) Popes had no conscience of at all to observe these Canons, but made great advantage of them, by granting dispensations to all (who had money enough to purchase & thereby to merit them) to hold as many benefices with cure as they would, witnesse this exemplification of Pope *Innocent*s dispensation granted to *Theodore de Camel*, to enable him to hold and purchase Pluralities with cure, notwithstanding any Canons to the contrary.

**R**EX Omnibus, &c. salutem. Inspecimus dispensationem dilecti & familiaris Clerici nostri *Theodori de Camel*, sibi super pluralitate beneficiorum a sede Apostolica concessam, integram non cancellatam, non abolitam, nec in aliqua sua parte viciatam aut corruptam, in hæc verba.

*Innocentius* Episcopus servus servorum Dei, Dilecto filio *Theodoro de Camilla* Clerico, salutem & Apostolicam benedictionem. Etsi Ecclesiarum vel Ecclesiasticarum dignitatum pluralitatem sacra Concilii constitutio interdicat, saepe tamen cum pluribus eorum exigentibus \* meritis, super hoc auctoritate sedis Apostolicæ dispensamus: hinc est, quod nos volentes tibi facere gratiam specialem, tecum quod \* præter beneficia quæ optines Curam animarum habentia alia etiam si similem curam habeant, libere possitis recipere, si tibi Canonice offerantur, et cum prædictis licite retinere, Constitutione non obstante prædicta, auctoritate Apostolica dispensamus. Nulli ergo omnino hominum liceat hanc paginam nostræ dispensationis infringere, vel ei auso temerario contraire. Si quis autem hoc attemptare præsumpserit, \* indignationem omnipotentis Dei et beatorum Petri

\* Godwina Catalogue of Bishops, p. 178.  
\* Here p. 1042 to 1046.  
\* 1 Pet. 5. 1, 2, 3.  
\* 1 Tim. 4. 1, 2.  
Tit. 1. 3, 5, 6, 7.  
Acts 14. 23 & 26, 27, 28.  
Phil. 1. 1.  
See Gulielmus Peraldus de rectorum vitiis Tom. 2. de Avaritia. cap. 11. Quod non liceat habere plura Ecclesiastica beneficia.  
Pat. 56 H. 3. m. 2. insus.

\* Pecuniis.

\* propter.

\* O blasphemy.

et

et Pauli Apostolorum, (as if they approved such Pluralities and ratified them in heaven, as the Popes did on earth) ejus se noverit incursum. Dat. Lugduni quarto Non. Junii Pont. nostri Anno quinto. Ad cujus rei evidentiam has literas nostras patentes dicto Theodoro fieri fecimus sigillo nostro roboratas. In cujus, &c. Teste Rege apud Westm. 15. die Octobris.

The King issued this Writ to all the Sherifffes and Justices itinerant to levy 400l. with all speed, out of the Extract Rolls and fines for Prince Edwards Chaplain, to be paid into the Exchequer, for the dispatch of his special affaires in the Court of Rome.

Pat. 59 H. 3.  
m. 29. intus.

**R**EX Universis & singulis Vicecomitibus suis ad quos, &c. salutem. Cum mittamus dilectum nobis Willm de Beverlaco, Clericum Edwardi Primum nostri, ad diversos Comitatus Regni nostri, pro quadringentis libris ad nostra specialia in Curia Romana expedienda, una vobiscum levandis, secundum extractas Scaccarii nostri de Anno &c. 55. quas prefato Willmo fecimus liberari, vobis precipimus, quod una cum eodem Willmo, cum ipse ad vos venerit occasione predicta, denarios predictos secundum extractas predictas quas idem Clericus inde vobis liberabit, levare & usque ad Scaccarium nostrum deferri faciat, prout prefatus Willmus vobis dicit ex parte nostra, ad negotia predicta inde expedienda sicut predictum est. Et ita vos habeatis in hoc mandato nostro exequendo quod diligentiam vestram exinde merito commendare debeamus. In cujus, &c. Teste Rege apud Marleberg. 26. die Novemb.

Et mandatum est Theaur. & Baronibus Regis de Scaccario, quod predictas quadringentas libras per Vicecomites Regis & prefatum Willm levare, & ad Scaccarium nostrum deferri faciant, reponendas ibidem in tuto loco ad negotia predicta expedienda. Item mandatum est Justic. itinerantibus in Comitibus Sur. & Suffex, quod extractas suas de tota pecunia proveniente de finibus, amerciamentis & aliis exitibus itineris Justic. Regis itinerantium in Comitibus predictis fieri, & Elye de Berkewey Clerico Edwardi filii Regis & Vicecomiti Sur. & Suffex. liberari faciant, ut pecuniam illam levare possint ad mandatum Regis. Teste Rege apud Marleberg. 26. die Novemb.

\*See p. 1031.  
1031.

Although \*Walter de Cantilupo Bishop of Hereford, was a great Incendiary and supporter of the Barons rebellions against the King, yet he licensed his successor Godfrey Giford, to immure and embattle his Episcopal houses like Castles, both within the Clause of Worcester, and at Widdindon in Gloucestershire by this Patent, which neither he nor any other could then do without the Kings special license.

Pat 56 H. 3.  
m. 14.

**R**EX Omnibus, &c. salutem. Sciatis, quod concessimus pro nobis & heredibus nostris Venerabili Patri Godfrido, Wygorn. Episcopo, quod domos suas infra Clausum suum Wygorn. & quandam domum suam infra manerium suum de Widdindon, in Com. Glouc. muro de petra & calce firmare possit & \*Kernellare, ad modum Castri, & domos illas sic firmatas & Kernellatas, (fister for soldiers their Prelates) tenere sibi & successoribus suis sine occasione vel impedimento nostri vel heredum nostrorum imperpetuum. In cujus, &c. Teste Rege apud Westm. 20. die Octobris.

\* See Spelmani  
Glossarium.  
Tit. Kernel-  
lare.

The Jews having built a Church and a School contiguous to the Oratory of the Freers Penitents of Jesus Christ in London, who were disturbed and interrupted in the exercise of their spirituall offices, especially about the hour wherein they made the body of Christ, by the continual howling and great noise the Jews usually made after their manner in their said Church and School; The King upon proof thereof, by his Sovereign Ecclesiastical Authority, and for salvation of his own and other soules, suppressed the said Jewish Synagogue, and gave it to the said Freers and their successors with the Lands belonging therunto, licensing the Jews to erect another School if they thought meet, in some other place, so as it was not to the annoyance of the said Freers, and their Church, or any other Churches, as this Record attests.

REX



**R**EX Majori & Vic. suis London. Quia dilecti nobis in Christo fratres de penitencia Jesu Christi London. commoventes per strepitum Judeorum confluentium ad Ecclesiam suam quæ contigua est Oratorio dictorum fratrum, et etiam per ipsorum Judeorum continuam usulam in eadem Schola, juxta ritum suum, impediuntur quo minus ea quæ ad officium spirituale pertinent exercere possint circa celebrationem divinum, præcipue hora consecrationis corporis Jesu Christi, sicut per testimonium fidelium accepimus: Nos ad divina inibi quietius celebranda, volentes prædict. impedimentum modis omnibus amoveri, ob salutem animæ nostræ et animarum prædecessorum, et hæredum nostrorum, de gratia nostra speciali dedimus et concessimus prædictis fratribus et successoribus suis, in augmentum mansi sui ibidem prædictam Scholam, una cum fundo ejusdem habend. et tenend. eisdem fratribus et successoribus suis imperpetuum. Et ideo vobis mandamus, quod eisdem fratribus de Schola illa sicut prædictum est, plenam seisinam sine dilatione habere faciatis; sustinentes quod prædicti Judæi sibi aliam Scholam alibi, ubi ad minus nocumentum dictorum fratrum et Ecclesiæ suæ et Ecclesiarum aliarum fieri poterit facere, vel construere possint si voluerint, et sibi viderint expedire. Teste Rege apud Sanctum Edmundum 6. die Septembris.

Class. 6 H.  
m. 3. dorso.

Anno Dom. 1271. A little before King Henries death; Orta contentione inter Cives & Monachos Norwycenses, Cives Norwycenses totam illam celebrem Ecclesiam suam Cathedrali cum edificis, solum Monachorum, in flagrantem diabolico combusserunt. Hos confestim cum sapientibus Regni sui, adiit Rex Henricus, incendiarias trahens, pendens judicialiter & combrens jubens catalla fugientium fisco Regio mancipari, as \*Matthew Westminster and others relate. Qui non contenti tanto facinore, vasa, libros, & jocalia, qua flamma non tetigerat, manibus sacrilegis asportarunt, cum cappa aurea, qua pendebat ad majus altare, in quo corpus Dominicum ponebatur. Supra qua re indignatus admodum Rex Henricus, per pietatem, inquit, Domini, vadam & videbo personaliter scelus istud, & juxta sua demerita reddam illis. Mihi ergo illuc ante faciem suam Justitiarum, militem quendam dictum Tryvet, quem & Justitiarum fecerat de Corona. Urgente autem mandato Regio horroreque facinoris, magna multitudo convecta de scelere, ad caudas equorum tracta, suspendio judicata, so our Historians, to which our Records superadde these ensuing Writts and directions to Sheriffs and others for the apprehension and punishment of these malefactors, expressing the Kings high indignation against them.

An. 1271.  
p. 151. Contin.  
Mat. Paris p.  
97. 697.  
Walsingham.  
Ypodigma  
Neustr. Anno.  
1271.

**R**EX Willielmo Giffard. Vic. Norff. & Suff. salutem. Cum quidam Blaphemix Filius et propriæ salutis immemores nuper vi et armis insultum fecerint in Monachos Prioratus Norwic. et in quosdam alios cum Monachis ipsis in eodem Prioratu existentes, et quamplures ipsorum interfecerint, Ecclesiam et res sacras, ac domus Prioratus illius combusserint, et alia sacrilegia ibidem animo irreverenti et infunito multipliciter perpetraverint, in offensam divini nominis ac subversionem Ecclesiasticæ libertatis, nec non et in nostri dedecus, et perturbationem pacis nostræ gravissimam; quæ nobis angustiam et dolorem tanto vehementius intulerunt, quanto talia et tam detestabilia scelera nunquam hactenus est auditum per aliquos perpetrata fuisse. Ac Nos propter tantum et tam enorme facinus, pro ut exposcit rei qualitas puniendum, ad partes Norwic. accedere festinamus; Vobis mandamus in fide, homagio et sub debito præstiti

Pat. 36 H. 3.  
m. 4. intrus.

juramenti quibus nobis estis astrigti, firmiter injungentes, quatinus omnes Milites et libere tenentes, et habentes viginti libratas terræ vel ultra, venire faciatis coram nobis apud *Norwicum*. Ita quod sint ibi ad nos modis omnibus die Jobis in octabis natiuitatis beate *Mariæ* prox. ventur. ad faciend. super his quod de Consilio nostro præcisse duxerimus providendum. Et hoc sub pœna exheredationis, et periculo hitæ et membrorum, nec non amissionis omnium bonorum et Catallorum quæ habent in Regno nostro nullatenus omitterant. Et taliter, et tam efficaciter in executione præsentis Mandati nostri vos habeatis, ne propter negligentiam, omissionem vel defectum vestrum ultionem prædicti facinoris in personam vestram, quod absit, oporteat retorqueri; quod fieri faciemus si negotium istud per vos aliquatenus retardari contingat, et habeatis ibi hoc breve. In cujus, &c. Teste Rege apud Sanctum Edmundum 6. die Septembris.

Item eodem modo mandatum est Vic. *Cant. & Hunt.* quod habeat ibi die prædicto de Comitibus prædictis viginti & quatuor milites & liberè tenentes, habentes viginti libratas terræ & amplius.

The King issued these Writes to seise all the Lands, goods and rents of the Citizens and secure them till their tryall, that so the innocent might not suffer for the nocent.

Pat. 56 H. 3.  
In Cedula. dor.  
so consuta m. 5.  
*Norwic.*

**R**EX Dilectis, & fidelibus suis *Hugoni Pechi, & Galfrido de Percy, & Radulpho de Bakepuz.* salutem. Cum ex testimonio virorum dignorum intelleximus pro certo, quod occasione cujusdam contentionis seu discordiæ subortæ inter Priorem & Conventum *Norwic.* & suos ex parte una, & Burgenses & Communitatem Villæ nostræ *Norwic.* ex altera, incendia, homicidia, & dampna plurima tam in Prioratu illo quam in villa prædicta hinc inde jam perpetrata sunt: Nos nolentes quod illi de Villa prædicta qui non sunt culpabiles de facto prædicto, seu quod innocentes pro nocentibus in hac parte dampnum, sustineant seu jacturam, mittimus vos ad villam prædictam, ad eandem villam una cum omnibus bonis & Catallis, terris & tenementis, redditibus, & aliis ad eandem Villam spectantibus capiend. in manum nostram, & salvo custodiend. prout vestra discretio melius noverit expedire. Mandavimus enim vic. nostro *Norff. & Suff.* & Burgensibus nostris & toti Communitati villæ prædictæ, nec non & omnibus Ballivis & fidelibus nostris partium illarum, quod vobis in præmissis intendentes sint & respondentes, consulentes & auxiliantes, & quod vobis ad præmissa facienda & fideliter exequenda, diligenter assistant, prout eis scire facietis ex parte nostra. In cujus, &c. Teste Rege apud *Wesst.* 15. die *Augusti.*

*Ibidem.*

**R**EX Burgensibus & toti Communitati villæ suæ *Norwic.* salutem. Cum ex testimonio virorum fide dignorum intelleximus pro certo, quod occasione cujusdam contentionis seu discordiæ subortæ inter vos ex parte una, & Priorem & Conventum *Norwic.* ex altera, dampna plurima tam in villa quam in Prioratu prædicto, hinc inde jam perpetrata sunt. Nos nolentes quod illi de villa prædicta qui non sunt culpabiles de facto prædicto, seu quod innocentes pro nocentibus in hac parte dampnum sustineant seu jacturam, mittimus dilectos & fideles nostros *Hugonem Pechi, Galfridum de Percy, & Radulphum de Bakepuz.* ad villam prædictam, una cum omnibus bonis & Catallis, terris & tenementis, redditibus & aliis ad eandem villam spectantibus capiend. in manum nostram & salvo custodiend. prout sua discretio melius noverit expedire, & eis plenius injuximus viva voce. Et ideo vobis mandamus, quod eis *Hugoni, Galfrido & Radulpho* in præmissis intendentes sitis & respondentes, consulentes & auxiliantes, prout ipsi vobis scire facient ex parte nostra. Et hoc nullo modo omittatis. Teste ut supra.

He

He likewise issued this Writ to the Bryliffs of *Colchester*, to apprehend all Citizens of *Norwich*, in, or passing by those parts, and to seise all their goods and Merchandise in whose hands soever, and detain them till further order.

**R**EX Ballivis suis de *Colcestria*, salutem. Cum occasione Contentionis & discordiæ inter Priorem & Conventum de *Norwico*, & Burgenses nostros, ac Communitatem villæ nostræ de *Norwico* subortæ, capi fecerimus in manum nostram eandem Villam de *Norwico* donec aliud inde ordinaverimus. Vobis mandamus firmiter injungentes, quod si aliquos de Burgensibus ejusdem Villæ de *Norwico* in partibus vestris inveniri contigerit, vel per partes vestras transitum faciant, ipsos arrestetis, & eorum bona, Catalla & mercimonia in quorumcunque manibus inventa fuerint, sine dilatione capiat in manum nostram, & ea unatim corporibus ipsorum salvo custodiat, donec aliud inde præceperimus. Diligenter etiam inquiri & scrutari faciatis, si aliquis de Balliva vestra prædictos Burgenses, seu eorum mercimonia vel alia bona receptaverit, seu ea penes se detineat, & ea omnia quæ in hac parte inveneritis & feceritis, distinctè & apertè conscribi faciatis. Ita quod nos certiorare, & nos inde respondere possitis ad mandatum nostrum; ita viriliter & diligenter vos habeatis in hac parte, quod fidelitatem & diligentiam vestram meritò commendare debeamus. Et ne pro defectu vestri in hac parte dampnum incurramus, propter quod ad vos & omnia bona vestra graviter capere debeamus. Teste ut supra.

*Ibidem.*

*Mr. John \*Fox* Relates, that this controversy between the Monks and Citizens of *Norwich*, fell out about certain Tallages and Liberties, that after much altercation and wrangling words, the furious rage of the Citizens so much increased and prevailed, that so little was the fear of God before their eyes, that altogether they set upon the Abbey and Priory, and burned both the Church and Bishops palace. When this thing was heard abroad, the people were very sorry to hear of so bold and naughty an enterprise, and much discommended the same. At the last King *Henry* calling for certain of his Lords and Barons, sent them to the City of *Norwich*, that they might punish and see Execution done on the chiefest malefactors, inasmuch as some of them were condemned and burnt, and some were drawn by the heels with horses through the Streets of the City, and after in much misery ended their wretched lives.

\*Acts and Monuments, vol. 1. p. 441.

The \*Continuer of *Matthew Paris*, and *John Speed* inform us, that King *Henry* as soon as he could, having in his Company the Bishop of *Rochester*, and the Earle of *Gloucester*, followed his Justice *Thomas Trivet* to *Norwich*, where beholding the deformed ruines of the burned Church totally consumed, he could hardly refrain from tears. The Bishop having therefore excommunicated all who consented to this wickedness, and the Judge executed the nocent, Next the King condemned the Town in three thousand Marks of silver, to be paid by a day, towards the reparation of the Church so burnt, and also to pay one hundred pound in silver towards the repair of a Cup arising to twenty pounds in Gold. Cum Rex Henricus condignam ultionem Norwicensibus dedisset sacrilegis, (this publick Act of Zeal to Religion and Justice being the last act which he did as a King,) he returning thence towards *London*, fell grievously sick at the Abbey of *St. Edmunds* in *Suffolke*, where after he had in a religious manner prepared his soul, by acknowledging his sins, he rendred up the same to his Redeemer, when he had reigned almost an old mans age, and more years then ever any King of *England* reigned either before or since, to wit fifty six years and twenty dayes. A Prince (writes *Speed*) whose devotion was greater then his discretion, as we see in permitting the depredation of himself and his whole Kingdome by Papal overbearings, the error of whose Government concurring with the tumultuous Treasons of his Nobles, did precipitate him into many mischiefs, out of which God Almighty did strangely deliver him; for if he had not been divinely protected, there is no cause for a reasonable man to doubt, but that his end had proved as headlong, as some of his own and his Barons actions seemed to threaten.

\*page 977. History of Englands Monarchs book 9. ch. 9. sect. 135. p. 642



\*See here p.  
360. to 372.  
\*Mat. Paris  
Hist. p. 277.

\*See here p.  
619, 620, 664.  
(2) *Prodigma*  
*Neustria*. p. 60  
See here p. 644  
to 648. 674.

\* See here  
Book. 3. c. 2.  
p. 299. 300. &  
674. 677. 678.  
479. &c.

I must acknowledge, that this King *Henry* in the beginning and latter end of his reign, not out of any devotion to the Pope, but meer Policy and pure necessity, did more comply with and connive at the incroaching innovations, Usurpations, exactions of the Popes and Court of *Rome*, then all his progenitors or successors, upon these several accounts, 1. By reason of the deplorable and almost desperate condition wherein his Father King *John*, left him and the whole Realm at the time of his death, for the Roman Pontiffs having but 3 years before by Menaces, Wars, Censures, interdicts, rebellions of his Prelates and Nobles, enforced him to enthrall himself and his Realms to their vassallage, \* left him an infant but nine years of age under the general disgust, hatred, disaffection of most of the *English* Nobles and Clergy, the hostile Power of the *French* intruder *Lewis*, before called in with a potent Army, Crowned King of *England* by the Barons, *John* being but \* *Regis Imago*, as his Epitaph stiled him, & *Papa Vassallus*, for that little part of the Realm he had possession of, having no Treasure at all and scarce any revenue to support himself, to raise forces, or remunerate such persons as should engage their lives & fortunes in his quarrell. In respect of all which concurrent difficulties, he had no other probable meanes left to expell the *French*, reduce the revolted Bishops, Nobles to obedience, and recover the actuall possession of the City of *London*, or other Garisons of his Kingdome, but by the Popes assistance, which he and his Legats readily afforded him, for preservation of his own usurped interest therein wrested from his Father by force, fraud, treachery, rather then out of any affection to this young King. 2. The frequent conspiracies, rebellions of his Bishops, Barons against him, & their obstinate refusals to grant him ayds or subsidies in Parliaments in a legal way, when his and the Kingdoms necessities required them, or upon dishonorable termes, which severall times enforced him, not only to overstrain his regal Perogative, but likewise to make use of the Popes Usurped Authority, Legates, Agents, to excommunicate the Barons and other opposers, reduce the Prelates and Clergy (his grand Antagonists) to obedience, and supply his necessities by Croysadoes, Dismes, and other extravagant meanes, whereof the Pope and his Agents usually got the greatest share, who made use of his regal, as he did of their Papal power, to fleece and poll the Clergy, by sundry impositions and rapines. 3. The frequent use he had of the Popes favor, mediation, power, Legates, to maintain his interest in *France*, to make Leagues, Truces with the *French* King, and other foreign Princes, States; to obtain the Kingdom of *Sicily* and *Apulia* for his youngest Son, (wherein he was grossly cheated by the Pope,) to gain the *German* Empire for his Brother *Richard*, and Bishopricks or other Ecclesiastical preferments for his Queens forreigne kindred, who were no waies qualified for them; else when he was free from such necessities and entanglements, he alwaies joyned with much gallantry and resolution with his Nobles and People in opposing all the Popes Usurpations, encroachments, innovations, exactions, and his own Prelates invasions of his and his Subjects Prerogatives and rights, as much as any of his Predecessors, as his premised Letters, prohibitions, proceedings against them from time to time demonstrate, especially his embassy, and Letters to the Pope at the Council of *Lyons*, and banishing \* *Martin* the Popes oppressing Nuncio out of the Kingdom, thus briefly related by *Walsingham* (a) Anno 1245. *Innocentius Papa celebravit Concilium apud Lugdunum. Ad quod missi sunt per Regem Angliæ de consilio Prælatorum, Comitum & Baronum viri Nobiles. 4. dato eis advocato Magistro Gulielmo de Powike, ut concessionem Regis Johannis de Censu annuo pro Anglia & Hybernia contradicerent, eo quod de Regni assensu non processerat, sed & per Cantuariensem Archiepiscopum fuerat reclamatum vice totius Regni: sed Papa hoc indigere morosa deliberatione respondens, negotium posuit in suspenso. Prælati Angliæ hoc anno conquesti sunt Regi de oppressione Ecclesiæ Anglicanæ, cujus proventus omnes & redditus Italici occupabant, propter quod Magistro Martino Domini Papa consanguineo, qui Major inter ceteros, aliorumque tutor in hujusmodi negotiis videbatur & defensor, ut evacuet regnum indilate regio mandatur edito.* Yea had not the Bishops then most unworthily betrayed both the Kings & Emperors Rights, Crowns, in subscribing the \*Popes new draught of King *Johns* surrender of his Crown, when the old was burnt, and publishing his excommunication and deprivation of the Emperor, and yielded up their own Rights by their inexcusable cowardise, the Pope, had then lost all his former usurped interest and authority within our Realms. But what any Popes unjustly

justly gained, extorted by these necessities, fears, weaknesses, excommunications, interdicts or intestine wars, either from this King *Henry*, or his Father King *John*, they soon after gradually lost by the courage, wisdom, resolution, vigilance of his Son, Grandson, and great Grandson King *Edward* the 1. 2. & 3d. as I shall (God assisting me) undeniably evidence by irrefragable, yet unpublished Records during their successive Reigns, in my next ensuing volume: In the meantime I shall close up his life with (b) *Walingham*, and (c) *Rishangers* Character of him (which will please our Pontificians) *Iste Rex, quantum in actibus sæculi videbatur minus prudens, tanto apud Dominum majori devotione pollebat; singulis namque diebus tres missas, cum nota solebat audire, et privatim plures audire cupiens, assidue assidebat celebrantibus. Es cum sacerdos corpus Dominicum elevaret, manum sacerdotis tenere, & illam osculari solebat. Contigit autem aliquando S. Lodowicum, Francorum Regem, cum eo super hoc conferente, dicere, quod non semper missis, sed frequentius sermonibus audientis esset vacandum. Cui faceta urbanitate respondens, ait: Se malle amicum suum sapius videre, quam de eo loquentem, licet bona dicentem, audire.* Now to recreate my tyred Readers, of this Voluminous Tome, I shall conclude it with this lively Poeticall Description of the Citie, Popes, and Court of *Rome*, written by \* *Gualther Mapes* Archdeacon of *Oxford*, flourishing under King *Henry* the Second, *Richard* the First, and King *John*, an eye witness of them whiles he was in *Rome*, Anno Dom. 1201.

(b) *Ypodigma*  
An. 1272. p. 67  
(c) *Contin.*  
*Mss. Paris.*  
p. 977.

\* *Balæus Scrip.*  
*Brit. Centur. 3*  
*c. 59. Appendix*  
*p. 251. 252.*

*ROMA* Mundi caput est, sed nil capit mundum:  
Quod pendet a capite, totum est immundum.  
Trahit enim vitium primum et secundum;  
Et de fundo redolet, quod est juxta fundum.

*Roma* capit singulos, et res singulorum,  
*Romanorum* Curia non est nisi forum:  
Ibi sunt venalia jura Senatorum,  
Et solvit contraria, copia nummorum.

In hoc Consistorio si quis causam regat,  
Quam vel alterius, hic in primis Legat:  
Nisi det pecuniam, *Roma* totum negat;  
Qui plus dat Pecuniæ, melius allegat.

*Romani* capitulum habent in Decretis,  
Ut potentes audiant manibus repletis.  
Dabis aut non dabitur, petant quando petis,  
Qua mensura seminas, eadem tu metis.

Munus et petitio currunt passu pari,  
Opereris munere, si vis operari.  
Cullum nec timeas, si velit causari,  
Munus Eloquentia gaudet singulari.

Nummis in hac Curia non est qui non vatet:  
Crux placet, rotunditas placet, totum placet,  
Et cum ita placeat, et *Romani* placet,  
Tibi munus loquitur, et lex omnis tacet.

Cum

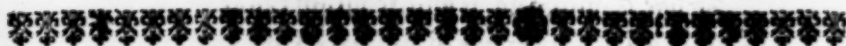
Cum ad Papam veneris, habe pro constanti:  
Non est bonus pauperi, soli habet tanti.  
Et si munus præstitum non sit aliquanti,  
Respondet hic tibi sic, non est mihi tanti.

Papa querit, Chartula querit, bulla querit,  
Porta querit, Cardinal querit, Curio querit,  
Sed si dares omnibus, at uni deerit;  
Totum mare salsum est, tota causa perit.

*Lais Deo, Vivat Rex in Secula.*



**FINIS.**



**AN**





A N

# Additional Appendix.



Some Passages pertinent to my *Chronologicall* History, being casually omitted in their due series of time, I thought meet to supply by this *Appendix*, then to insert them out of their proper places.

Book 2. Chap. 7. p. 248. l. 5. This should have been inserted; Anno 908.

King Edward the elder Anno 908. After this division of the Bishoprick of Winchester into two Bishopricks and Diocesse, ratified all

Monasticon Anglicanum vol. 1. p. 36. 37.

Lands and liberties granted them by his progenitors, and limited the bounds of the Bishops Lands, by his Charter wherein he recites. *Ego Eadueardus, divina largiente clementia Angul-Saxonum Rex, tempore quo Diocasm Wentanæ Ecclesia in duas disti Parochias, obnixè rogatus fui à Hithelstano Episcopo, quem tunc Ecclesia prædicta Episcopum statuerunt, ut novarum astipulatione literarum, S. Ecclesia testamenta, mi olim ab antecessoribus meis Cynegisto & Ernerewalho, multisque eorum successoribus devotè tradita, atque restaurata fuerant confirmans, renovarem.* Which he did by a Charter, (printed at large in *Monasticon Anglicanum*, to which I referre you) subscribed by himself, Archbishop Plegmund, sundry Bishops, Dukes, Presbiters, & Officers. By this recital, the truth whereof they all attest, it clearly appears, that this King by his Regal authority (not the Pope or any other) did originally, authoritatively divide, constitute this Bishoprick, new Diocesse, Bishop, as King \* *Ethelred* divided his Kingdom into severall Bishopricks and Diocesses before him, and placed Bishops in them, endowing them both with Lands and goods

\* Monasticon Angl. vol. 1. p. 137.

Book 3. Chap. 1. p. 254. l. 9. These memorable Legal proceedings in the third year of King *John* Reign, should have been inserted, vindicating his Ecclesiastical Sovereignty, and strenuous opposition against the Popes Bulls and Delegates, which *William Thorne* in his Chronicle hath thus recorded to posterity.

Anno Domini 1201. Rex *Johannes* quorundam æmulorum istius Monasterii consiliis stimulatus, cepit graviter istud monasterium persequi, ratione Ecclesiæ Parochialis de *Feverham*, cujus patronatum simul & donationem sibi vendicabat, licet minus justè: sicut enim *Rogerus* iste Abbas tempore quo Electus fuerat, ob ejus benedictionem promerendam multas angustias sustinuit, ab Archiepiscopo *Richardo*, & Capitulo Christi *Cant.* ejus benedictionem impredientibus, ut igitur sibi amicos, & precipuz in Curia Regis perquireret, ad preces Regis *Henrici*, Patris Regis *Johannis*, prædictus *Rogerus* tunc Electus, suo Conventu inconsulto ac reclamante, dedit Ecclesiam de *Feverham*, cuidem Clerico de Camera Regis privato, nomine *Osborno* de Camera, sub pensione sex Marcarum annuatim reddendarum Monachis Sancti *Augustini* tanquam rectoribus Ecclesiæ antedictæ. Hac igitur causa & ratione Rex *Johannes* jus sibi præsentandi in eadem Ecclesia vendicabat. Mortuo igitur *Osborno* qui se pro rectore Ecclesiæ parochialis de *Feverham* gerebat, sub die Ascensionis Dominicæ anno supradicto, missus est *Brandanus* Monachus & quidam Magister *Stephanus* ex parte Abbatis & Conventus Sancti *Augustini*, ut corporalem

Anno 1201 Chronicon, W. Thorn. c. 17. col. 1844. 1845

acciperent de Ecclesia prædicta de *Faversham* possessionem. Qui venientes apud *Faversham* die sabbati proximo sequente post mortem *Osburni* prædicti, invenerunt Magistrum *Everardum* tunc Officialem Archidiaconi *Cantuariensis* in porticu ipsius Ecclesie. Prætestati igitur prædictus *Brandannus* Monachus & Magister *Stephanus* coram Officiali antedicto, jus Abbatis & Monachorum Sancti *Augustini Cant.* quod se in Ecclesia de *Faversham* habere dicebant, exhibuerunt instrumenta autentica tam Regum *Willielmi*, *Henrici* secundi, & *Richardi*, confirmationem quoque Cælestini Papæ inhibentem expressè Abbati & Conventui S. *Augustini Cantuariæ*, ne Ecclesias de *Faversham*, & de *Middleton* alienent ab usu proprio, aut aliquo alienationis titulo prædictas Ecclesias personæ conferant seculari. Quorum autoritate instrumentorum prædicti *Brandannus* & *Stephanus* statim ingressi sunt possessionem ipsius Ecclesie de *Faversham* nomine Abbatis & Conventus, & coram Parochianis pro se & pro suo Monasterio & Ecclesiis suis, & maxime pro Ecclesia de *Faversham*, ad dominum Papam solemniter appellaverunt. In eodem etiam porticu prædictus *Brandannus* Monachus presentavit Officiali antedicto quendam Capellanum *Herbertum* nomine, ex parte Abbatis & Conventus ministraturum in ipsa Ecclesia, quia Archiepiscopus tunc agebat in remotis. Quem Capellanum cum Officialis non admisisset, iterum eodem die in Capitulo *Hosprenges* præsentante eodem Officiali ipsum Capellanum præsentavit, & prædicta instrumenta in audientia totius Capituli fecit recitari, & appellationes, ut supra, solempniter innovavit. Abbas vero ex quibusdam verisimilibus & probabilibus conjecturis, quantum ad jus & proprietatem Ecclesie sue antedictæ de *Faversham* periculum sibi & Monasterio suo imminere perpends, die Jovis proximo ante festum Pentecostes ad Ecclesiam suam prædictam cum majoribus de suo consilio personarum accessit, et primo in domibus personatus Ecclesie supradictæ, pro se et suo Monasterio ad Dominum Papam solempniter appellavit, ac etiam pro statu Clericorum Ecclesiarum et Parochianorum omnium ad Monasterium Sancti *Augustini* pertinentium, et maxime pro Ecclesia sua de *Faversham*, et pro Monachis suis in ipsa Ecclesia nomine ipsius et Monasterii Sancti *Augustini* tunc existentibus. Indeque profectus ad ipsam Ecclesiam, convocatis parochianis in præsentia Decani loci & aliorum quamplurimorum, eandem appellationem innovavit: Duplex enim imminerebat consilium, et duplex periculum, Rex advocacionem Ecclesie prædictæ vendicabat, Archidiaconus custodiam ipsius Ecclesie prædictæ, tanquam vacantis, et fructus medii temporis, ac etiam cæterarum Ecclesiarum nostri patronatus quesivit.

Set de altercatione cum Domino Rege me expediam, ad Archidiaconum postea rediturus. Defuncto igitur *Osburno* de Camera qui Ecclesiam de *Faversham* ut supradictum est tenuerat, Rex *Johannes* ipsam Ecclesiam contulit cuidam *Simoni* Archidiacono *Wellensi* & Archiepiscopi Vicecancellario, & ipsum *Simonem* ad eandem Ecclesiam Archiepiscopo præsentavit, sed Monachis nostris per appellationes & alia juris remedia se opponentibus, & tam in Ecclesia quam in domibus personatus prædicto *Simoni* & ejus institutioni viriliter resistentibus, institui nullatenus potuit. Quibus auditis, Rex scripsit Abbati & Conventui Sancti *Augustini* in hæc verba.

*Johannes* Dei gratia Rex *Anglia*, &c. Dilectis Abbati & Conventui Sancti *Augustini Cant.* salutem. Concessimus ut nostis, dilecto & fideli nostro *Simoni* Archidiacono *Wellensi* Ecclesiam de *Faversham*, quæ est de donatione nostra, & eum Domino *Cantuariensi* Archiepiscopo ad eam præsentavimus. Verum quia sicut accepimus, vos jus vobis in ea vendicantes, jus nostrum & præsentationem nostram & ipsius Clerici nostri institutionem hætenus impedistis, unde miramur non modicum & movemur, mandamus vobis rogantes quatenus occasione & dilatione remotis, ipsum in hac parte de cætero non inpedatis, sed permittatis quod ipse in ea instituat, sive ad nos pertineant donatio, sive non, sicut vultis ad nos in negotiis vestris recursum habere & a nobis exaudiri. Teste meipso, &c.

Hiis itaque gestis, habita deliberatione quid consultius foret, missi duo Monachi nostri ex parte Abbatis & Conventus ad Regem, tunc in partibus *Normannia* agentem, qui ingressi ad Regem, exhibuerunt ei Cartam *Willielmi* Conquestoris super donatione Ecclesiarum de *Middleton* & *Faversham*, ac etiam Cartas *Henrici* primi, *Stephani*, *Henrici*

*Henrici* secundi, & *Richardi* Regum *Angliae*, super confirmatione prædictarum Ecclesiarum; confirmationem quoque *Theobaldi* & *Huberti* Archiepiscoporum, ac etiam confirmationem *Celestini* Papæ simul & inhibitionem, ne Abbas vel Conventus prædictas Ecclesias de *Middleton* & de *Faversham* alienent ab usu proprio, aut aliquo alienationis titulo personæ conferant seculari; Petierunt insuper Monachi nostri & obnixius precabuntur, ut prædictas Ecclesias Dominus Rex sicut & progenitores sui fecerant, ipse etiam confirmaret. Et ut petita facilius impetrarent, magnam pecuniæ summam pro hujus confirmatione se daturos Regi spondebant. Sed Rex nec prece nec pretio inclinatus, petitis nullatenus acquiebit; unde & sub hac forma non multum post rescripsit.

*Johannes* Dei gratia Rex *Anglia*, &c. Abbati & Monachis Sancti *Augustini Cant.* salutem. Volumus vos scire, quod nos jam dedimus dilecto & fidei nostro *Simoni* Archidiacono *Wellensi* Ecclesiam de *Faversham*, quæ vacat & est de donatione nostra, & ipsum Domino *Cantuariensi* præsentavimus, & quoniam, sicut nobis & Consilio nostro videtur, ratione Cartarum quas nobis ostendistis nullum jus vobis competit, eam conferendi vel in proprios usus retinendi; Prohibemus vobis, ne vos aliquatenus apponatis quo minus donatio nostra rata consistat, moleste enim feremus siquid feceritis in hac parte contra jus nostrum et libertatem, nec illud fieri sustinebimus. Unde vobis consulimus, quod ita vos contra nos & eundem *Simonem* in hoc negotio habeatis, sicut vultis quod nos habeamus nos erga vos in negotiis vestris & domus vestræ. Teste meipso, &c. Sed & ipse Archiepiscopus pro eodem *Simone*, scripsit sub hac forma,

*Hubertus* Dei gratia *Cantuariensis* Archiepiscopus, totius *Angliae* primas, dilectis in Christo Abbati & Conventui Sancti *Augustini Cant.* salutem, gratiam & benedictionem. Audivimus Dominum Regem vobis scripsisse pro dilecto filio nostro *Simone* Archidiacono *Wellensi*, super Ecclesiam de *Faversham*, & quoniam scimus certissime Dominum Regem ipsius *Simonis* in hac parte velle promotionem, quem & nos similiter multum desideramus, dilectioni vestræ diligenter duximus scribendum, moventes, consulentes & affectuose supplicantes, quatenus intuitu Dei & petitioni, Domini Regis, & nostri, salvo jure vestro memoratum *Simonem* in Ecclesia illa promovere velitis, ipsam ei quantum in vobis est benignè, si placet, concedentes; si verò per vos in hac promotus fuerit, credimus & certi sumus, quod per eum poterunt facilius Cartæ vestræ tam de Ecclesia illa quàm de aliis à Domino Rege vobis confirmari, & alia negotia domus vestræ promoveri, ad quæ nos curam & sollicitudinem diligenter apponemus; scire autem volumus, quod non habemus aliquem tam carum vel tam specialem cujus promotionem magis desideramus quàm ipsius *Simonis* in hac parte, Valet.

Sed Monachi *Augustinenses* nec Archiepiscopi adulationibus flexi, nec Regis minis à proposito moti, licet multum consternati, se viriliter in ipsa Ecclesia de *Faversham* & in ipsis domibus personatus tenuerunt; & tam Regis ministris quàm Archiepiscopi officialibus ingressum undique constanter prohibuerunt. Quibus auditis, Rex quasi in furiam versus, iussit tam ipsi Ecclesiæ de *Faversham* quàm domibus personatus ejusdem ignem apponi, et tam Monachos quàm seculares qui in ipsis inventi essent, simul cum ipsis Domibus et Ecclesia conflagrari: sed nemine tam sævam jussionem adimplere volente, sed cunctis dissuadentibus Regi ne tam horridum facinus perpetraret; Rex tandem animi furorem temperans, licet non deponens, scripsit *Viccomiti Kancia* in hæc verba,

*Johannes* Dei gratia Rex *Anglia* &c. *Viccomiti Kancia* salutem; scias, quod dedimus dilecto nostro *Simoni* Archidiacono *Wellensi* Ecclesiam de *Faversham*, quæ vacat & est de nostra donatione: & quoniam sicut audivimus, Abbas & Monachi Sancti *Augustini* jus sibi in Ecclesia illa vendicantes, donationem nostram nituntur impedire, tibi mandamus & firmiter præcipimus, quod si fortè prædicti Monachi se in Ecclesiam illam intruserint, & se in eadem Ecclesia tenuerint, ipsos Monachos et fortiam eorum inde sine dilatione facias amoveri, et curam dilig-



Chronicon  
Will. Thorn.  
Col. 1847.  
1848, 1849.  
Ejectio Mona-  
chorum de per-  
sonatu.

\* Such was the  
insolency of  
pretended  
mortified  
Monks as to  
keep possession  
of Churches a-  
gainst the King  
and his Offi-  
cers with ar-  
med Soldiers.  
\* The people  
had no Malle  
nor divine ser-  
vice during  
this space.

gentem apponas ad jus nostrum in Ecclesia illa conferendum, et ad hoc ut prædictus Archidiaconus illam habeat. Teste, &c.

Viccomes igitur hoc accepto Regis mandato, impiger ad explendum Regis iussu-  
onem, utpotè qui adversariorum nostrorum in hoc stimulabatur pecuniâ, ad Ecclesi-  
am de *Faversham* accessit, & primò quendam nostrum Monachum *Osbertum* nomine  
qui ad custodiam domorum personatus per Abbatem deputabatur, complices ipsius  
vicecomitis, *Hemicu* videlicet cognomine *Doget*, *Radolphus Blundus*, *Osbertus* filius  
*Reimberti* & *Galsfridi* de *Middlestone* iussu ipsius Vicecomitis & autoritate, tam  
ipsum *Osbertum*, quam alios seculares qui cum eo erant, manu violenta  
extraxerunt a domibus prædictis, et tam ipsum Monachum quam e-  
jus socios male tractaverunt, plagis impositis semibibus relin-  
quentes. Inicia dolorum hæc, set nondum statim finis. Nam ipse Vicecomes  
manum habens ad malum extentam, ad Ecclesiam de *Faversham* personaliter accessit,  
& inveniens ipsam intrinsecus munitam, non tam Monachis quam etiam secularibus  
validis, ab ingressu ipsius Ecclesiæ non minus sapienter quam reverenter se tempera-  
vit, quoniam fores erant clausæ, & intus \* milites custodientes Templum. Videns  
itaque Vicecomes quod ei liber non pateret introitus in Ecclesiam, ipsam ex omni  
parte artissima obsidione vallavit, ponens custodes in ipsis hostiis Ecclesiæ per diem  
& noctem, ut sic Monachi fame & *Angustia* afflicti compellerentur Ecclesiam gratis  
deferere. Duravitque hæc obsidio continuè a pridie *Kal. Augusti*, \* usque in  
crastinam assumptionis Sanctæ *Maria*; quæ qualiter tunc solvebatur postea dicemus  
cum de persecutione Archidiaconi *Cantuariensis*, Magistri *Henrici de Sanford*, parum-  
per pertractaverimus.

Defuncto *O.* de Camera personam quondam de *Faversham* ut supradictum est,  
Monachisque Sancti *Augustini* ipsius Ecclesiæ de *Faversham* possessionem pacificè in-  
gressis, Capellano per eosdem Monachos Officiali Archidiaconi præsentato, set  
non admissio, licet nulla causa reculationis tunc objecta, evolutis aliquantulis diebus  
post præsentationem & reculationem prædictas, Magister *Edwardus* Officialis Do-  
mini Archidiaconi ad Ecclesiam de *Faversham* accedens, Ecclesiam ipsam suspendit,  
Monachos in ea residentes, et omnes eis communicantes de facto excom-  
municavit, cum de jure non posset, tam propter privilegia eorum,  
tam propter appellationes ab eisdem ad sedem Apostolicam interpo-  
sitas, sepulturam etiam mortuorum interdixit; unde multa defunctorum  
corpora extra Cimiterium ipsius Ecclesiæ tradita fuerunt sepulturæ, & purificationes  
etiam quarundam mulierum extra Parochiam fuerunt celebratæ, nam Parochianis de  
*Faversham* mandavit Archiepiscopus per Officialem suum, ut alias Ecclesias licenter  
& libere frequentarent, & in ipsis Ecclesiastica sacramenta perciperent, defuncto-  
rumque suorum corpora ad alia loca humanda prohibito deferrent: set ipsi Paro-  
chiani, nec per tribulationem, nec per angustiam à devotione quam erga matricem  
suam habebant Ecclesiam, velut fidelissimi filii, nullatenus potuerunt amoveri, set  
super hiis omnibus ad Papam unanimiter appellaverunt. Unde effuso aliquan-  
tuli temporis curriculo quosdam majores de *Faversham* qui Mona-  
chis Sancti *Augustini* communicaverant, fecit Archiepiscopus nomi-  
natim excommunicatos denunciari, et Justiciarius Domini Regis  
Literis suis mandavit, ut caperentur et in carcerem Regis puniendi  
detruderentur; set et ipsi timentes Archiepiscopi tyrannidem qui  
tunc custos erat Angliæ, ipso Rege in partibus *Normannia* agente, Mi-  
nistrozum Regis manus qui ad eos capiendos mittebantur fugæ  
præsidio evaserunt. Ipse etiam Archiepiscopus cum per *Willelmum* de  
*Faversham* transitum faceret, occurrenti ei populo *Willelmi* et benedi-  
ctionem ejus petenti, dixit, se eos nec velle, nec debere bene-  
dicere eo quod habebat eos omnes excommunicatos. Super  
tribus et singulis injuriis multis appellationibus interpositis  
universi tamen *Burgensium* de *Faversham* Domino Papæ satis lachry-  
mosis Epistolis conquerebatur, in fine ejusdem Epistolæ sic conclu-  
dendo. Quod nisi divina miseratione et Romana pietas illis velle cele-  
rius

rius subvenire, et tam circa ipsos quam circa Monachos Angustianenses errata ultrice manu efficaciter studuerit corrigere, omnes populi quocunque sumus rerum gestarum se diffuderit, in errorem corruent irremediabilem, ut qui hucusque legem et prophetas ac Evangelium fuerint secuti, de cætero pro Poetarum figmentis omnia reputabunt: vilescetque Ecclesiastica Doctrina, et a reverentia Romane Ecclesiæ quæ apud Cantuarienses Archiepiscopum et Archidiaconum nulla est, (Note it) populus totaliter, nec immerito recedet. Set nunc ad Monachos obsessos in ipsa sæpedita Ecclesia revertamur.

Intante festo assumptionis beatæ Virginis Mariæ, Rogerus Abbas ut erat vir magnanimus, condolens Monachorum suorum & servorum afflictioni & angustia, quod acceperat per internuncios, quod nisi quantocius obsessis subveniret, ipsam Ecclesiam gratis desererent, ut qui jam quatuor diebus transactis nichil cibi aut potus habuissent, omnibus victualibus eorum consumptis, præter alia incommoda quæ sustinebant. Unde deliberato cum fratribus & aliis amicis consilio, in Crastino Assumptionis ad Ecclesiam de Faversham Abbas iter suum direxit, magna stipatus familia & manu valida; Cujus adventum præsentientes Ministri Regis, immò Sathanæ satellites, (O the modesty of these Monks thus to stile the Kings Officers!) qui ipsam Ecclesiam obsederant, fuga dilapsi sunt. Abbas vero ipsam Ecclesiam intrans, eam ferè per mensem pacificè tenuit, donec Vicomes Kancia per ministros suos & complices ipsum Abbatem de præfatæ Ecclesiæ possessione violenter eiecit; nam octavo Kal. Octobris, Ministri Vicecomitis Kancia cum quibusdam militibus, ac etiam populi multitudine non modica accesserunt in manu armata, quorum adventum Abbas Rogerus præsentiens, seipsum cum quinque Monachis & paucis quibusdam familiaribus in ipsa Ecclesia obsideratis, ut qualitercunque januis interclusis ad cautelam continuit, malens injuriam sustinere, quàm aliis inferre: Sed Sathanæ satellites nec honori Dei aut Ecclesiæ differentes, in ipsam Ecclesiam sicut Leones in prædam irruerunt, hostia cum Machinis oppositis effugerunt, Abbatem violenter ejecerunt, Monachos vero alios per machina, alios per pedes calcatis in terra capitibus extraxerunt, pavimento Ecclesiæ sanguine Monachorum undique rubricato. Abbas vero ejectus incontinenti ad audientiam summi Pontificis appellavit, ne Ecclesia illa reconciliaretur, nec divina in illa celebrarentur donec super hoc Dominus Papa consuleretur. Nihilominus tamen G. Decanus per laicam manum introductus est in ipsam Ecclesiam, quasi loco Archiepiscopi, & custodiam ipsius Ecclesiæ per aliquantum temporis habuit. Dum hæc itaque gererentur missi sunt ad Archiepiscopum ex parte Abbatis, Brandanus Monachus & Magister Stephanus Clericus. Qui invenientes eum apud Hffington juxta Stanford, exposuerunt ei qualiter Officialis Archidiaconi post appellationes Abbatis, tot & totiens interpositas non solum Monachos in Ecclesia de Faversham consistentes, set etiam omnes Rectores Ecclesiarum de Patronatu Sancti Augustini eorumque familiares & Parochianos omnes qui terras aliquas de Abbate tenuerunt, generaliter excommunicaverit, et per totam Diocesim excommunicatos denunciari mandavit; Ecclesias etiam ipsorum omnes suspendit, Sacramentalia in eis interdixit, præter baptismum parvulorum et penitentias morientium. Prædicti siquidem nuncii Abbatis rogaverunt Archiepiscopum, ut prædictas sententias tam erroneas per Officialem Archidiaconi latas, ipse revocaret. Quibus respondit Archiepiscopus, se ratum et gratum habere quicquid Officialis Archidiaconi fecerit, et se manum aggravare, nisi citius custodiam Ecclesiæ de Faversham gratis traderent, ignorans penitus adhuc de ejectione Abbatis. Et ecce ipsis adhuc loquentibus accesserunt duo Monachi Sancti Augustini eidem Archiepiscopo graviter conquirentes, quod Abbas Sancti Augustini & Monachi sui de Ecclesia de Faversham violenter per manum laicam fuissent ejecti, factum & injuriam ex ordine sibi exponentes. Quo audito, Archiepiscopus ultra quam credi potest animo consternatus, ti-

\*A Military  
Abbat.

\* Such was  
his piety, God  
must not be  
there served till  
he was righted.

mens quod factum ejus nomine fuisset, licet ipso ignorante, nec ratum habente, quoquomodo per lapsum temporis in caput suum redundaret, statim tulit sententiam excommunicationis in genere, in omnes illos qui dictam violentiam Abbati & Monachis intulerant, dicens quod tam horribile factum, aut tam enorme non fuit perpetratum in *Anglia* post interfectionem Sancti *Thoma*, Martyris. Quam sententiam excommunicationis tam in generali Synodo, quam alibi Archiepiscopus multotiens innovavit, & per totam suam Provinciam literis suis demandari præcepit. Sententiam etiam suspensionis & interdicti quam Officialis Archidiaconi in Ecclesias & Parochianos de Patronatu Sancti *Augustini* tulerat, ipse revocavit, quæ sententia per septem Ebdomodas duraverat. Acta fuerunt hæc die Veneris proximo post festum Sancti *Michaelis* anno supradicto.

Eodem anno in *Craſtino* Apostolorum *Simonis & Jude H.* Archidiaconus E. Officialis ejusdem, & G. Decanus, cum aliis quibusdam Capellanis vicinarum Ecclesiarum venerunt ad Ecclesiam de *Faverſham*, ut altaria in ipsa diruerent in detestationem & opprobrium Monachorum Sancti *Augustini*. Quod præſentens Prior S. *Augustini* eis occurrit, & innovans appellationem ab initio factam, requisivit qua autoritate & qua de causa hæc attemptarent? Cui E. Officialis pro Archidiacono respondit, quod per præceptum Archiepiscopi, eo quod Monachi excommunicati in ipsis celebraverant super quo prædictus Prior specialiter appellavit coram multitudine Parochianorum qui condolentes confluerant, Archidiaconus tamen sprete appellatione altaria diruit, Ecclesiam reconciliavit, ipsas etiam pallas altarium & corporalia fecit comburi, & calices conflagrari. Abbas igitur *Rogerus* & Conventus Sancti *Augustini* talibus & tantis undique impetiti injuriis, & vexati opprobriis, in sola Dei misericordia et *Curie Romanæ* subsidio spem ponentes, mittunt *Priorem suum* *Rome* ad *Papam Innocentium* 3. qui ei injurias & gravamina monasterio Sancti *Augustini* illata deberet exponere, & super tantis excessibus remedium in forma juris expetere. Quibus tam in privato quam in publico Consistorio expositis, Papa sic fertur respondisse. Nos qui providente Dei misericordia ad Universalis Ecclesiæ regimen sumus vocati Ecclesiæ beati *Augustini*, *Romana* Ecclesiæ propriæ et specialis præ cæteris filiæ, in iuribus suis et privilegiis nulla ratione poterimus, nec volumus deesse, sed eam, Domino jubante, contra potentes potenter defendemus quatenus ordo juris exposcit, et suadet ratio æquitatis. Unde scripsit quibusdam conjudicibus delegatoriis, in hæc verba.

*Innocentius* Episcopus servus servorum Dei, venerabili fratri *Eliensi* Episcopo, & dilectis filiis Abbati & Priori Sancti *Edmundi*, *Norwycensis* Diocesis salutem, & Apostolicam benedictionem. Significaverunt nobis dilecti filii Abbas & Conventus Sancti *Augustini Cant.* quod cum Ecclesia de *Faverſham* cujus fuerant possessionem adepti, ad se pertinere contenderent pleno jure, licet & Charissimus in Christo filius noster *Johannes* Rex *Angliæ* illustris & venerabilis frater noster *Cant.* Archiepiscopus, jus sibi in ea vellent vendicare, laici quidam propriis nominibus nobis designandi *Cant.* Diocesis, in Abbatem & Monachos infra ipsam Ecclesiam usque ad effusionem sanguinis manibus violentis injectis, ipsos de eadem Ecclesia per violentiam temere ejecerunt. Volentes igitur eisdem Abbati & Monachis paterna sollicitudine providere, discretionis vestræ per Apostolica scripta mandamus atque præcipimus, quatenus si res ita se habet, laicos ipsos & eorum complices tamdiu appellatione remota excommunicatos publice nunciatis, & mandetis ab omnibus acriter evitari, donec passis injuriam satisfaciant competenter, & cum vestrarum testimonio literarum nostro se conspectui repræsentent. Autoritate quoque nostra sub interminatione anathematis districtè prohibemus ne quis in Civitatibus, oppidis, villis aut aliis locis ad quæ ipsos contigerit devenire, ipsis præsentibus præter baptismum parvulorum & penitentias morientium \* divina celebrare præsumat, aut cum eis sub specie cujuscunque contractus aliquid permutare. Volumus etiam & mandamus, ut amoto quolibet illicito detentore, non obstante cujuscunque præcepto, sublato appellationis obstaculo, in eum statum reductis & conservetis Abbatem & Monachos antedictos, in quo fuerant ante violentiam attemptatam. Testes autem qui nominati fuerint, &c. quod si non omnes, &c. tu frater Episcopo, &c.

Com.

\* All divine service must be publicly prohibited, peoples souls starved, and Trading obstructed to satisfy the malice, pride, humors of Popes and Monks.



Commisit etiam Dominus Papa eidem iudicibus causam spoliationis domorum personatus, et violentiæ factæ *Osterto Monacho* in ipsa spoliatione. Et quia istius Commissionis licet verba discrepent, vis tamen & effectus est idem cum priore, nisi quod in ista commissione nominantur *Henricus Doget*, & complices sui qui superius nominantur in ipsa ejectione ipsius *Osterti*, ideo causa brevitatis formam istius secundæ commissionis non scribo. Set istæ literæ Domini Papæ quæ sperabantur esse consolationis et auxilii, nisi Deus prosperisset, fuissent causa maioris afflictionis et periculi. Nam cum istæ literæ fuissent iudicibus oblatae, et ipsi in causa Monachorum secundum formam eis a Domino Papa traditam judicialiter incepissent procedere, milites et alii majores qui Abbatem de possessione ejecerant, ad *Galfridum* filium *Petri Com. Essex.* et tunc Capitalem Justiciarium *Anglia* confugerunt, consilium et auxilium ejus contra Abbatem *Sancti Augustini* postulantes. Qui Comes assumptis secum eorum majoribus, ad Regem tunc in *Normannia* existentem transfretabit, exponens Regi, quomodo Abbas *Sancti Augustini* literas Apostolicas impetrasset, ad Dominum *Elyensem* et socios super spoliatione ipsius Ecclesiæ de *Faversham*, et quomodo iudices in causa ipsa processerunt, Adjecit etiam prædictus Comes, quod nisi processus iste per iudicium citius revocetur, erit in confusionem omnium, qui in ejectione ipsius Abbatis fuerant, et etiam in \* opprobrium Regiæ Dignitatis, cum hæc de mandato ejus processissent. Quo audito, Rex iracundia fremens, literas comminatorias simul et prohibitorias Abbati et Conventui dixerit, in hæc verba.

Nota.

*Johannes* Dei Gratia, &c. Abbati & Conventui *Sancti Augustini Cant.* salutem, quam meruerunt. Scimus vos non ignorare, qualiter decedente Rectore aliqujus Ecclesiæ, si de ea inter aliquos de præsentando oriatur contentio, ea secundum Regni nostri consuetudinem in manu Diocesani loci salvo debet consistere, quousque in Curia nostra discussum fuerit, ad quem ejusdem præsentatio debeat pertinere, & si qua partium in eam sese interim duxerit intrudere, ea manu Regia si opus fuerit amovere debet. Cum itaque decedente Rectore Ecclesiæ de *Faversham* innotuisset nobis, eam ratione ultimæ præsentationis, ad nos tanquam ad patronum pertinere, & nos ad eandem cuidam Clericorum nostrorum duximus conferre, vos autoritate propria, in nostri et juris nostri contemptum eam occupare, et contra nos et Regni nostri consuetudinem violenter detinere præsumpsistis, qua de causa vos ab ea de consilio magnatum et fidelium nostrorum secundum regni nostri consuetudinem fecimus amoveri. Nolentes in persona nostra prætermittere quod universis de jure et Regni nostri consuetudine tenemur inpendere. Veniente verò nuper in *Normanniam* dilecto & fideli nostro *G. filio P. Com. Essexia*, & Justic. nostro, tam per fidelem ejusdem quam aliorum qui cum eo venerant in sinuacione accepimus, quod vos qui fideles nostri esse deberetis, literas Apostolicas, quod sine admiratione, et mentis turbatione non dicimus, contra nos et coronæ regiæ dignitatem, quam in diebus nostris pro posse depprimere contenditis, ad dilectos dominum scilicet *Elyensem* et conjudices suos impetrare curastis, in quibus inter cætera continetur, quod laicos quosdam qui ex præcepto nostro vos dictam Ecclesiam contra nos et dignitatem nostram violenter detinentes, ab ea secundum Regni nostri consuetudinem amoverunt, et eorum complices, (quod nos tangere liquido perpendistis) excommunicatos ubique denunciarunt, reducentes vos ad statum et in eo conserbant quam antequam amoti essetis habuistis. Et quia in hujus impetratione contra nos et Coronam nostram (quod per Dei gratiam cum se locus optulerit nullatenus

re.

relinquimus inultum) manifeste venisse præsumpsis, nec credimus Dominum Papam si sibi de jure et indeterata Regni nostri consuetudine plenius innotuisset pro vobis scripsisse sub hac forma. Unde in fide quam nobis et Coronæ nostræ servare tenemini, mandamus atque præcipimus, quatinus ab hujusmodi prosecutione mandati Apostolici quod contra nos et Regni nostri consuetudinem fraudulenter et infideliter elicere procurastis, sicut ea quæ de nobis tenetis diligitis. Ita vos in hoc et in aliis exhibentes, ne indebitionis vestræ excessus majoris quam deceret sit occasio tumultus, et Regiæ indignationis severitatem ultraquam expediret in se mereatur provocare. Teste meipso apud Rothomagum 30. die Martii.

The King likewise issued this Writ of Inhibition to the Popes Judges Delegates. *Scriptis etiam Rex Domino Eliensi & conjudicibus suis sub hac forma.*

Inhibitio facta  
Judicibus per  
Regem.

**I**ohannis Dei gratiâ, Rex Angliæ, &c. Venerabili in Christo Patri, E. eadem Gratia Eliensi Episcopo, & dilectis sibi Abbati & Priori de Sancto Edmundo salutem. Inter ceteras Regni nostri consuetudines (as before) & infra, ubi enarrat de consuetudine quando est lis inter aliquos de advocacione alicujus Ecclesiæ, ut in Priori rescripto. Narrat etiam qualiter Monachos per manum Laicam fecerat amoveri, & post veniente nuper ad nos in Normanniam dilecto & fidei nostro G. filio Petri Com. Essexiæ, & Justiciario nostro, tam per ejusdem quam aliorum qui cum eo venerant fidelium nostrorum insinuationem accepimus, Monachos Sancti Augustini, quod sine admiratione non dicimus, literas Apostolicas vobis porrexisse, in quibus inter cetera continetur, quod laicos quosdam qui et præcepto nostro sub forma præparata Abbatem et Monachos, suos, qui Ecclesiam de Faversham contra nos et Regni consuetudinem violenter detinentes auctoritate nostra amoverant et eorum complices excommunicatos ubique denunciaretis, dictos Abbatem et Monachos ad eum statum reducentes et in eo conservantes, quo fuerunt antequam ab ipsa Ecclesia fuerant amoti. Et quia eos in hujusmodi impetratione contra nos et Coronæ nostræ dignitatem, (quod sub dissimulatione nullatenus poterimus præterire) manifestius constat venisse, nec credimus Dominum Papam si sibi de jure et veterata Regni nostri consuetudine plenius innotesceret discretioni vestræ scripsisse sub hac forma, vobis qui Regni et Coronæ nostræ jura et dignitates nobiscum manu tenere debetis et tueri, in fide qua nobis tenemini mandamus, quatenus in hujus mandati cognitione, sicuti ea quæ de nobis tenetis diligitis, desistatis omnino. Dat. Rothomagi 30. die Martii.

Taliter igitur inhibitionibus Regiis Monachi Sancti Augustini terrebantur, nec mirum, sed à proposito minime flectebantur. Confidentes enim de causæ justitiâ, apud Judices suos acriter instabant, ut ipsi in mandato Apostolico secundum formam eis traditam absque personarum acceptione procederent. Judices igitur non volentes nec valentes Monachis in sua deesse justitiâ, ne forte inobedientes Apostolicis arguerentur mandatis, literas excusatorias Domino Regi scripserunt sub hac forma.

Excusationes  
judicium ad  
Regem.

Domino suo dilectissimo Johanni Dei gratia illustri Regi Angliæ, &c. E. divina permissione Eliensis Ecclesiæ Minister humilis, & S. eadem gratia Abbas, & H. Prior Sancti Edmundi salutem, & debitum ac fidele obsequium. Literas Serenitatis vestræ nuper recepimus, quarum serie inter cetera continebatur, à temporibus antecessorum vestrorum hanc invaluisse consuetudinem in Regno vestro, ut si pen-  
dente

dente lite de presentando ad Ecclesiam vacantem aliqui in eam sese intrudere presumperint, ipsi autoritate Regia debeant amoveri: super quo satis admirantes, cum hoc nec consuetudinis esse nec aliquando factum fuisse audierimus, hæc Regiæ mansuetudinis auribus suggesta sicut deberemus non possumus non dolere. Est autem moris in Regno vestro ut intrasi in Ecclesiis postquam solempniter ab Episcopo loci fuerint excommunicati & publice denunciati, si obstinati in contumacia exire noluerint, ad postulationem Episcopi loci, potestas secularis autoritate Ecclesiæ debeat excludere taliter resistentes. Adjectum est etiam in eisdem literis vestris, quod Abbatem & Monachos Sancti *Augustini* juxta præfatam consuetudinem de Ecclesia de *Faversham*, per Ballivos vestros feceritis amoveri. Quæ confessio sicut nobis visum est circumspectius et Regiæ honestati congruentius tacita fuisset, quam scripto vel verbo publicata, quia sicut dicitur non sine violenta manuum injectione et enormi factum illud perpetratum fuit. In fine vero literarum, in fide qua vobis tenemur districtius nobis inhibere curastis, ne eos qui prænominos Abbatem et Monachos de Ecclesia prædicta de *Faversham* per violentiam ejicere præsumperant, juxta tenorem mandati Apostolici (quod super hoc valide districtum accepimus) excommunicatos denunciaremus. Sane certissimum teneat dominatio vestra, nos prompta voluntate et firmo proposito jura et dignitates Regias paratos esse in omnibus conservare, et mandatis vestris tanquam Carissimi Domini obtemperare, \* quatenus ordo noster et obedientia qua in omni plenitudine tenemur Domino Papæ permiserit; scitum est autem et vestra discretio non ignorat, \* quod nulli quicquam debere possumus nisi salva obedientia qua Ecclesiæ *Romane* tenemur affecti. Et ideo non indignanter ferat Regia celsitudo, si in tam districto mandato ejus cui nullo jure resistere possumus, procedamus; præsertim cum illud sicut nobis visum est Regiæ dignitati non obviet, sed congruat honestati. Valete.

Nota.

Nota.

The Pope must be obeyed before the King.

Rex autem ut vidit, quod propter Inhibitiones suas nec Monachi a prosecutione sua causa, nec Judices prædicti delegati ab Apostolici mandati executione cessarent, æmulozum beati *Augustini* instigatione totus in furiam verius, manum suam extendens ad malum, iussit, omnes possessiones ipsius Abbatie quæ de ipso Rege tenentur in capite, confiscarentur. Ministri autem Regis quibus hoc opus demandatum fuerat, sicut *Leones* rugientes ut raperent, non solum possessiones temporales in manus Regis seiserunt, verum etiam omnia bona mobilia et immobilia tam in Ecclesiis quam extra, ubicunque essent inventa occuparunt, asportarunt et distraxerunt, et quod inauditum est, bona quorundam hominum confiscarunt, eo quod ipsi amici Sancti *Augustini* bona ipsius rapere noluerunt. Verè dolor iste Monachorum Sancti *Augustini* & angustia super omnem dolorem, & omne cor eorum mærens. Contigit autem ut in hac tempestate Dominus *Johannes* Legatus *Scotia* Presbyter Cardinalis tituli Sancti *Stephani* in monte *Cælio*, cum à legatione sua rediret per *Cantuariam* transitum faciens, ad Ecclesiam beati *Augustini* orandi gratia divertit, & inveniens totam Curiam Sancti *Augustini* Ministris Regis occupatam, super afflictione Monachorum condoluit. Convocansque Conventum consolabatur eos, exhortans et confortans, ne in tanta tribulatione deficerent, sed de Dei adiutorio propter suæ causæ iustitiam firmiter sperarent. Cui Conventus respondit, se post Dei misericordiam, de sola Domini Papæ paternitate, et *Romana* Curie protectione consolationem et remedium expectare.

Istis



\* A bold act having no Legatine power in England.

Itis sic actis, prædictus Legatus ad tumbam Sancti *Augustini*, in honore ipsius Sancti Missam solempniter celebravit, tota Civitate in ipsa Missa turmatim concurrente. In qua Missa idem Legatus Ministros Regios qui ipsam Abbatiam sic occupaverant, \* omni timore postposito, solempniter excommunicavit, et excommunicatos denunciavit. Interim scripsit idem Legatus pro Monachis S. *Augustini* Domino Papæ, exponens ei per ordinem angustiam, et Archiepisc. *Cant.* et Archid. sui cæterorumq; æmulozū callidam machinationem. Unde in fine Literarum suarum sic scriptum est, attendat itaque sancta paternitas vestra, quod nisi maturius, et plenius eidem Ecclesiæ provideritis, et tantæ in-pugnantium malignitati in manu potenti occurrere velitis, funditus evertetur, et jam ruit irrecoverabiliter. Si igitur hoc per manifestum defectum *Romane* Ecclesiæ in fundamento fidei et Religionis in *Anglicana* Ecclesiâ invaluerit, adnichilabitur auctoritas Apostolica, non solum in *Anglicano* Regno set quocumque hujusmodi pestifer sumus se diffuderit. Abbas igitur et Conventus tam de Consilio ipsius Legati quam aliozū amicorū, iterato mittunt Priorem suum ad Curiam *Romanam* cum literis prædicti Legati, satis querulosis gemitibus Domini Papæ implozantes auxilium, ut ipse suæ Capellæ et speciali filiz in tantis tribulationibus celerius succurrat, et ne irreversibiliter ruat, jamque ruenti manum suam extendat. Dominus verò Papa tam ex literis Legati quam ex relatione ipsius Prioris negotio plenius intellecto, Regis sævitiam cupiens delinire, literas deprecatorias pro Domino Sancti *Augustini* scripsit Regi in hæc verba.

*Innocentius* Episcopus, &c. Non decet Regiæ serenitatis benignitatem ad suggestionem cujusquam in læsionem alterius declinare, nec ob gratiam alicujus aliorum lædere rationem. Sane significarunt nobis dilecti filii Abbas & Conventus Sancti *Augustini Cant.* quod cum possessionem Ecclesiarum de *Faversham*, & de *Middleton*, quæ ipsis fuerant in usus proprios per sedem Apostolicam confirmata, fuissent ingressi, quidam qui eos indebito insequuntur, usque adeo benevolentiam Regiam commoverunt contra eos, ut bona eorū mandaret, et faceret confiscari. Cum igitur Regiam serenitatem non deceat non solum in Monachos et Clericos etiam seu quolibet regulares jurisdictionem indebitam exercere, cum servus Domino suo stet aut cadat, rogamus munificentiam tuam et exhortamur in Domino; quatenus ob reverentiam beati *Augustini* qui Monasterium suum sepulturæ Regum *Angliæ* dicitur deputasse, ablata eis restitui facias universa, nec impedias nec impediri permittas quominus suam justitiam prosequantur, Laicis etiam si quibus bona sua forsan ablata sunt & confiscata fuerint quia in Abbatem & Monachos manus noluerunt mittere violentas, restitui faciat Regia celsitudo.

Et ut prædictum mandatum Apostolicum meliorem sortiretur effectum, Dominus Papa scripsit, E. *Elyensi* & M. *Wygornensi* Episcopis & Abbati Sancti *Edwardi*, ut ipsi Regem adirent et efficaciter inducerent ad omnia et singula prout Dominus Papa ei scripserat exsequenda. Quod & ipsi tam literis suis quam vivæ vocis oraculo satis efficaciter expleverunt. Et quia suggestum fuerat Domino Papæ per Abbatem & Conventum, quod Dominus Rex ad instigationem, et per procurationem Domini *Cantuariensis* Archiepiscopi et *Simonis Wellensis* Archidiaconi, et prædicti Domini *Cantuariensis* Vicecancellarii præcipue hæc mala supradicta eis intulerat, Dominus Papa scripsit Dominis *Elyensi* et *Wygornensi* Episcopis supradictis, ut ipsi super hoc tam per testes idoneos quam per famam vicinæ diligentius inquirerent, sublato quolibet appellationis obstaculo, et quicquid invenirent Domino Papæ sub sigillis suis referrent. Quod Mandatum tam Archiepiscopum quam prædictum S. Vicecancellarium balde

balde terruit, unde ab illo die a persecutione Monasterii Sancti *Augustini* maturius se temperaverunt, et pacem inter Regem et Monasterium prædictum prout poterant reformari procurarunt, sicque Regis furore aliquantulum delinco, Regii ministri qui ipsam Abbatiam Sancti *Augustini* occupaverunt per ipsum Regem amoven-  
tur; sed possessiones minime restituuntur; unde de consilio amicorum mittuntur duo Nuncii, scilicet *Brandann* Monachus et *Gagister Gervasius* Clericus ex parte Abbatis et Conventus ad Dominum Regem, ut si forte prece vel præcio possessiones Monasterii de manu Regis velut clavam de manu *Herculis* extorqueant. Accedunt igitur humiles ad indignantem, supplices ad furem, et sermonibus Rethoricis, prout ambo erant eloquentissimi, Regiam deprecantur Majestatem, suppliciter exposcunt misericordiam, ut ablata restituat, et more antecessorum suorum libertates et jura Ecclesiastica, et maxime Ecclesias de *Faversham* de sua gratia eis confirmare dignaretur. Et ut facilius petita inpetrarent, Domino Regi ducentas marcas et unum palefridum Regiæ sellæ satis elegantem ex parte Abbatis et Conventus offerunt. Rex tamen licet more principum pecuniæ satis avidus, neque pecuniam, neque palefridum pro tunc acceptare velle respondit, quovisque super hiis Dominum *Cantuariensem* consuluerit, eo quod ad ejus instantiam bona Monasterii Sancti *Augustini* confiscari mandaverit. Dimissi igitur Nuncii nostri sub spe bona ad propria redeunt, tempore opportuno ad ipsum Regem rever-  
suri, igitur super hiis Dominus Rex consuluit Archiepiscopum per literas suas, quarum tenor iste est.

*Johannes* Dei gratia, &c. *H.* Archiepiscopo salutem. Accesserunt ad nos Nuncii Abbatis & Conventus S. *Augustini* instantes petentes & humiliter postulantes, quod Chartas antecessorum nostrorum confirmaremus. Et quia in multis nos offenderunt, propter gratiam nostram et possessionum suarum quæ in manu nostra sunt restitutionem obtinendam, nobis ducentas marcas et unum palefridum obtulerunt. Nos vero licet super eorum petitionem & oblationem plurimum movebamur, nolimus tamen in hiis eos plenè exaudire quovisque super hiis vestrum haberemus consilium, unde vobis mandamus quod super hiis nobis consilium vestrum significetis. Responsio Archiepiscopi in hæc verba.

Reverendo Domino suo *I.* Dei gratia, Illustri Regi *Angliæ*, *Hubertus* eadem gratia *Cantuariensis* Archiepiscopus salutem, & debitam in Domino Reverentiam. Placuit Excellentie vestræ a nobis consilium petere super confirmandis Cartis antecessorum vestrorum quas Monachi Sancti *Augustini* Caest. habent super Ecclesia de *Faversham*, & super restituendis eis possessionibus suis quæ sunt in manu vestra. Licet autem ipsi Monachi & vos & nos Domine multum offenderint, & ita tam a vobis quam a nobis magis promeruerint malum quam bonum, nolumus tamen eis malum pro malo reddere, nec fidem, quam vobis debemus malè vobis consulendo pro eis ledere. Immo ita vobis volumus consulere sicut fidem nostram erga vos & conscientiam erga Deum cupimus salvare. De Cartis igitur antecessorum vestrorum confirmandis vobis respondemus; quod cum constet quod idem Monachi habeant cartam bonæ memoriæ Regis *Willielmi*, qui prædictam Ecclesiam de *Faversham* eis concedit quantum ad Patronum pertinet, neque non confirmationem Regis *Henrici* filii sui, & confirmationem Regis *Henrici* Patris vestri, confirmationem quoque *Richardi* Regis fratris vestri super eadem Ecclesia, videtur nobis, quod vos quoque justè possitis & debeatis hoc ipsum quod prædecessores vestri memoratis Monachis de eadem Ecclesia concesserunt & confirmaverunt, quantum ad Patronum pertinet eis confirmare. De restituendis vero eorum Maneriis quæ sunt in manu vestra, vobis dicimus, quod cum nullo modo fuerit laudabilis vel laudanda talis eorum maneriorum destitutio, bona & laudabilis erit celeris eorum restitutio. Sed de recipienda oblata vobis pro eorundem restitutione, et pro gratia vestra pecuniæ, nil vobis consulere, volumus cum

potius absque pecunia sit facienda restitutio ut nobis videatur quam pro illa, quia taliter ablata potius cum satisfactione, quam pro precio restituenda. Vos autem inde faciatis quod vobis bonum videbitur; scimus quidem quod vos ex destitutione illa parum commodi habueritis tum prædicti Monachi habuerunt plurimum dampni, et aliqui fortasse Ministri vestri non modicum lucri, de vobis enim in hac parte dici potest, quod vos dumos excusseritis, et alii ab eis collegerunt. *Calete.*

Rex igitur hec Archiepiscopi accepto consilio, nuncios Sancti *Augustini* prædictos revocat, pecuniam per eos sibi prius oblatam respuit, set palefridum victus nunciorum precibus acceptat, omnibus possessionibus suis Monasterio restituit, & in recompensationem dampnorum qualemcumque quæ huic Monasterio intulerat, Cartas prædecessorum suorum super Ecclesiis de *Faversham*, & de *Middleton*, & super iuribus & libertatibus Monasterii, ut paulisper poterit elucere, gratanter confirmat, sicque factus est illius Monasterii patronus & protector, qui prius fuerat immisissimus persecutor, by the Archbishops perswasion and Treachery, to gain the presentation thereunto. For,

\*Chronicon.  
W. Thorn. c. 18  
conflictus pro  
Ecclesia de Fa-  
versham cum  
Archiepiscopo  
& Archidiacono.

Anno Domini 1022. conflictu cum *Johanne* Rege super Ecclesia de *Faversham* sic expedito, ad conflictum qui cum Archiepiscopo *Cantuariensi* & Archidiacono ejusdem habebatur super eadem Ecclesia revertatur. Igitur Monachis Sancti *Augustini* ut superius dictum est, à domibus personatus prædictæ Ecclesiæ post interpositionem appellationem ejectis violenter, & à possessione sua pacifica spoliatis, Archidiaconus *Cantuariensis* ad cuius instantiam ejecti fuerant, possessionem prædictarum domorum ingressus violenter tenuit, unde Monachi Sancti *Augustini* appellationes suas coram Domino Papa *Innocentio* cum effectu sunt prosecuti. Partibus itaque Monachorum et Archidiaconi coram Domino Papa constitutis; Monachi proposuerunt se a possessione sua pacifica in Ecclesiæ domibus de *Faversham* post appellationem legitime interpositam violenter et contra juris ordinem per Archidiaconum spoliatos, quare petebant se restitui. Procurator Archidiaconi ex adverso respondit, custodias Ecclesiarum vacantium in Archidiaconatu *Cantuariensi* tam de Consuetudine quam de jure Communi ad ipsum Archidiaconum pertinere. Hiis & multis aliis in præsentia Domini Papæ judicialiter propositis, sicut ex illa decretali apparet, extra de appellationibus bonæ memoriæ *O. de Camera* quæ super istum casum est fundata, Papa mandavit *Londonensi* & *Roffensi* Episcopis, & Priori Sancti *Albani*, ut ipsi Abbatem Sancti *Augustini Cant.* & Monachos in eundem statum restituerent, in quo fuerunt tempore appellationis emissæ. Cujus mandati autoritate, prædicti Executores vocatis ad præsentiam partibus, possessionem prædictæ Ecclesiæ de *Faversham*, Abbati Sancti *Augustini* adjudicaverunt cum omnibus fructibus medio tempore perceptis. Unde Archidiaconus *Cantuariensis*, *Henricus* nomine de *Stanford* coram prædictis executoribus cessit a possessione Ecclesiæ antedictæ, ratione sententiæ contra ipsum prolata. Remisit etiam Abbati Sancti *Augustini* omnes actiones quas habebat erga ipsum ratione custodiæ Ecclesiæ de *Middleton*, & resignavit, literis super hiis impetratis in manus executorum prædictorum. Et Abbas Sancti *Augustini* remisit prædicto Archidiacono *Cantuariensi* omnes fructus & obventiones quos medio tempore perceperat de Ecclesia de *Faversham*, exceptis fructibus tunc in grangiis existentibus, sicut quædam litera tam executorum prædictorum quam Archidiaconi sigillis munita plenius testatur.

Causam istam Ecclesiæ de *Faversham* quantum ad violentiam per Archiepiscopum & Laicos Abbati & Monachis Sancti *Augustini* illatam ab initio commiserat *Londonensi* & *Elyensi* Episcopis & Abbati & Priori Sancti *Edmundi*, set ipsis mandatum Apostolicum minus frigide exequentibus propter partis aduersæ tribulas exceptiones et dilationes frustrarias, unde Dominus Papa iterato mandat eisdem Iudicibus sub hiis verbis.

*Innocentius* Episcopus, &c. Venerabilibus fratribus, &c. Grave gerimus & molestim, & de discretionem vestram compellimur non mirari solummodo set moveri, quod cum jam sit annus elapsus ex quo super negotio Ecclesiæ de *Faversham* mandatum



datum recepistis Apostolicum exequendum, in tantum appellationibus frustrariis & frivolis exceptionibus detulistis, ut nondum sub examine vestro potuerit habere processum. Unde dilecti filii Abbas & fratres Sancti *Augustini Cant.* præter grandes injurias & jacturas, graves nihilominus labores & sumptus sunt subire coacti. Volentes igitur eisdem fratribus, qui post Deum alium præter nos defensozem non habent, in tantæ necessitatis Articulo subvenire, devotioni vestræ per Apostolica scripta mandamus et districte præcipimus, quatinus omni gratia & timore postpositis, sublato cujlibet contradictionis & appellationis obstaculo, cogitis partem adversam per distractionem Ecclesiasticam, litem protinus contestari, & testes quos utralibet pars tam super principali quam quolibet incidenti duxerit producendos, infra duos menses post litis contestationem recipere ac examinare curetis, ita quod si nequiveritis personaliter interesse, per viros discretos id nihilominus exequamini, à quibus non liceat aliquatenus appellare, cum hoc mandatum celerem velimus sortiri effectum, ne præfatum Monasterium cogatur diutius laborare. Attestationibus vero receptis, præfigatis partibus terminum competentem, quo cum ipsis, recepturi sententiam nostro se conspectui repræsentent. Ad quem si qua partium venire noluerit, nos nihilominus procedemus; si vero pars adversa litem noluerit infra triduum contestari, vos procuratozem Monasterii omni appellatione et contrarietate remota, in possessionem rei de qua agitur inducat, et defendatis inductum. Insuper si voluerit infra annum non vobis set nobis legitimam offerat cautionem. Testes vero qui nominati fuerint, &c.

Hujus igitur mandati nobilitate excitati suprascripti Iudices delegati, vocatis ad suam præsentiam partibus, in ipsa causa processerunt in forma qua sequitur. Quem quidem processum quia ipsum inter quædam acta & attestaciones prædictam causam contingentia scriptum reperi, annotare dignum duxi, nihil augendo, vel diminuendo in hæc verba.

Cum coram Dominis *Londinensi* & *Eliensi*, & Abbati Sancti *Edmundi*, iudicibus à sede Apostolica delegatis, lis inter Archiepiscopum & Abbatem Sancti *Augustini* & Monachos initium capere debuisset, contigit Archiepiscopum & Dominos *Elyensem* & *Londinensem* ex causis necessariis transire, sicque propter eorum absentiam causa usque ad eorum reditum cepit dilationem. Quibus reversis, Archiepiscopus citatus edicto peremptorio statim se per procuratorem defendit, nec subterfugium aliquod querens, nec etiam exceptionem aliquam proponens, dicebat se paratam litem contestari, & intentionibus Abbatis & Conventus respondere, si vicissim Abbas & Conventus Archiepiscopo eos reconvenire volenti responderent. Cumque & Iudicibus & partibus placeret reconventionem esse admittendam, procurator Abbatis & Monachorum Sancti *Augustini*, intentionem suam proposuit in hunc modum.

Archiepiscopus post appellationem Abbatis Sancti *Augustini* pro se & pro Monachis suis, pro Ecclesiis etiam Abbatis suæ cum Parochianis earum, & precipue pro Ecclesia de *Faversham* cum Parochianis suis ad Dominum Papam legitime interpositam, post eandem etiam appellationem sollempniter innovatam, & contra libertatem Monasterii Sancti *Augustini*, per Magistrum *Everardum* quondam Officialem Archidiaconi & per Decanos quosdam & Capellanos, quosdam Monachos Sancti *Augustini* excommunicavit.

Item, Ecclesias quæ pertinent ad donationem Abbatis Sancti *Augustini*, post eandem appellationem, et post appellationem Rectorum earum, et contra tenorem libertatis Monasterii Sancti *Augustini*, generali supplicavit interdicto. Parochianos etiam earum a divini Officii et Sacramentorum perceptione suspendit, mortuorum etiam sepulturam interdixit. Item cum Archiepiscopus transitum faceret per *Faversham* Parochianis sibi occurrentibus, benedictionem suam denegavit, denunciatis eos excommunicatos, eo quod Monachis Sancti *Augustini* communicaverant, hoc etiam post dictam appellationem Abbatis sacrum est.

Item, quod Archiepiscopus impedit jus Abbatis & Conventus in Ecclesiis suis vacantibus, differendo institutiones Clericorum, utpote Magistri *I.* qui presentatus est ad Ecclesiam de *Stone*, & *R.* Clerici presentati ad Ecclesiam de *Langdon*.

Propositum est etiam a procuratoribus supradictis, quod cum ipse Archiepiscopus post appellationem ad Dominum Papam pro eis interpositam coram eodem super Ecclesia de *Stone* vacante, ne quidin prajudicium eorum fieret & *I.* Clerici quem ad eandem Ecclesiam presentaverunt, post appellationem etiam procuratoris ipsius Clerici pro eo sic interpositam, eandem Ecclesiam supposuit interdicto, quod interdictum fere per annum duravit et dimidium.

Procurator vero Archiepiscopi reconveniendo Abbatem & Conventum super pluribus Articulis & approbata reconventionem, respondit hoc modo.

Archiepiscopus nescit an Abbas appellaverit, si tamen appellaverit, ejus appellationi in eo casu non fuit differendum, quia manifesta fuit ejus intrusio in Ecclesiam de *Faversham*. Probet igitur Abbas se appellasse, et si forte hoc probaverit, nos probabimus illi appellationi non fuisse differendum.

Item Procurator Archiepiscopi confessus est excommunicasse in genere omnes illos qui se intruserant in Ecclesiam de *Faversham*, et eum Ecclesiam de *Faversham* et *Stone* suspendisse, et quasdam alias Ecclesias Monasterii Sancti *Augustini*, set nescit quas, vel quot: et dixit has sententias excommunicationis et interdicti iuste tulisse ob delictum manifestum, Monachorum scilicet intrusionem. Cum enim monuisset eos, ut asseruit, ut ab intrusione sua desisterent, et illi semper pertinaciter in ea perseverarent, credebatur eos sic saltem a sua intrusionem revocare.

Adjecit etiam idem procurator, sententis illas latas fuisse non in prajudicium aliquus appellationis legitime factae, nec contra libertatem aliquam Monasterii Sancti *Augustini* competentem.

Adjecit etiam, quod Archiepiscopus ingrediens *Faversham*, una benedictione benedixit omnibus habitantibus in ea, set postea cum villa sit magna & populus multus, non potuit singulis sibi occurrentibus singillatim benedicere, nulli tamen benedictionem denegavit qui prius universitati benedixerat, nullum etiam sibi occurrentium nominatim denunciavit excommunicatum. Adjecit etiam, Archiepiscopum iuste differe institutiones duorum Clericorum sibi presentatorum, jure enim suo utitur, & juris executio non habet injuriam; Monachi enim in illas duas Ecclesias se intruserunt, de *Langdon* scilicet & *Stone*, & adhuc eas detinent; unde ad presentationem intrusorum nullum debuit Archiepiscopus admittere in illis, ipsis in intrusione perseverantibus. Recedant ergo Monachi ab intrusione, & Archiepiscopus libenter admittet Clericos ab eis presentatos.

Confessus pro  
Ecclesia de  
*Middleton* per  
Archiepiscopum.

Idem reconvenit Abbatem & Monachos Sancti *Augustini* dicens, quod ipsi mortuo *Francone* persona Ecclesiae de *Middleton*, in Ecclesiam de *Middleton* vacantem quadriennio transacto se intruserunt, & fructus & obventiones ejus ad valentiam 80. Marcarum, minus rationabiliter in usus proprios converterunt, & quod saepius per Archiepiscopum moniti, tamen neque ei Clericum idoneum ad ipsius regimen presentarunt, neque ipsum vel ejus Officiale custodiam ipsius tanquam vacantis habere permiserunt. Petit ergo Archiepiscopus, ut autoritate Dominorum Judicum Monachis ab eadem Ecclesia amotis, ei Custodia dictae Ecclesiae tanquam vacantis tradatur. Secundo, ut Monachi solvant ei & Officialibus suis omnes fructus & obventiones quas perceperunt a tempore quo se intruserunt. Tertio, ut satisfaciunt sibi super injuria ab eis sibi illata super dicta Ecclesia dicto modo. Quarto, ut ipse sinatur Clerico cui voluerit, dummodo idoneo, Ecclesiam illam autoritate *Lancasteriensis* Concilii dare, irrequisito Monachorum consensu, salvo eis postmodum jure patronatus si saluum esse debeat.

Item mortuo *O.* de Camera persona Ecclesiae de *Faversham*, dicti Monachi se in illam Ecclesiam intruserunt, spreta autoritate Archidiaconi, omnes obventiones illius sibi indebitè appropriantes. Et licet saepius moniti, nondum tamen quinquam ad illi-

us regimen Archiepiscopo præsentaverunt, & ibidem missas celebrare indebitè, & alia sacerdotalia ministrare præsumperunt. Petit igitur Archiepiscopus sibi super hiis injuriis satisfieri, obventiones a tempore intrusionis prædictæ perceptas sibi vel Officiali suo restitui, et ut liceat ei Ecclesiam illam Clerico idoneo auctoritate *Lateranensis Concilii* dare.

Adjecit etiam, quod Monachi Sancti *Augustini* in Ecclesiam de *Stone* elapso anno se intruserunt, & obventiones ad valentiam 20 marcarum indebitè usurparunt, jus Archiepiscopi & Archidiaconi sui in ea enervantes. Petit igitur, ut Monachis ab ea amotis sibi super hac injuria satisfiat, et obventiones a tempore vacationis perceptæ ei etiam de hac Ecclesia auctoritate *Lateranensis Concilii* disponere cum præscriptio sex mensium auctoritate *Lateranensis Concilii* currens contra patronum omnino non præsentantem æque curratur sicut contra patronum viciosum præsentantem. Adjecit etiam similem querimoniam super Ecclesia de *Langedon*, in qua Monachi similiter se nuper intruserunt, petens similiter illius custodiam sibi cedi, & super injuria sibi satisfieri.

Adjecit etiam Procurator Archiepiscopi, Archiepiscopum & Archidiaconum suum debere habere custodiam omnium Ecclesiarum vacantium, in quibus Monachi Sancti *Augustini* habet jus Patronatus.

Adjecit quoque Archiepiscopum & Archidiaconum suum esse in possessione hujus juris, unde petit ut hoc jure liberè & sine impedimento uti possit.

Procurator Abbatis & Monachorum Sancti *Augustini* respondit, quod cum Archiepiscopus proponeret Abbatem & Monachos intrusos in Ecclesiam de *Middleton*, eo quod ut assererat Ecclesia illa vacans erat & custodia ejusdem vacaret ad ipsum, vel Archidiaconum suum pertineret, certificari voluerint Abbas & Monachi utrum Archiepiscopus contenderet se an Archidiaconum jus custodiæ habere in Ecclesia prædicta. Et incontinenti responsum est à procuratore Archiepiscopi, Custodiam illius Ecclesiæ principaliter ad Archiepiscopum, secundario & auctoritate Archiepiscopi ad Archidiaconum suum pertinere. Consequenter respondit procurator Abbatis. Quod etsi vacaret Ecclesia de *Middleton*, nihilominus Custodia illius & Claves & proventus non ad Archiepiscopum, immò ad Abbatem & Monachos tempore vacationis pertineret. Adjecit quoque, illam non esse vacantem, immò Abbatem & Monachos Sancti *Augustini* ejusdem personatum habere, seu Canonicum titulum percipiendi omnes proventus illius, & sic eos jure sine consilio fraudis seu intrusionis Ecclesiam sibi retinere. Et ideo Archiepiscopus frustra ad vacantem super proventibus & ipsius quasi vacantis frustra eos molestabat, frustra quasi injuria ei illata fuisset sibi petebat satisfieri, cum Abbas & Monachi jure suo usi fuerint, & juris executio non habet injuriam. Super Ecclesia de *Faversham* omnino idem, eam totam in usus suos sibi retinuerint, quandoque etiam Clericis secularibus nunc sub majori, nunc sub minori pensione, nunquam tamen ad firmam concesserunt. Tandem defuncto *Osberno* de *Camra* cui Ecclesiam illam ad instantiam *Henrici* Regis sub pensione sex marcarum concesserant jure suo & licitè & citra injuriam Archiepiscopi, & sic citra vitium intrusionis ingressi sunt possessionem illius Ecclesiæ. Requisite procurator Abbatis à procuratore Archiepiscopi, Qui institute habuerunt Monachi jus patronatus in Ecclesiis de *Faversham* & de *Middleton* habita deliberatione respondit in hunc modum.

Abbas & Conventus credunt quod tempore concessionis & confirmationis Regis *W. primi* super Ecclesiis de *Faversham* & de *Middleton* eis factæ Archiepiscopus *Cantuariensis* qui tunc fuit instituit Abbatem & Conventum & in easdem Ecclesias, set ad idem probandum nec testes habent nec instrumenta super hoc specialiter confecta. Verum pro certo sciunt quod Archiepiscopus *Theobaldus* concessit eis Ecclesias illas, & bonæ memoriæ *Calixtus* easdem eis confirmavit. Præterea adjecit procurator Abbatis quod Archiepiscopus falsò suggestit Domino Papæ, Monachos manu armata detinuisse Ecclesiam de *Faversham*. Adjecit etiam quod Nuncii Abbatis & Monachorum cum literis eorum acceperunt ad Archiepiscopum ad *Slyndon*, conquerentes, quod post eorum appellationem factam & solempniter innovatam Magister *Evradus*



Ans tunc Officialis Archidiaconi *Canthuariensis* in præ iudicium & contra libertatem Monasterii Sancti *Augustini* Monachos, in Ecclesia de *Faversham* tunc existentes, auctoritate Archiepiscopi Excommunicavit, & Ecclesias Abbatis generaliter supposuit interdicto. Cumque instantius peterent, ut Archiepiscopus illas sententias irritaret, Archiepiscopus *Warrantizare* eas voluit, nec eas irritare, dicens dictis appellationibus non fuisse deferendum. Cum igitur appellatio Abbatis ad notitiam Archiepiscopi pervenit, & ipse nihilominus illas sententias post appellationem factas ratas habuit cum rati habitio retro trahatur, excusationem ignorantie si quam ab initio, ex post facto amisit, adjiciens hæc omnia à Magistro *Everardo* & per eum & Auctoritate ejus facta fuisse.

Super Ecclesiis de *Stone* & *Langedon* respondit procurator Abbatis & Conventus, Quod cum custodia earum & aliarum sui patronatus ad Abbatem & Monachos pertinet, et cum & ipsi ad illarum Ecclesiarum regimen personas idoneos Archiepiscopo præsentassent, Archiepiscopus eos super custodia earum seu proventibus injustè molestabat. Item procurator Abbatis & Conventus confessus est in jure Monachos Sancti *Augustini* detinuisse Ecclesias de *Stone* & *Langedon*, ex quò vacaverunt, & adhuc detinere & notè custodiam earum Archiepiscopo vel Archidiacono dimittere, nec debere cum ad eos spectaret custodia omnium Ecclesiarum vacantium sui patronatus, & non ad Archiepiscopum vel Archidiaconum, & eos in possessione hujus custodiæ esse, & non Archiepiscopum vel Archidiaconum.

Huius itaque hinc inde propositis utriusque partis testes sunt admissi, multi quidem. Quorum multitudo à iudicibus ad minorem numerum redacta fuisset nisi quia partes instabant, ut omnes admitterentur propter Articulorum probandorum multitudinem.

Publicatis demum attestationibus, paratus fuit Archidiaconus a iudicibus sententiam accipere, & hoc instanter petiit, ut scilicet ipsi inspectis attestationibus sententiarent. Sed pars adversa sententiam Domino Papæ maluit reservare. Deinde cum renunciatum esset productioni super Testibus repellendis, die ad idem præfixo facta est instrumentorum Sancti *Augustini* exhibitio. Postmodum, vero die scilicet Martis proxima post Caput jejuni, dicti Iudices partibus peremptorium præfixerunt diem scilicet diem Natalis beatæ *Mariæ*, quo coram Domino Papa compareant sententiam recepturi. Set amicis mediantibus, et de pace tractantibus, Rex ipse scripsit Archiepiscopo supplicando, ne ipse Abbatem super Ecclesiis de *Faversham* et de *Middleton* molestaret seu impediret quo minus de prædictis Ecclesiis possit disponere et in usus proprios convertere. Igitur Archiepiscopus *H.* tandem volens ea quæ pacis sunt et non belli, ob Regis reverentiam, prædictas Ecclesias prædecessoris sui *Theobaldi* vestigiis inhærendo ratificavit, perpetuo possidendas.

I pretermits many hot contests soon after Annis 1214. 1215. &c. between the Archbishop of *Canterbury*, Monks and Abbots of Saint *Augustines*; about the Abbots making his profession of subjection to the Archbishop upon his Consecration, for refusal whereof the Archbishop excommunicated the Abbot, and Monks, and interdicted all Churches belonging to the Monastery, so that neither God nor the people during their contests must have any divine service in them, such was their presumption and impiety. Whereupon the Abbot appealing to the Pope, pleaded exemptions from any such profession or subjection by several Popes Bulls and Resolutions. In which Suites, the Archbishop alleadging the sentence of Pope *Alexander* the third to the contrary; What great delays, bribes, and indirect practises were used in the Court of *Rome* in these Suites, you may read at large in the Chronicle of *William Thorn*, Cap. 14. 19, 20, 21, 23. I shall only observe, that in the contest it clearly appeared upon full examination, that both the Monks and Archbishops of *Canterbury*, forged Popes Bulls & Charters, to maintain their Jurisdicions; The Archbishop Anno. 1215. produced before Pope *Innocent* the third, the Copies of two Decretal Epistles or Bulls of Pope *Alexander* the third, in a full Council, which were both proved to be forged; I shall only recite the latter of them, and detection, relation of their forgery.

Alex-

*Alexander* Episcopus servus servorum Dei, venerabili fratri Archiepiscopo *Can-*  
*uariensi* Apostolicæ sedis Legato, &c. Ideo sumus in eminentia sedis Apostolicæ con-  
 stituti, ut æqua lance Justitiæ singulis sua jura reddamus, & si quid minus æquali-  
 ter factum est, illud ad rectitudinis tramitem revocemus. Licet itaque Monaste-  
 rium Sancti *Augustini Cant.* tanquam specialiter nostrum paterno diligamus & fo-  
 veamus affectu, ipsi tamen eam libertatem indulgere nolumus, per quam tuis & Ec-  
 clesiæ tuæ dignitatibus derogeretur. Quoniam igitur quorundam suggestioni-  
 bus, et quibusdam privilegiis falsis, sicut postea manifeste compe-  
 rimus, ab Abbatis Sancti *Augustini* tibi debitam, tuis antecessoribus  
 diu exhibitam, tibi abstulimus professionem, Nos intuitu æquita-  
 tis, et ob reverentiam beati *Thome Martyris* tibi et successoribus tu-  
 is in perpetuum confirmamus. Dat. *Laterani*, &c. Sed quoniam Archiepis-  
 copus non ostendebat originalia litterarum Literarum, neque earum Copiam sub manu  
 publica, cum hoc fuisset sibi tunc maxime necessarium, ipsæ litteræ habitæ sunt  
 suspectæ, unde quæsto Registro ipsius *Alexandri Papæ 3.* et diligenter  
 exquisito, nulla omnino mentio de ipsis literis est reperta; quare duo  
 ipsa parva litterarum sunt condemnata falsi et cancellata ab ipso *Pä-*  
*pâ Innocentio 3* in ipso Concilio generali, non sine magna Archiepiscopi  
 confusione et erubescencia. Ipsa vero sententia quam idem *Papa Alexander*  
 tulerat pro Monasterio *S. Augustini* super professione non exhibenda Archiepiscopo,  
 de verbo ad verbum inventa est registrata. Quibus ita gelis turbatus Archiepiscopus  
 & animo consternatus, ne nihil videatur egisse, proposuit in ipso Concilio, quod  
 Abbas tenetur sibi de jure communi facere professionem; igitur sibi humiliter pe-  
 tebat exhiberi. *Upon consideration of which Forgeries, we may justly suspect sundry*  
*Bulls, and some Charters advancing the Popes supremacy and jurisdiction here in England,*  
*to be Forged as Sir. \* Henry Spelman observes. The rather because Gervasius*  
*Dorobernensis writing under King Iohn, in his Chronicle, \* Anno 1081. renders us*  
*this account of these Monks tworased, forged Charters, Bulls then produced. Sex-*  
*to Kal. Julii, convenerunt apud Londoniam, Richardus Cantuariensis Archie-*  
*piscopus, Episcopus Dunelmensis, Rogerius Abbas Sancti Augustini, anique*  
*non modicæ auctoritatis viri. Dederat enim in mandatis Romanus Pontifex Alexan-*  
*der præfato Episcopo Dunelmensi & Abbati Sancti Albani, ut Abbatem Sancti*  
*Augustini cogerent Archiepiscopo Cantuariensi sua privilegia ostendere, daretque*  
*Copiam Legendi. Continebant enim quædam capitula in contumeliâ*  
*Cantuariensis Ecclesiæ, quæ magis falsa quam vera videbantur: hoc*  
*jam tertio a sede Apostolica emanaverat mandatum. (So little did*  
*they then regard the Popes mandates who were most devoted to him) Sed invincibili tergi-*  
*versatione Monachorum usq; in præsens dilatum est. Lege Lector & intellige, quod*  
*veritas non quære tangulos, & qui veritatem dicit non laborat. Protulerunt tan-*  
*dem aliquando Monachi Abbatis Schedulas duas, quas sua originalia constanter*  
*esse dicebant. Quarum prima vetustissima erat rasa, et subscripta*  
*acsi esset emendata, et absque sigillo. Hanc dicebant Regis Ethelberti esse*  
*privilegium. Alia vero scedula multo erat recentior, de qua Bulla plumbea, cum*  
*iconsa Episcopi nova valde dependebat. Hanc Cartulam Sancti \* Augustini*  
*dicebant esse privilegium. In his autem privilegiis intuentium judicio hæc maxi-*  
*mè notanda fuerunt. In prima, laudabilis quidem fuit vetustas, sed rasa fu-*  
*it, et inscripta, nec ullius sigilli munimine celebrata. In alia vero, reprehensi-*  
*one dignum fuit, quod nova extitit ejus Litera & Bulla, cum vetustatis esse debe-*  
*ret annorum quingentorum octoginta, id est, à tempore beati Augustini cujus es-*  
*se dicebatur. Fuit etiam notatum, immo notorium et notabile, quod Bulla,*  
*ipsius plumbea fuit, cum non soleant calpini præfules vel primates, scriptis suis*  
*autenticis Bullas plumbeas apponere. Modus etiam Latini et forma lo-*  
*quendi, a Romano stilo dissona videbantur. Hæc duo solummodo privilegia in*  
*medio prolata sunt, cum alia nonnulla se habuisse Monachi jactarent. Besides \* Will. Thorn a Monk thereof confesseth, Archiepiscopus aggressus est ejusdè Monasterii*  
*privilegia arguere falsitatis, and that after much wrangling the Abbot & Monks, reveren-*  
*ter & devote judicibus obtemperantes, de privilegiis quæ nominatim fuerunt exhi-*  
*benda, & quæ ipsi judices exhiberi præceperant, duo privilegia judicibus exhibebant;*  
*videlicet*

Chronicon  
 Will. Thorn.  
 Col. 1866.  
 1867.

\*Concil. Tom.  
 1. p. 124, 145.  
 126.  
 \*Col. 1451.

\*See Spelman  
 Council p.  
 121. 122.

\*Chronicon;  
 cap. 14. Col.  
 1831, 1833.

\*Concil. Tom 1  
p. 136.

Register of  
Ramesey Abbey  
& Monast. con.  
Angl. Vol. 1.  
p. 241.

\* Monasticon.  
Angl. Vol. 1.  
p. 241.

Chronicon.  
W. L. Thorne  
Col. 1869.  
1869, 1870.

videlicet privilegium beati *Augustini* ejusdem Ecclesie patroni, & privilegium *Ethelberti* Regis ejusdem Monasterii fundatoris, *whereon they made the promised observations of rasure interlining and forgerie upon view. Whence Sir Henry Spelman gives us this good caution;* Cautius igitur intuenda sunt veterimar Monasteriorum Charta, fraudem enim sæpe olent, & ab antiquis ipsis eo perstringuntur stigmatē. Bonum est in eorum datus accuratè observare annorum concordantiam, scilicet Christi, Papæ, indictionis atque Regis, in his enim sæpius contigit hallucinatum iri.

Book. 3. Chap. 1. p. 257. l. 37. After *to him*, insert *Robertus dei Redings* Abbot. of *Ramesey* Anno. 1207. Resignavit baculum suum pastorem in manus *Willielmi Lincolnienfis* Episcopi, & mortuus est apud *Redinges*, & Rex *Johannes* tenuit Abbatiam in manu sua per septem annos, *pro eo quod Monachi Ramesie ad præceptum suum noluerunt eligere in Abbatem Priorē de Frontonā.*

Book 3. Chap. 1. p. 287. l. 38. After *depradavit*, adde. The Register of the Abbey of *Ramesey* Records. \* Item eodem Anno 1214, idem *Nicholaus* Legatus deposuit Abbates *Westmonasterii*, *Eveshamia*, & *Bardene*, et substituti sunt per eundem Prior *Fronton* apud *Westm.* Prior *Wygorn*. apud *Evesham*, Prior de *Leuton*, apud *Bardene*, & anno sequenti fuit Ecclesia *Ramenfis* spoliata multis divitiis, *by this Roman Harpy and Plunderer.*

This should have been inserted Book. 3. Chap. 2. p. 363. before l. 45. *In the mean time.*

*William Thorne* renders us this account of King *Lewis* his landing in *England*, and of his Letter written to *Alexander* then Abbot of Saint *Augustines* *Canterbury*, disproving King *Johas*, and justifying his own Title to the Crown of *England*, as well by hereditary descent, as Election of the Barons, and disswading him, to denounce any excommunication against him by the Popes command by promises and menaces, both which the Abbot heroically contemned, proceeding in his excommunication.

Anno Domini 1216. *Lodowicus Philippi* Regis *Francorum* primogenitus, veniens in *Angliam* cum magno exercitu ut eam suæ subderet ditioni, applicuit apud *Stonoram* 12. Kal. Junii, animadvertens quod *Alexander* Abbas hujus loci haberet potestatem sententialiter contra eum procedendi, elegantem eidem Abbati & Conventui misit Epistolam, jus quod sibi in *Anglicano* Regno competere contendebat, declarando in hæc verba.

*Lodowicus* Domini Regis *Francorum* primogenitus Abbati & Conventui Sancti *Augustini* *Cant.* salutem, & synceræ dilectionis affectum. Ne quis in facto nostro de Regno nostro *Anglie* simplicitatem vestram per falsas circumveniat suggestiones, vel Conscientias vestras contra nos reddat scrupulosas, nudam & meram ipsius rei veritatem, ad universitatis vestræ notitiam volumus pervenire. Nostis itaque, quod propter prodicionem notoriam quam *Johannes* quondam Rex *Anglia* commisit contra fratrem suum Regem *Richardum*, dum esset in partibus *Ierosolimitanis*, in reditu ejusdem fratris sui, legitime fuit citatus, accusatus, & in judicio coram paribus suis, & per eos legitime tanquam proditor condemnatus, quæ sententia condemnationis per os *Hugonis de Pinsac*, tunc Episcopi *Dunelmensis* fuit solempniter promulgata; unde mortuo Rege *Richardo*, devolutum est jus Regni *Anglia* ad Reginam *Castella*, & hæredes suos, quæ sola tunc de omnibus fratribus & sororibus suis superstes fuit præter dictum *Johannem*. Ipsa autem Regina & hæredes sui jus quod habuerunt in Regno nobis & filix suæ quam habemus uxorem, liberaliter concesserunt: propter quod *Hubertus* quondam *Canthuariensis* Archiepiscopus in Coronatione ipsius *Johannis* publicè dixit, quod non ratione successionis, set per Electionem ipsum in Regem coronabat. Illa autem Electio vel Coronatio qualiscunque nobis non præjudicavit, tam quia per violentiam facta fuit, tum quia jus quod habuimus nobis sine culpa aut consensu nostro auferre non potuit: præterea satis notum est, quomodo de murthero *Arcturi* nepotis sui in Curia Charissimi Domini & genitoris nostri Regis *Francorum*, Cujus ambo erant homines leges, per pares suos citatus, & per eosdem pares tandem fuit legitime condemnatus. Quod quidem murtherum eisdem partibus pluribus in *Anglia* & pluries prædictus *Johannes* est confessus: per quam condemnationem bona sua ubicunque erant aut undecunque ea haberet, per usitatas consuetudines forisfecit, & tunc iterato nobis tanquam vero hæredi cessit jus Regni *Anglia*, maxime cum adhuc de carne sua hæredem non haberet. Nos vero pro

jure



jure nostro extunc eidem *Johanni* guerram movimus, quam contra ipsum continuavimus absque omni interruptione pacis vel treugæ usque ad dies istos. De guerra enim quæ postmodum inter Charissimum Dominum & genitorem nostrum & ipsum facta fuit, nec sumus requisiti, nec alium requisivimus licet præsentem essemus, undè nec Crucis assumptio, nec aliqua Condicio postmodum lite pendente suscepta, potest ipsum tueri, quin contra ipsum jus nostrum prosequamur. Ad hæc, cum præfatus *Johannes* in Coronatione sua sollempniter prout moris est jurasset, se jura et consuetudines Ecclesiæ, et Regni *Angliæ* conservaturum; contra juramentum suum, absque Consilio vel consensu Baronum suorum idem Regnum, quod semper fuit liberum, quantum in ipso fuit, Domino Papæ subiecit, et fecit tributarium; bonas consuetudines subvertens, malas inducens tam Ecclesiam quam Regnum multis oppressionibus, multisque modis studens ancillare; quas oppressiones vos melius nosti quam nos, ut quis eas familiari sensistis experimento. Pro quibus cum post multas requiritiones guerra mora esset contra ipsum, à Baronibus suis, tandem, inter cætera de ejus expresso consensu ita convenit, ut si idem *Johannes* ad flagitia prima redierit, ipsi Barones ab ejus fidelitate recederent nunquam ad eam postmodum reversuri. Verum ipse nihilominus paucis diebus evolutis, fecit nobilissima sua pejora prioribus, studens Barones suos non tantum opprimere, sed potius penitus exterminare. Qui de communi Regni consilio et approbatione, ipsum Regno judicantes indignum, nos in Regem et Dominum elegerunt. Unde apparet, quod sive ad successionem, sive ad electionem habeatur respectus, nos potissime jus in Regno *Angliæ* habemus. Nos autem cum istis et aliis rationibus ad Dominum Papam sollempnes nuncios nostros dudum destinavimus, et audientes interim, quod Cardinalis quidam *Gualo* nomine, veniret in *Franciam*, misimus ad eum rogantes, ne contra nos aliquid statueret, donec nuncii nostri a Curia *Romana* redirent, aut a Domino Papa novum reciperet mandatum postquam nuncios nostros audivisset. Et cum jam idem Cardinalis ad Dominum nostrum et genitorem Regem *Franciæ* accessisset, idem in præsentia Prælatorum et Bagnatum *Franciæ* fecimus dici coram nobis expresse, jus et propositum nostrum potestantes. Ipse autem Cardinalis tunc contra nos in nullo processit, nec visus est velle procedere. At nunc in *Angliam* ingressus, suggestionibus et muneribus inimicorum nostrorum immutatus, nos et nostros, ut audivimus, per Prælatos et Officiales Ecclesiarum intendit gravare. Quapropter vestram attente rogamus discretionem, quatinus sicut ad libertatem Ecclesiæ et Regni *Angliæ* venimus, ut videlicet tam Regnum quam Ecclesiam antiquæ et debite per Dei gratiam restituamus libertati, propter nullius fallam suggestionem vel iniquam jussionem nos vestris turbare, vel nostrum bonum et ipsum propositum et commune bonum *Angliæ* impedire, nec aliquid contra nos vel nostros nobis irrequisitis promulgare. Scituri quod qui bona fide in hac parte nobis assisterint, perpetuum nos amicum contra quemlibet habebunt & defensorem, nec pro lucro vel damno ei aliquo unquam tempore deerimus, illi vero qui secus egerint, nos perpetuum sententient inimicum. Valete.

Set Abbas *Alexander*, ut alter *Alexander* Macedo magnanimus, nec *Lodovici* præcibus & blanditiis emollitus, nec comminatoriis pertectus, a favore Regis et auxilio nullatenus se elongabit, sed in ipsum *Lodovicum* et ejus Complices et eis adherentes, consilium, auxilium, vel favorem eis præbentes, sententias excommunicationis et interdicti incessanter pro-

promulgabit, et executioni demandabit secundum quod a Papa hoc negotium ei fuerat delegatum, nam et ipsa Papa in Concilio Lateranensi eundem L. vix vocis oraculo excommunicaverat. Complices vero et fautores ejus hac sententia irritati, primo in insula Thaneto, postea in singulis maneris nostris blada, animalia, victualia, &c. quaecunque invenire potuerunt depredaverunt, vix a Sanctuario nostri Monasterii manus suas continentes.

\* Chron. Joannis Brounion, col. 830, 844, 878, 890, 894, 942, 982. Spelman & Jo. Somneri Glossarium, Tit. Judicium Dei. Ordalium, Codex Legum Antiqua. p. 1302. Antiqu. Eccles. Brit. p. 77, to 86. Eadmerus An. 1076. p.

Book 4. Chap. 1. p. 377. after l. 9. and before King Henry, this passage and Writ should have been placed: By severall antient \* *Saxon Laws*, persons accused of Robbery, Murder and other Felonies, were to purge themselves and vindicate their innocency by fire, cold or scalding water, which tryall was styled *Judicium Dei, Ignis & Aqua, & Ordalium*: Which being written against and condemned by many Divines, and at last prohibited by some Popes Decrees, as a tempting of God, a tryall full of superstition, uncertainty, subject to many frauds and abuses, in a manner abolished by King *William Rufus*, as *Eadmerus* relates, yet used now and then, as not totally abolished, King *Henry* the 3. by advice of his Counsel and Chief Justice, (at the Popes Legats instigation) prohibited this kind of Tryall by this memorable Writ to the Justices itinerant, because inhibited by the Church of *Rome*.

Hist. l. 2. p. 28. Glanvill l. 14. c. 3. Bracton l. 3. De Corona, c. 16. sect. 3. Hoveden Annal. pars. 1. 547. 566. † See Joannis Seldeni ad Eadmerum & Notæ & Spicilegium, p. 203.

Pat. 3 H. 3. m. 5.

\* Prohibited long before by Pope Stephen, Gratian causa 2. qu. 5. sect. 7. Ivo Decretal. pars 10. c. 15. Extrav. Tit. de Purgatione Vulgari c. 3. & newly by Honor. the 4th then Pope, Antiqu. Eccles. Brit. p. 84.

**R**EX Dilectis & fidelibus suis *Philippo de Uletos*, & sociis suis itinerantibus in Comitatus *Cumberland, Westmerland, & Lancaster*, salutem. Quia dubitatum fuit, & non determinatum ante inceptum itineris vestri, quo judicio deducendi sint illi qui reati sunt de Latrocinio, murthero, incendio, & hiis similibus, cum prohibetur sit per \* *Ecclesiam Romanam Judicium Ignis et Aquæ*. Provisum est à Consilio nostro, ad præsens, ut in hoc itinere vestro sic fiat de Reatis de hujusmodi existentibus, videlicet, quod illi qui reati sunt de Criminibus prædictis majoribus, & de his habeatur suspicio, quod culpabiles sint de eo unde reati sunt (de quibus & licet Regnum nostrum abjurarent adhuc suspicio esset, quod postea male facerent) teneantur in prisona nostra, & salvo custodiantur, ita quod non incurrant periculum vitæ vel membrorum occasione prisonæ nostræ. Illi vero qui mediis criminibus reati fuerunt, et quibus competere *Judicium Ignis vel Aquæ* si non esset prohibetur, et de quibus si Regnum nostrum abjurarent nulla fuerit postea *mafficiendi suspicio*, Regnum nostrum abjurent. Illi vero qui minoribus reati sunt criminibus nec de eis fuerit mali suspicio, salvos & securos plegios inveniant de fidelitate & pace nostra conservanda, & sic dimittentur in terrâ nostrâ. Cum igitur nihil certius in hac parte providerit Consilium nostrum ad præsens, relinquimus discretionem vestrâ, ut qui personas hominum, formam delicti, & ipsarum rerum veritatem melius cognoscere poteritis, hoc ordine secundum discretionem & Conscientias vestras in hujusmodi procedatis. Et in hujus rei testimonium, &c. Teste Domino *P. Wintoniensis* Episcopo apud *Westm.* 26. die *Januarii*. Anno Regni nostri tertio.

Per eundem & *H. de Burgo* Justiciarium.

This (in my observation) is the first president, that Tryals ratified by our Civill Laws, and antient usage in the Realm, were altered and set a side upon consideration of the Decrees of Popes and the Church of *Rome*, by the King and his Counsils advice and Writ, without an Act of Parliament, but the Justice of the Decrees, the superstition, uncertainty, and injustice of the former kinds of Tryals, might be a sufficient warrant for such an alteration as this for the better.

Book

Book 4. Chap. 3. p. 373. between l. 4 and 5. this should have been inserted, In the second year of King *Henry* the third, Pope *Honorius* the third, upon the earnest Petition of the Abbot and Monks of Saint *Albani* granted them this Bull, and confirmed all former Bulls of his predecessors and Charters of our Kings whereby any Priviledges, Lands, Cells, Churches, or ought else were formerly granted, or which hereafter should be granted to them, with exemptions from all Regal, Episcopal and other Taxes, services, jurisdictions whatsoever, but only of the Pope himself or his Legate being a Cardinal, reserving one ounce of Gold to be annually paid to him and his successors for the Liberties and Priviledges ratified and granted in or by this Bull, to which his Cardinals subscribed, and for which (no doubt) he received a considerable summe in hand from the Monastery.

**HONORIUS** Episcopus servus servorum Dei, Dilectis filiis *Willielmo* Abbatu Monasterii Sancti *Albani* ejusque fratribus tam presentibus quam futuris, regularem vitam professis in perpetuum. Religiosam vitam eligentibus **Apostolicum** convenit adesse praesidium, ne forte cujuscumque temeritatis incurtus, aut eos a proposito revocet, aut robur, quod ab sit, sacrae religionis infringatur. Ea propter dilecti in Domino filii, ob reverentiam beati *Albani* gloriosi \* *Anglorum* proto-Martyris, cujus sacratissimum corpus in loco vestro requiescere dignoscitur, praedecessorum nostrorum felices memoriae, *Calixti*, *Celestini*, *Engelmi*, *Adriani*, *Alexandri*, *Lucii*, *Clementis*, & *Celestini* tertii Romanorum Pontificum veitigiis inherentes, veitris justis postulationibus clementer annuimus, & Monasterium ipsum, in quo divino vacatis obsequio, quod ad jus beati *Petri* specialiter spectare dignoscitur, cum adjacentibus Cellis et Ecclesiis, et omnibus eidem Monasterio pertinentibus, sub beati *Petri* et nostra protectione suscipimus, et praesentis scripti privilegio communimus, statuantes ut universa quae illustris memoriae *Offae* videlicet et filius ejus, *Egfridus*, *Elredus*, *Willielmus*, & *Henricus*, *Richardus*, *Johannes*, *Anglorum* Reges, aut alii fideles de suo jure vestro Monasterio contulerunt, quaecunque etiam ipsum Monasterium in praesentiarum iuste ac Canonice possidet, aut in futurum, concessione Pontificum, largitione Regum, vel principum oblatione fidelium, aliis justis modis praestante Domino \* poterit adipisci, firma vobis veitrisque successoribus & illibata permaneant, in quibus haec propriis duximus exprimenda vocabulis, videlicet Monasterium ipsum beati *Albani* cum villa tota, Ecclesiam beati *Petri*, Ecclesiam quoque beati *Stephani*, & Ecclesias de *Kynghesbyri*, & de *Waisford*, &c. with sundry other particulars. Cellam de *Herbfield*, cum omnibus omnium rerum pertinentiis dignitatibus, ac liberis consuetudinibus, nec & non alias Ecclesias, decimas, Villas, terras, aquas, prata, pascua, silvas, redditus etiam & omnia eidem Monasterio vel Cellis ejus pertinentia, sicut in privilegiis Pontificum, Regum vel aliorum scriptis fidelium continetur. Quicquid praeterea dignitatis, libertatis et competentis Ecclesiae ac Monasterio consuetudinis per Regum vel aliorum fidelium scripta loco eidem et Cellis ejus collatum est, Nos quoque hujus scripti nostri robore confirmamus, ut videlicet Ecclesia Sancti *Albani*, et Cellae ejus et omnia ad eas pertinentia, libera sint ab omni tributo sive Regis, seu Episcopi, sive Comitum, Vicecomitum, Ducum, Judicum et exactorum, et omnibus operibus quae indici (solent) vel emendatione Pontificum, Castellorum, Parochiarum. Omnia etiam Pontificalia jura cellarum Sancti *Albani*, et Ecclesiarum ejus sub ejusdem Abbatis dispositione atque arbitrio permaneant, Cisma vero, oleum sanctum, consecrationes altarium seu basilicarum, benedictiones Abbatum, Monachorum seu Clericorum ordinationes, a quocunque malueritis Catholico suscipiatis Antistite, nimirum vestra auctoritate, quod postulatus fuerit indulgeat, nec quod petieritis audeat denegare. Obeunt vero te nunc ejusdem loci Abbate vel tuorum quolibet successorum, nullus ibi qualibet subreptionis astutia, seu violentia praeponeatur, sed liceat vobis communi consilio Conventus vel partis consilii sanioris, secundum Dei timorem &

Monastice  
Angl. Vol. i. p.  
179. 180, 181.

\*He was a Briton, not Englishman, as this Pope mistakes.

\*They were insatiable and never had enough



\*This was King  
Offa his Original  
privilege.  
See here book  
2.c.3. p.222.

\*As in Ely &  
other Monasteries,

\*See here Book  
2.c.7. p.222.  
Spelman's Glossary  
sarium Abbates  
mistrati.

\*This contradicts Pope Agatho his Bull to the Abbot of Peterburg.  
here Book. 2.  
c. 7. p. 278.

beati *Benedicti* regulam absque ullius contradictione Abbatem eligere, qui in susceptione benedictionis suae cunctis in posterum diebus, \* soli *Romanae* Ecclesiae professionem obedientiae debet exhibere. Cui etiam Abbati licitum sit, sicut à praecessoribus nostris vobis concessum, personam de suis fratribus quam maluerit honestam, idoneam & maturam constituere, quae curam animarum sub eo gerat, & Archidiaconi Officium in omnibus impleat. Ceterum ne per huius dignitatis praerogativam Abbas praedicti Monasterii aliquo tempore facilitatem fortassis ad Episcopatum habeat accessum, Apostolica auctoritate interdiximus, ne unquam in Monasterio beati *Albani* \* sedes Episcopalis constituatur, ne occasione ista quandoque Monachi dispositioni subiaceant Clericorum et Clausstralis quies turbetur, nec non et regularis observantiae disciplina, simul cum substantia Monasterii minuatur; sed cunctis in posterum diebus Ecclesiae *Sancti Albani*, non Episcopum sed Abbatem a quo Pontificalis dignitatis, in quantum \* Abbati concessa est, debeat obtinere; videlicet, ut sicut Pontificalia habet jura ita et Pontificalia habeat ornamenta, mitram scilicet, circetecae et annulum, et sandalia, tunica quoque et Dalmatica in celebrationibus missarum utatur, quae liceat ei non tantum in propria Ecclesia et in Cellis vestris, sed et in omnibus Ecclesiis ad quas rogatus accesserit in festis diebus gestare, benedictionem dare, vestimenta sacerdotalia benedicere, Clericos suos tonsare, et in sortem dominicam assumere, sanctimoniales suas benedicere. Et sicut beatus *Albanus Anglorum* protomartyr esse dignoscitur, ita et \* Abbas Monasterii ipsius inter Abbates *Angliae* primum omni tempore dignitatis ordine habeatur. Ita tamen, quod nunquam hac occasione infra Clausura Monasterii Abbas ipse praesumat uti Cappa Clericali, vel seculari aliquo indumento, sed Monastici habitus reverentiam in omnibus diligenter observet, & formam Religionis praetendere inuentum oculis comprobetur. In ponendis vero vel removendis Prioribus Cellarum vel Monachis, nullus omnino Clericus sive Laicus se obiciat, sed Abbas qui pro tempore fuerit absque alicujus contradictione liberam habeat facultatem, quatinus tam Priores quam Monachi in Abbatum suorum semper potestate permaneant, & ita per omnia liberi sint ubilibet habitantes ab Episcoporum subjectione ac si in corpore Monasterii morarentur, in quos nulla omnino persona praeter *Romanum Pontificem* vel Legatum Cardinalem a nostro latere destinatum, excommunicationis seu interdicti sententiam audeat promulgare. Quod si quispiam alius aliquo tempore attemptare praesumpserit, ejus in hac parte factum omnino viribus careat, et penitus irritum habeatur. Prohibemus quoque, ut nullus Episcopus sive Archiepiscopus in vestro Cenobio, vel adjacentibus Ecclesiis in quibus ejusdem Monasterii Abbas jus Pontificale habere dignoscitur, missas publicas vel Conventum sive Synodum celebrare, Cathedram collocare, processionem sollempnem facere aut erigere, Regem coronare, seu aliquod Episcopale Officium in aliqua Cellarum suarum exercere vel hospitium erigere praesumat. Universis itaque statuentes, ut quicumque Episcopi, Archiepiscopi vel eorum Clerici aut ministri super ipsum Monasterium, vel super Cellas et praedictas Parochiales Ecclesias nullam aliquatenus potestatem habeant, nec earum Praebytros, vel Clericos quoscunque sive Laicos, sed nec Abbatem, Priores vel Monachos ad Synodum suam vel Capitulum convocare, vel ab officio divino suspendere, seu aliquod in eos vel minimum jus exercere, aut Parochianos suos a communione illorum prohibere praesumant, sed omnia Pontificalia eorum jura et quaecunque

cunque Ecclesia Sancti Albani fuerint Abbatis, solummodo ejusdem Monasterii potestate licere tractanda subiaceant. Nolumus enim ut alicui nisi tantum Romano Pontifici debeant in aliquo respondere. Nec Monasterii vestri Abbas vel Monachi, seu Cellarum vestrarum ubilibet positarum fratres, pro qualibet interdictione vel excommunicatione, etiam si commune interdictum terræ fuerit, divinatorum Officiorum suspensionem patiantur; sed tam Abbas et Monachi ipsi quam et famuli eorum, et qui se Monasticæ professioni debuerunt, Clausis Ecclesiarum januis, non admittis excommunicationis et interdictis, non pulsatis tintinabulis, humiliori voce divina celebrent, et sepultura eis debita peragant. Liceat quoque vobis quandocunque vos manifeste gravari senseritis, ad remedium appellationis confugere, etiam si in causa quæ contra vos agitur appellatio sit remota: post factam vero appellationem nemini liceat in vos sententiam dare vel aliquid innovare, seu vos aut possessiones vestras ausu temerario perturbare. Ad hæc sancimus, ne quis fratres vestros post factam in Monasterio vestri professionem absque Abbatis licentia suscipere audeat, vel retinere. Inhibemus insuper, ut nulli omnino hominum liceat in Cellis vestris absque assensu vestro Abbatem aliquando constituere. Ecclesia autem in quibus jura Pontificalia non habetis sive Capellæ vestræ et Cimiteria libera sint, et ab omni exactione immunia, præter Episcopi consuetam potestatem et iustitiam in Presbyteros si adversus sui ordinis offenderint dignitatem. In quibus etiam Ecclesiis vel Capellis liceat vobis seu fratribus vestris Presbyteros eligere, ita tamen quod ab Episcopis vel Episcoporum vicariis animarum curam absque venalitate suscipiant. Quibus nimirum Presbyteris cum tantum assignaveritis unde victus et vestitus necessaria possint honeste percipere, quicquid residuum fuerit liceat vobis in usus proprios convertere. Si qui præterea fidelium Monasterio vestro aut villis ad ipsum pertinentibus Ecclesiam aut possessionem aliquam seu beneficium pietatis intuitu conferre voluerit, nullus omnino audeat impedire. Adjicientes, etiam autoritate Apostolica prohibemus, ut nullus Minister decetero, dapiter videlicet vel pincerna, Camerius, dispensator, ianitor, seu per manum Regis, vel alicujus Principis violentiam vobis invitis in vestro Monasterio vel in locis ad ipsum pertinentibus ordinetur, antiquas quoque consuetudines & redditus Monasterio vestro debitos, scilicet in sexta feria post ascensionem Dominicam de unaquaque Caruca *Harefordensis* Comitatus obolum unum, & in eadem die sive *Hebdomada* Pentecostes, extoro Comitatu processionem sollempnem. In secunda vero sollempnitate beati Albani, de unaquaque Caruca \* nummum unum, itemque eodem die unaquaque domo totius terræ Sancti Albani nummum unum vobis auctoritate Apostolica confirmamus, et perpetuis temporibus inviolabiliter precipimus observari. Decernimus ergo ut nulli hominum liceat supradictum Monasterium temere minuire, sive quibuscumque vexationibus fatigare, sed illibata omnia & integra observentur eorum pro quorum gubernatione & sustentatione concessa sunt usibus omnimodis profutura, salva in omnibus Apostolicæ sedis Auctoritate. Ad indicium autem hujus a sede Apostolica perceptæ libertatis, \* unam unciam auri nobis nostrisque successoribus annis singulis persolvetis. Si qua igitur in futurum Ecclesiastica secularisve persona hanc nostræ constitutionis paginam sciens contra eam temere venire temptaverit, secundo, tertioque commonita, nisi præsumptionem suam congrua satisfactio- ne correxerit, potestatis honorisque sui dignitate careat, reumque se divino iudicio existere de perpetrata iniquitate cognoscat, et a

\* Why must  
not others do  
the like?

\* Peter-pence,  
granted to them  
by the King  
which the Pope  
could not im-  
pose.

\* See Book 2.  
c. 7. p. 205, 206  
Monasticon.  
Angl. Vol. 1.  
p. 177.

\* A high usur-  
pation on the  
Crown, & Ab-  
bats Temporal  
ties.

\* Therefore the Sacrament in that age was received by all persons in both kinds.

**sacratissimo corpore ac \* sanguine Dei et Domini, Redemptoris nostri Jesu Christi aliena fiat, atque in extremo examine districtæ subjacent ultioni.** Cunctis autem eidem loco sua jura servantibus, fiat pax Domini nostri Jesu Christi, quatenus & hic fructum bonæ actionis percipiant, & apud districtum judicem præmia æternæ patis invenient. *Amen.*

Ego *Leo* titulo Sanctæ Crucis in *Jerusalem* Presbyter Cardinalis.  
Ego *Stephanus* Basilicæ Duodecim Apostolorum Presbyter Cardinalis.  
Ego *Gregorius* tituli *Anastasia* Presbyter Cardinalis.  
Ego *Thomas* tituli Sancti *Sabine* Presbyter Cardinalis.  
Ego *Honorius* Catholicæ Ecclesiæ Episcopus.  
Ego *Guido* Prenestinus Episcopus.  
Ego *Conradus* Portuensis & Sanctæ *Ruffiæ* Episcopus.  
Ego frater *Nicholaus* Tuscolanus Episcopus.  
Ego *Guido* Sancti *Nicholai* in Carcere *Tulliano* Diaconus Cardinalis.  
Ego *Otto* Sanctorum *Sergii & Bachi* Diaconus Cardinalis.  
Ego *Gregorius* Sancti *Theod.* Diaconus Cardinalis.  
Ego *Stephanus* Sancti *Adriani* Diaconus Cardinalis.

Data *Laterani* per manum *Raverii* Sanctæ *Romane* Ecclesiæ Vicecamerarii 10. Kal. *Martii*, indictione 6. incarnationis Dominicæ Anno 1218. Pontificatus verò Domini *Honorii* tertii, Anno Tertio.

\* See Book 2.  
c. 7. p. 222. 223.

\* Mat. Paris Vi-  
ta 13. Abbati-  
um. p. 80.

See Book 4. c. 1.  
p. 462. to 467.  
842. 843. 847.  
848.

In this Bull it is observable. 1. That although most of the privileges, exemptions from Archiepiscopal and Episcopal Jurisdiction, and the Abbots Ecclesiastical Jurisdiction and Pontifical habit, as well as the Lands, Cells, Churches, Chappels, &c. there mentioned, were originally granted by \* King *Offa*, and confirmed by other Kings Charters mentioned in this Bull, and did not principally flow from Popes, who did but confirm the Kings Charters; yet this Pope (as some of his Predecessors) took upon him, to be as it were the originall granter of them; and of the Abbots Pontifical Robes & Precedency before all other Abbots. 2. That he reserved an ounce of Gold to be paid annually to him and his successors for this Bull of liberties granted them, as Pope \* *Celestine* had formerly done, in high derogation of the Kings regall Perogative, as King *Henry* the 2d. declared to the Abbot upon sight of Pope *Celestine's* Bull. 3. That Abbots out of their Pride or ambition, were the principal advancers of the Popes usurpations, by petitioning for, and purchasing such Bulls as these from Popes, to exempt themselves from all Secular, Archiepiscopal and Episcopal Jurisdiction (which raised many contests between our Archbishops, Bishops and Abbots) to be only under the Power of the Pope himselfe and his Legates; who inserted, *à salvo in omnibus Apostolica sedis auctoritate*. 4. That the Pope in this Bull gives Precedency to Popes and their Bulls before our Kings and their Charters, which was not usuall in most preceeding Bulls of confirmation. *Matthew Paris* in the life of *John* the next Abbot and others succeeding him complains, that notwithstanding all these privileges and Popes Bulls very dearly purchased, they were presently and frequently violated by Popes and their Agents, or evaded by *Non obstantes*, as meer insignificant Cyphers, and pious Cheats to pick their purses.

Book 4. Chap. 1. p. 443. l. 13. before (this year) this passage and Writ should have been placed.

The Bishops in *Ireland* usurping upon the Kings Crown and Courts, in presuming to hold Pleas of Advowsons, of Churches, Chapples, Chattels, Layfee, and Goods which were not given in marriage or by will, against the Laws of *England* there established by him and his Father King *John*, issued this general Writ or Proclamation to inhibit them to hold Plea thereof.

Par. 18 H. 3.  
c. 17. See  
c. 4. In-  
t. p. 349.

**R**EX Comitibus, Baronibus, Militibus, & liberis hominibus, & omnibus aliis de terra *Hibernia* salutem. Quia manifeste esse dignoscitur contra Coronam et dignitatem nostram, et consuetudines, et leges Regni nostri



Acti Anglia quas bonæ memoriæ Dominus Johannes Rex, pater noster, de communi omnium de Hibernia consensu teneri statuit in terra illa, quod placita non teneantur in Curia Christianitatis de avocationibus Ecclesiarum et Capellarum, vel de Laico feodo, vel de Catallis, quæ non sunt de testamento vel matrimonio. Nobis mandamus prohibentes, quatinus hujusmodi placita in Curia Christianitatis nullatenus sequi præsumatis, in manifestum dignitatis et Honoris nostræ præjudicium. Scituri pro certo, quod si feceritis, dedimus in mandato Justiciario nostro Hybernia, ut juxta statuta Curie nostræ in Anglia contra transgressiones hujus mandati nostri cum iustitia procedat, et quod nostrum est erequatur. In cujus, &c. Teste Rege apud *Winchcomb*. 28. die Octobris Anno Regni nostri 18. Et mandatum est Justiciario Hybernia per literas Clausas, quod prædictas literas patentes, publice legi, & teneri faciat.

Book 3. Chap. 1. p. 436. l. 1. This should have been inserted.

*Matthew Paris* in the life of *William* Abbot of Saint *Alban* relates this story of an Italian who had been violently intruded by the Popes Provision against right into the Church of *Hertsburne* for many years, being troubled in his conscience for it, resigned it up to the Abbot, the only president of this kind in our Histories, whereupon the Abbot reconferred it on him, as right Patron thereof.

Ad titulos autem dignoscitur ipsius Abbatis *Willielmi* pertinere, quod cum Magister *Hugo* natione *Italicus*, Ecclesiam de *Hertsburne*, per intrusionem *Romanae* Curie violenter obtinisset, cavens Conscientiæ suæ quam graviter læsam senserat, venit ad Abbatem *Gulielmum*, et dixit ei, cum iachrymīs, Domine, illegitimum ingressum habui ad Ecclesiam vestram quæ ad donationem vestram pertinet, unde fructus ægro animo plurimis annis (heu mihi) recepi temerarius. Ipsam igitur, Pater sancte in manibus vestris resigno. Cui Abbas misercatus et miseratus respondit, non inveni tantam fidem in aliquo *Transalpino*, et ego ipsam recipio; Et post dimidium minus horæ intervallum cum silentio ipse Abbas, (nullius præterquam spiritus sancti fretus consilio) recolens, qualiter beatus *Thomas Martyr Cantuariensem* Archiepiscopatum in manus Papæ (quia ingressum habuit imperiosis præcibus Regis *Henrici*) resignavit, et iterum Canonice instituit promeruit, accito *Hugone* ait, et ego tibi eam Charitative confero, ut tua serenetur Conscientia. Quam recipiens cum gratiarum actionibus, multis annis vixit idem *Hugo* sanctissime. Quod audiens Papa cum suis Cardinalibus, factum quamplurimum laudavit, sed similia facere recusavit.

Mat. Paris Hist. vitæ 23. Abbatis Sancti Albani p. 129.

Book 4. Chap. 2. p. 766. l. 1. This passage was omitted by the Printer; How numerous, rich, insolent the Popes Italian usurers were, who returned his extorted monies for him from *England*, and furnished the King, Prelates and others who wanted money, upon good security, at excessive rates both at *Rome* and in *England*, to pay what was extorted from, or given by them to purchase preferments, provisions, or bribe the Pope, Cardinals, officers of the Court of *Rome*, what stately Houses they purchased, and how they were questioned, imprisoned both as Hereticks, Traitors by the King, till they purchased their peace with money, is thus registred by *Matthew Paris*.

Temporibus sub eisdem, Usurarii *Transalpini*, quos *Causinos* appellamus adeo multiplicati sunt, et ditati, quod nobilissima Palatia *Londini* sibi comparantes, stabilem sibi, moxæ Tibium indigenarum mansionem statuerunt. Nec sunt ausi prælati obmutire, quia se Peratores Dominum

Mat. Paris Hist. p. 795. Causini in jus Vocantur.

mini Papæ extitisse assemarunt, nec audebant Civem obloqui quia Magnatum quorundam, quorum, ut dicebatur, pecuniam ad multiplicandam seminabant, exemplo *Romane Curie*, favore defendebantur. Veruntamen tunc temporis graviter in civili foro, Dominus Rege sic volente et caute procurante, sunt accusati, et in causam ante iudicem tractati, et sedente *Londini* pro Iudice ex parte Regis accusantis, velut schismatici, vel hæretici, et Regiæ læsæ rei Majestatis, vocati tenebantur tanquam incarcerandi, et gravius puniendi, pro eo nimirum quod se Christianos profitentes totum Regnum *Anglia* turpissimo quasi fœnoris macularunt. Unde Dominus Rex Christianissimus, qui juravit Sancta instituta Ecclesiæ conservare illaesa, se conqueritur in Conscientia sua graviter laesum. Quod cum non posset inficiari, capti sunt eorum aliqui carcerali custodiae mancipandi, alii vero in locis abditis latuerunt. Quibus auditis, gavisus sunt *Judæi*, suæ se habere jam participes servitutis. Tandem interveniente haud minimæ pecuniæ quantitate amulsi *Judeorum* Causam in pace ad tempus sunt demissi. Dixeratque unus eorum mihi hæc de ipsis scripturo, sub attestazione magni sacramenti, quod nisi sibi mansiones sumptuosas comparassent *Londini* vix aliquis eorum in *Anglia* remansisset.

Book 4. Chap. 2. p. 813. l. 30. Before, (what power) these passages should have been printed.

In what vast Debts and summes of money the Pope involved the King to gain the Kingdome of *Sicily* and *Apulia* for his Son: how unchristianly and violently he extorted monyes from time to time from the poor *Jews* to satisfie the Pope, and how lamentably they complained of the Kings rapines, and the Popes followers undoing them by taking away their trade of *Usury*; and how earnestly they petitioned for license to desert the Kingdome; will appear by these two passages. Anno 1254. and 1255.

Anno Dom.  
1254.  
Mss. Paris.  
p. 859.

Diebus quoque sub eisdem, post Pascha, citra dies tamen Rogantium, Rex ne quiesceret, adeo delæxit in *Judeorum* popellum miserum ut vivere fastidirent. Et cum convocarentur, exegit ab eis Comes *Richardus* ad opus Regis quamplurimum indigentis, pecuniam non minimam, sub pœna Carteris terribili, & mortis ignominiosæ. *Elyas* igitur de *Londino*, *Judeorum* Pontifex, habito (cum sociis suis, consilio, respondit pro omnibus, qui maximam frequenter, nolens, volens solverat pecuniam. O Domini Proceres, videmus indubitanter, quod Dominus Rex nos delere proponit de sub cælo. Det nobis, petimus pro Deo, licentiam, & conductum recedendi a Regni suo, ut alibi quæramus & inveniamus mansionem sub aliquo principe, qui alicujus viscera gestat misericordiæ, & veritatis ac fidelitatis stabilitatem. Et recedemus irredituri, relictis hic suppellectili, & domiciliis. Quomodo diligeret nos misellos *Judeos*, vel nobis parceret, qui suos *Anglicos* destruit naturales? Habet Papales, imo suos Mercatores, non dico fœderatores, qui de præstationibus cumulos coacerbant pecuniarum infinitos. Tunc tatur Rex eis, et suis inbiat emolumentis. Nos profecto supplantarunt et depauperarunt. Quod utique scire Rex dissimulat, exigens a nobis quæ non possumus exhibere, etsi oculos erueret, vel exoriatos jugularet. Et hoc singultibus & lachrymis sermonem impediens dicens, sileat, fere cadens in extasim moriturus. Quod cum ad notitiam Magistratuum pervenisset, non permisit eos a Regno recedere, dicentes. Quo fugeritis miseri? Ecce Rex *Francorum* vos odit, & prosequitur, & exilio perpetuo condemnavit, vitantes *Charybdis* in *Seyllam* mergi desideratis. Et sic parva substantiola quæ eis ad eorum exilem sustentationem relinquebatur ab eisdem violenter est extorta.

Ms. Paris. Bib.  
p. 874.  
Judæi pecunias  
spoliantur.

Et cum carnalium tempus advenisset, Rex a *Judeis*, licet multos depauperatis, exegit cum magna instantia octo millia marcarum, sub pœna suspendii temporis sibi persolvenda. Ipsi vero videntes nil aliud sibi imminere nisi exterminium cum

cum confusione, responderunt omnes unanimiter : Domine Rex videmus quod nec *Christiani* parcis nec *Judei*, quin omnes argumentose studeas depauperare, nulla nobis spes est respirandi, *usurarii Papæ nos supplantabunt*; permitte nos exire de Regno tuo sub salvo conductu. Et nos nobis qualem qualem quaeremus mansionem. Quod cum Rex audisset, exclamavit querula voce dicens : Non est mirandum si aveo pecuniam, horrendum est imaginari debita quibus teneor obligatus. Per caput Dei, ascendit ad summam ducentorum millium marcarum, & si dicerem trium, metas non transgrederer veritatis. Seductor undique. Mutilatus Rex sum & abbreviatus, imo jam dividiatus. Facta enim reddituum certa expensionis æstimatione, ascendit summa annui redditus *Edwardi* filii mei ad plusquam 15. millia marcarum. Neesse igitur habeo vivere de pecunia undecunque, à quibuscunque qualitercunque adquisita. Factus igitur alter *Titus* vel *Vespasianus*, vendidit *Judeos* per aliquot annos Comiti *Richardo* fratri suo, ut quos Rex excoriaverat, Comes evisceraret. Tamen Comes pepercit eis considerans eorum potestatem abbreviatam, & paupertatem ignominiosam;

Book 4. Chap. 2. p. 851. l. 15. This passage was omitted.

Eodem vero anno Abbas *Abendonie* paralyticus, dum inutilis langueret morti subaratus, venerant Monachi ejusdem domus ad Regem, postulantes humiliter, ut cedente Abbate sibi et aliis inutili liceret, eis domum suam pacifice possidere; et eidem consulere utiliter disponendo. Propter quam gratiam, et abundantiam eidem Regi quingentas numerarunt marcas. Cum autem domum redirent, infra quindecim dies obiit Abbas paralyticus. Conventus autem sibi illico eligendo providit salubriter: quod enim sic eis liceret, insertum fuit Chartæ, quam de Rege obtinuerant, Credebat enim Rex, quod diutius vitam continuaret. Consueverunt enim paralytici vitam protrahere diuturnam. Cum autem Rex de morte ejus certificaretur, obstupuit vehementer. Et dolens exclamavit, dicens: O pro capite Dei (ut verbis ejus utar consuetis) qualiter fallo; seductus et circumventus, qui non plus quam quingentas marcas ab illa optima domo recepi; tam cito in posterum vacatura, qui de sylvis ejusdem domus, si in manu mea paucis diebus teneretur, absque aliis emolumentis, tantundem fuero recepturus, ut mille marcas vel plus, ad ærarium meum revocarem. Patuit ergo luce clarius singulis & universis, quod de die in diem magis ac magis, postquam Rex juraverat se pacem & libertatem Ecclesiæ sustinere & conservare, ejus avaritiam sitim & incrementum suscepisse, *only to furnish the Pope with moneyes for to gain Apulia.*

Mat. Paris Hist. p. 899. Abbat Abendonie languenti, Conventus alium eligendi licentiam à Rege impetrat.

Book 4. Chap. 3. p. 913. l. 5. Before Pope *Alexander*; this should have been inserted.

This Archbishop of *Colen* with others, was sent into *England* from the Princes of *Germany*, to *Richard Earle of Cornwall* to recertifie him, that they had unanimously elected him for their Emperor; which he was loath to accept of, *quia duo paucis elapsis annis in Regem Almanniæ electi & promoti, sinistros & finales casus, quasi Deo irato, promoverant.* Whereupon fuerunt qui dicerent Comiti verba consolatoria. O Comes sapiens & circumspicte, quid hasitas, quasi te perterreat casus *Landegravii Henrici*, & iterum casus sinister Comitis *Williel. Hollandi*? Non Papate intrudite violenter (as he did them) qui de spoliis Ecclesiæ et rapinis *Crucelignatorum* tibi spondet necessaria; quæ nunquam tibi forent profutura. Ipsa nempe Papa turpiter adquisita, non ad misericordiam, scil. potius ad iram provocarunt. Thesauro tibi reservato, qui de Regno *Alemanniæ* colligitur, et ad opus tuum fideliter reservatur; abundas Thesauro tuo proprio, velut alter *Octavianus*: instauraris amictis tam *Alemanniæ*, quam *Angliæ*, &c. Whereupon he accepted it. Magnates *Alemanniæ*, Nec *Italicum* vel *Romanum*, et præcipue Papalem aliquatenus eligere;

Mat. Paris Hist. p. 910, 911. Richardus Comes Electus in Regem Almanniæ.



propter insatiabilem eorum avaritiam. Elegerunt igitur into-  
ligenti cum deliberatione consilio, Comitem Richardum, tum propter  
linguam Anglicanam, &c. tum propter ejus fidelitatem, constantiam, & sapientiam;  
tum propter sui Thesauri abundantiam. Unde quidam, scilicet Saryrice, satis inquit  
Saryrice

*Nummus, ait, pro me, nobis Cornubia Roma.*

\* Mat. Paris  
Hist. p. 919.  
930. Seditio  
Romæ orta.

Book 4. Chap. 3. p. 930. l. 38. Before (*Mat. Paris*) this should have been inserted  
\* Anno 1258. Gravis in urbe Romana facta est seditio & civium maxima cum schis-  
mate perturbatio, &c. Consideratis igitur popularibus, De consilio cujusdam  
Anglici, concivis eorum, magistri pistorum in urbe Mathei dicti de Bealueri, facto  
impetu vehementi, catervatim ruentes & glomeratim, carcerem in quo Brancaleo pri-  
stinus Senator tenebatur in vinculis, confregerunt, & liberantes constituerunt eum Se-  
natorem, facientes ei secundum pristinam urbis consuetudinem cum juramenti fide-  
litate. Roboratus igitur Brancaleo, expulit ab urbe sibi adversantes, et  
Hannibales duos, scilicet consanguineos cujusdam Cardinalis, pati-  
bulis fecit presentari, spernens Papalem reverentiam, nec Papali-  
bus pepercit amicis aut consanguineis. Quos cum Papa excom-  
municaret, scilicet Brancaleonem Senatorem et suos fautores, ipsi  
cachinnantes omnes minas suas contempserunt, et potestatem in  
eos exercendam non tantum parvipendebant, sed etiam sannis visi-  
pendebant. Ipsi se asserabant habere privilegium, quod nequit ali-  
quis Papa eos excommunicare, et subannantes comminabantur  
ipsum Papam cum suis Cardinalibus, usque ad internecionem  
persequi et damnificare. Quo cognito, Papa sibi timuit, et dixit  
fratribus.

*Dum furor in cursu est, currenti cede furori.*

Et ne malis pejora succederent, se subito contulit Viterbium, proponens se re-  
motius, scilicet Assisum conferre. *But as he was forced to humble himself to*  
Brancaleo, *and implore his favor. Whereupon* Manfredus, quia Papam odio habuit,  
& Senatorem Brancaleonem præcordialiter dilexerat, gavisus vehementer est: quod  
qui paulo antè minas jaculabatur, et sententiam excommunicationis commi-  
nabatur fulgurare, sic humiliatus est, quod ea quæ pacis sunt rogeba-  
tur postulare. Sponspondit igitur Princeps Manfredus, eidem Se-  
natore Brancaleoni se ad omnia necessaria subventurum. Et sic desti-  
tutus est undique amicus Regis Anglorum Henrici, cui consuevit po-  
tenter suffragari, totaque inestimabilis pecunia, quam pro Regno  
Apulie adquiritendo effuderat, et illuc transmiserat, non sufficiebat ad  
adquietandum usuras, quæ tacite subrepentes, ipsum Regem ig-  
narum illaquearent, et incircumspectum. Imposuit insuper et Pa-  
pa, quod deceperat Ecclesiam et circumvenerat: unde fama ejus,  
inter omnes nationes obsoletè vehementer. When as the Pope himself  
was the grand and most infamous Cheater

Excanduit Papa  
in Regem  
Angliæ.

Diebus sub eisdem, excanduit Papa in Regem Anglorum, eo quod promif-  
sa toties iterata non observans, seipsum ultro obligaverat sub pœ-  
na amissionis Regni, excessus corrigere consuetos. Instante igitur  
Episcopo Rossensi Laurentio (*such was his Episcopal Loyalty*) et aliis mul-  
tis urgentissime, proposuit Papa, post admonitiones infructuosas  
in Regem fulgurare sententiam excommunicationis, et Regnum  
interdicere, (*such was his Papal presumption*) et gravioza gravibus suc-  
cessive simulare Rex igitur mente confusus, (*who wanted the courage*  
*of Brancaleo, and the English Bakers valor at Rome*) quinque milia Martarum  
Domino Papæ numeravit, ut iram temperans cordis sui hanc senten-  
tiam

tiam ad tempus prozogaret atque differret. Dominus autem Pa-  
 pa p[re]cio et p[re]cibus postulantis sileo acquiebat. (*Whereas the King should  
 have derided, contemned it, as the Romans then did under his very Nose in Rome it self,  
 and much more be a King, at a greater distance.*) Et sic depauperato Regno Anglia,  
 & undique bonis suis spoliato, omnis spes de obtinendo Regno Apulia penè evanuit  
 exsufflata, nisi quod in sinu novi Regis Alemannia Richardi aliquantula, sed nimis  
 exilis, est reposita, quia nondum culmen Imperij est adeptus. *Such a grosse hole  
 cheas did these unholy Popes put upon this our deluded King Henry, his sonne Edmund;  
 and our Kingdome.*

This Record should have been inserted. Book 3. Chap. 1. p. 476. l. 9.

What an Ecclesiastical Sovereignty King Henry the 3d. exercised in the appropri-  
 ating of Churches, and endowing of Vicaridges, this memorable Writ for that pur-  
 pose issued to the Bishop of Worcester Anno 20 H. 3. will clearly evidence.

Rex Domino Wigorn. Episcopo salutem. Ex quo minus honestum vobis videbatur • Claus. 20 H.  
 appropriare Monachis nostris Wigorn. Ecclesiam de Brengrove in forma quam inten- 3. memb. 17.  
 dabamus, videlicet, ut augetur numerus curiarum, discretionis vestre reliquerimus, ut dorso;  
 secundum quod videritis honestius id fieri posse, & anima bona memoria Domini J. Regis  
 Patris nostri, cui super hoc subveniri cupimus, magis expedire de appropriatione predicta  
 disponatis, secundum tenorem Cartæ nostræ. Ita tamen, quod Vicaria mediocri  
 sit, & modum non excedat, & quod provisionem vestram in hac parte per litteras  
 vestras Nobis plenius certificetis, antequam ipsam promulgetis vel statu-  
 tis. Teste Rege apud Wudstock 24 die Februarii.

FINIS.

7 A 2

MA



*Courteous Readers,*

**F**OR the readier finding of the principal persons, places, matters contained in this Volume, I have made several distinct Indexes or Tables thereunto.

The 1. of the Authors and Authorities of all sorts therein quoted and made use of. The 2. of the English and other Abbies, Priories, Monasteries, Nunneries, Abbots, Priors, and all matters relating to them. The 3. of the *English* and *Welsh* Archbishopricks, Bishopricks, Archbishops, Bishops, their Elections, Actions, Treasons, Extravagances, Contests, and all matters relating to them in this Tome. The 4. of the *Irish*. The 5. of Forraign Archbishopricks, Bishopricks, Archbishops, Bishops, their elections, and actions herein mentioned. The 6. of the *English*, *Irish*, and other Archdeaconries, Deaneries, Archdeacons, Deans. The 7. of the *English* and other Earls. The 8. of the chief Officers of State of *England* and *Ireland*. The 9. of Barons, Knights, and other principal persons Names of our *English* or other Nations. The 10. of the Popes of *Rome*. The 11. of the *Romish* Cardinals. The 12. of the Popes Legats, Nuncios, Agents in *England*, *Ireland*, or other foreign Dominions. The 13. of Cities, Castles, Churches, parishes, places, and passages relating to them; with the Pages wherein you may finde them. The 14. of the Principall matters herein contained, wherein the Names, Actions of our own and other Kings, Emperors, Princes, and chief Persons, are more particularly related. The 15. of sacred Texts occasionally abused by the Pontificians to maintain *St. Peters* and Popes Supremacies, the adoration and Sovereign Exaltation of the Virgin *Mary*, Saints departed, Transubstantiation and other Popish errors; or made use of, to refute their mistakes, and corruptions.

In the respective Indexes of the Abbies, Monasteries, Archbishopricks, Bishopricks, Priories, Archdeaconries, Deaneries, Earldomes, Offices, I have observed an *Alphabetical method*, in respect of the Places themselves; but pursued a *Chronological method* in relation to the Abbots, Priors, Archbishops, Bishops, Archdeacons, Deans, Earls, Officers, beginning with the antientest, and so descending, as most consonant to my Chronology. Only I have observed an *Alphabetical method* in the Popes.



An *Alphabetical Index* of the *Authors* quoted in this **TOME**  
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oppressed, pillaged his Church, Suffragans by Taxes, brought it deeply in debt, to maintain his Brothers wars and bribe the Pope, 626, 634, 683, 684, 685, 741, 754, 773, 790. He is consecrated at *Lous*, to the great damage of the Realm, and Popes advantage, 627, 721. The Pope grants him an ayde, which the King prohibits Abbots and Priors to pay, being granted without his consent, 634. Neglects, absents himself from his Church, Cure, residing beyond Sea in the Popes Wars, to the irreparable damage of the Church, 627, 642, 645, 722, 740, 773, 820, 849. Procured an unheard-of grant of the first-fruits of all benefices within his province, to pay his Churches debts, which the King confirmed, Bishops oppose; for which he excommunicated the Bishops, who were forced to submit, ere absolved, 683, 684, 685, 712, 719. The Kings mandate to his Official to allow of a Papal provision, though odious, 696. A Prohibition issued against the Popes grant to him of the first-fruits of the benefices of Lay-patrons, 712, 719, 734, 735, 759. King *Henry* the 3. with several Nobles receive the Cross from his hands to ayde the Holy Land, 730. Inthroned with great pomp in his See after long absence, 740. He intends to visit his province, beginning first with his Chapter of Monks at *Canterbury*, who durst not resist him: his severity toward them therein, 740. His exorbitations in it to get money, not reform manners, 747. Intends to visit *London*, where his Marshal takes up purveyance like a King, *ibid*. The Dean and Canons of *Pauls* resist his Visitation, for which he excommunicates them, *ibid*. The Prior and Monks of *S. Bartholomew* withstand his Visitation, as subject only to their Bishops: whereupon he furiously beat the Subprior, tore his Miter, shed his blood in the Church, and almost crushed him to death; having a Buckler under his Robes, as if he came to fight, not to visit; His followers furiously assault the unarmed Canons, Monks, who ran to the Bishop and King to complain of the violence: The *Londoners* take up arms against him, whereupon he retreats to *Lambeth*, there revives his Excommunication, involving the Bishop of *London* in it as favouring the Canons and Monks; which he renues the next day at *Harrow*, 741, 742. The Dean, Chapter, Canons Monks complain and appeal to the Pope, the Bishop by Letter exhorts all his Diocesans to assist him against these his violent proceedings, 742, 743. Dissuaded from Visiting *St. Albans*, by reason of its privileges, 742. Held his Metropolitonical Visitation by virtue of Pope *Innocents* Decree, which limited procurations, prescribed preaching in it, prohibited coercion and exaction of any Oath. He used no Oath in his Visitations, p. 712, 743, 744. His Excommunication of the Dean and Chapter of *Pauls* reversed & declared null, 744, 745, 746, 762. The Bishops make a common purse, Proctor at *Rome* to oppose his Visitation of them, 747. He repairs to the Court of *Rome* with great Pomp to oppose them; the issue of it, p. 747, 748. The Bishop of *London* propals to, absolution, by him, 748, 752. The Abbots confederacy to oppose his and other Bishops Visitations of them, 761, 762. His Visitation moderated, 762. The Kings Letter to him to assent to an ayde, which the Bishops and Clergy refused to grant during his absence, 767. Held his former promotions by *Commenda*, 766. The Kings Writ to him to promote the ayde granted him by the Pope, 768, 769. The Bishops refuse to grant an ayde in his absence being their Primate, the Bishops answer thereunto, 772, 773. The Kings Prohibition to his Suffragans to hold pleas of Advowsons of Churches during vacancies of Bishopricks, 782. His Official excommunicates, imprisons the intruding Prior of the Hospital of *St. Thomas* in *Surbury*, for which the Bishop of *Winchester* (servants, forcibly abuse, imprison the Official; whereupon the Archbishop and his Suffragans by his command publicly excommunicated the Bishop and his Servants in the Arch-

at *Oxford*, and elsewhere, who condemn his censures, p. 785, to 789. His Suffragans appeal against, oppose his Visitation of them, the contests, bribes at *Rome* concerning it, 789, 790. He burnt the Popes Letters against his visitation of the Monks of *Canterbury* with indignation, before he had scarce read them, p. 791. Pope *Innocents* Decrees concerning it, procurations, exemptions from it, p. 790, 791, 792, 793, 794. He sent to the King with other Bps by the Paul to importune him, that the Church might enjoy her Liberties, especially her freedom of elections; with the Kings sharp answer to them to resign their Bishopricks as unfit for, unworthy of them, and ungrateful to him their advancer, 795, 796. His and his Suffragans Excommunication against the bringers of the Great Charter and Churches Liberties, 796, 797. His moderate Visitation of *Feversham*, *Rochester*, *London*, to gain entrance into and possession of Visiting the rest of his Province, 799. A contest between him and the Chapter of *Lincoln*, about conferring Prebends, and the rents of the Bishop of *Lincoln* during the vacancy, 804, 806. The King writ to him and others to promote the Dimes for the Holy Land, 807. A Writ for him to receive the Aydes, Escoage due from the Bishoprick of *Rochester*, as Patron thereof, 818, 819. Claimed the Ayds for making the Kings Sonne a Knight, marrying his daughter, and return of the Kings Writs in all the Fees of the Bishop of *Rochester*, p. 819. Obligated his Church in above 15000. Marks to the Pope; commands his woods to be cut down, sold, to help defray it, p. 826. Oppresteth the Bishop of *Rochester* by power; Writs to stay suits between them till heard by the King and Nobles; Bull and Legat sent about it, p. 826, 843, 928, 929, 930, 941, 942. The Bps Answer to the Popes Legates demands deferred, by reason of his absence beyond the Seas, 823, 824, 849. His brothers ill success in his Wars maintained by his rapine in *England*, 848, 849. Returns into *England*, summons a Council, that like the Martyr *Thomas* he might encounter the Enemies, Rebels of the Church, and be a wall of defence to it, 890. The Kings prohibitions to him and the Bishops not to meet in this Council; which they contemn, 890, 891. Their Treasonable Articles, Canons made in that Council, against the Kings Prerogative Ecclesiastical and Temporal, his Temporal Judges, Courts, Lawes, Prohibitions, Writs, Judgements, exempting of themselves, Clerks, Officers, Lands, Goods from their secular Jurisdctions, Judicatures; detesting Interdicts, Excommunications against the King, his Judge, Officers Lands, Castles, Lay-Subjects, for which Liberties they resolved to contend to death, 890, to 912. The Archbishop forced by the King, Barons to fly the kingdom for these Constitutions, against which they complained, appealed, sent their Proctors to *Rome*: Which Constitutions are yet printed in *Lyndwode*, *Alton*, urged for the Canon Law of this Realm, though nullied, 911, 912, 983, 989, 990, 991. Not permitted to return into *England* unless: he would reverse his illegal Excommunications, disturbing the kingdoms peace, act nothing concerning the weighty affairs of the Church or Realm: but by advice of the greater and sincerer part of his Suffragans, and other discreet persons of the Realm; engage that upon his return, or during his stay in *England*, neither he nor any of his Clerks should bring any Messages, Letters, Mandates, or other thing, nor do or procure by themselves or others, ought to the prejudice of the King, kingdom, nor carry or send any thing out of it, but in cases of necessity, by approbation of the Kings Council, 997, 998. A Writ to him for a Collection for the Church of *Colen*, wherein the three Kings were interred, 912, 913. The Kings prohibition to him not to consecrate the Bishop elected by the Monks of *Ely* whom he disapproved, his appeal against, and Writ to examine it, 912, 913. nullied at *Rome* by the King, him, and a new Bishop elected

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*Ibid.* 924. His Official refused to admit the Kings Clerk, whereupon another is commanded by Writ to do it in his default, 955, 956. A Writ to stay all proceedings at Law in his suit, for return of Writs, till heard by the King and Council, 970. A prohibition to him and his Official not to cite any Clerk presented by the King by the Popes authority to appear out of the Realm, 980, 981. The Kings Writ to his Tenants to ayde him to pay the debts pretended he had contracted for his Churches Liberties, 991. A Prohibition to him not to distrain the Kings Chaplains for Dismes, 996. The Kings Writ to him to appoint some Bishop of *England* to consecrate the Bishop elect of *Bath and Wells*, who could not come to him to be consecrated beyond Sea; his refusal thereof, with the Kings second Writ and displeasure thereon, taxing him of ingratitude, commanding his present return under pain of levitic proceedings against him, 998, 999. The profits, goods of his Archbishoprick forcibly seized on during the Barons Wars, Writs of enquiry issued thereupon to protect and secure them, 1000, 1001, 1004. Writs to him and his Official to constrain the Bishop of *Hereford* by Ecclesiastical censures to reside at his Church, discharge his Episcopal Office, to prevent seizure of his Temporalities, and Kings proceedings, 1011, 1012. Canons for it, 1041. A Writ to enquire what Lands had been alienated, given by the King without the Archbishops consent, or detained from his Church against the Privileges thereof, 1033. A Writ to the Collectors of the Dismes within his Diocese, to hasten their collection, 1034. To repay monies out of the Disme, borrowed of him by Prince *Edward* to repair *Dover Castle*, 1036. A Writ concerning the account of the Dismes of his Diocese, 1052, 1053. Writs to preserve the Archbishops right in the Priory of *St. Martins Dover*, immediately subject to the Archbishop, against the Prior and Convent of *Canterbury*'s encroachments thereon, 1060, 1061. His ignominious, wretched, scandalous, long Archiepiscopal life; his death beyond the Seas, the great inundations at *Canterbury* about that time, 1061.

*William de Chilsden*, by the Kings license elected by the Monks, not approved by the King, but appealed against; persuaded by Pope *Urban* to relinquish his election, 1061, 1062. whereupon the Pope conceiving the right of conferring the Archbishoprick to be devolved to him, like his predecessors. out of the plenitude of his power appointed *Robert Kilmarshy* (Provincial of the Friars Minorites in *England*) to be Archbishop; upon which the Monks to preserve their right of Elections, *pro forma* elected him Archbishop, 1062. The Prior on the day of his consecration demanded 2000. Marks, spent in the election of *Chilsden*, the Pope promised he should pay, who by threats made him abate 1300 l. *Ibid.* 1063. He refused to confirm, consecrate *Dr. More* Bishop of *Winchester* elect, because he had two Benefices, contrary to the Canons of the Council of *London*, 1063.

*Robert Kilmarshy*, and his Successors *John Peckham*, *Walter Reynolds*, *John Straford*, *Simon Islip*, *William Courtney*, *Thomas Anselm*, *Thomas Bourchier*, *John Morton*, and others, (like *Boniface*) exacted no Oath in their Visitation, and Inquiries in them, p. 711. according to Pope *Innocent* the 4. his Constitutions, p. 743, 744.

*Chester*, *Coventry* and *Lichfield* Bishoprick, Bishops Commissioners for enquiry of damages suffered by the exiled Bishops within it, p. 280.

*William de Conibull*, sent with King *John*s offers to the Barons, p. 347. A recognition before him and other Bishops by the Bishop of *Nottingham*, p. 381. A Writ prohibiting the Archbishops Officials Usurpations on the Kings rights, rents during its vacancy after his death, p. 388

*Alexander de Saverby*, consecrated at *Rome*, p. 392. sent by the King to *Rome* with others to appeal against the Monks election of *Walter* to be Archbishop of *Canterbury*, which the King disallowed, and Pope vacated, p. 418, 419, 420. rebuked only in Parliament by King *Henry 3.* for having too much familiarity with the Earl Marshal, and endeavouring to deprive him of his Crown; his indignation and Excommunication denounced thereupon, p. 443. joyned with Archbishop *Edmund* and others in reprehending, menacing to Excommunicate the King, p. 443, 444. sent by the King with others into *Wales*, to mediate Peace between the King, Earl Marshal, and Prince of *Wales*, p. 445. The Popes message sent by him to the King, for recalling *Peter* Bishop of *Winchester*, his answer and Writ to him concerning it, p. 457.

*William de Rale*, elected by the Monks and Canons of *Litchfield* too, refused it, being elected to *Nottingham* about the same time, p. 510, 511.

*Nicholas Farnham* thereupon elected by the Monks, but the Dean of *Litchfield* by the Canons, who at last consented to *Farnham*s election, who peremptorily refused the Bishoprick, p. 510, 511, 565.

*Hugh de Palsburgh*, a Writ to him to enquire how many Benefices, Prebendaries were in his Diocese, how many of them were conferred on Aliens by Popes or Legates Provisions, with the persons names, values, p. 573. Pope *Innocent* absolved the Prince of *Northwales* from the Charter, Oath, Excommunication of the Bishop of *Coventry* and others, to whose censure he submitted himself in case he violated them to King *Henry 3.* p. 608, 609. A persecutor of the Monks his electors, till his death, p. 624. The Monks forcibly dispersed by the King, forced to fly to other Monasteries during the vacancy, p. 624.

*William de Monte Pessulano*, after his death, elected by the Monks, his praise, p. 624, 625. resigns his election to the King, because he and some of the Canons opposed it, p. 624, 625, 627.

*Roger de Wechem*, elected by the major part, by the Bishop of *Lincoln*s means, against the Kings consent; allowed, consecrated by the Pope at *Lyons*; *Richard Kesper* of the Great Seal, whom the King recommended (elected by some few) put by, at which the King was highly displeased, p. 625, 626, 627. The King detains his Temporalities a long time for this affront, but at last by the Popes mediation restored them, p. 627, 628. The King presents to the Church of *St. Michael Coventry*, appropriated without his license during the vacancy; The Vicar cites his Clerk before the Popes Delegates, placed force in the Church to keep him out, which the Sheriff by the Kings order removing, some were wounded; for which the Bishop Excommunicating the Sheriff and his Officers, the King issued Writs to the Bishop to absolve them, and to the Popes Delegates, Vicar, others, not to prosecute the suit, p. 687, 688, 689. A Prohibition to him and his Proctors not to exact Subsidies from, or exercise any Jurisdiction in the Kings Free Chappels within his Diocese, p. 744, 755. Not to grant Administration of the goods of Clerks inrestate debtors to the King, till the debt satisfied, p. 782. joyned with Archbishop *Boniface* in Excommunicating the Bishop of *Winchester*s servants for their force on his Official, p. 788. his absence from Parliament excused by sickness, p. 795. Writs to him for the business of the Crosse, and collection of Dismes, p. 807, 814. voluntarily resigned his Bishoprick, p. 851, 925.

*Roger de Moend* the Kings Nephew elected by the Monks, approved by the King, though he recommended his Treasurer to them, p. 925. A Writ to him to requester the Ecclesiastical livings of *John Waterand* in his Diocese, who refused to account to the King, p. 978. A difference concerning a presentation to *Cestretton Church*, referred to him by Writ, p. 993. Writs for collecting the Dismes in this

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Commissioners to enquire damages done in it to the exiled Bishops, p. 178. A license to the Dean and Chapter to elect a Bishop in the presence of certain persons entrusted by the King, p. 348.

*Ralph de Nval*, Chancellor to King Henry 3. elected Archbishop of *Cicester*, rejected by the Pope for his stoutness, and opposition to King *Johas* Charter of resignation, 293, 294, 431. The Popes Delegate in the case between the Abbot of *Glastonbury*, and Bishop of *Bath* and *Wells*, 317. Present in the Parliament at *Merton*, and Lords vote concerning *Bassard*, 472. The Monks of *Winchester* require, nominate him for their Bishop, in opposition to *Esbelmar* whom the King recommended, for which he incurred the Kings displeasure, who put him from his Chancellorship, which he repented soon after, 501, 510. A Writ to him and other Bishops concerning the Privileges of *Cicester*, 600. his death, 613.

*Robert Passilve* the Kings Treasurer, elected by the *C*anon, approved by the King, rejected by the Bishop of *Lincoln* and Archbishop *Boniface* as insufficient, 625, 626, 627.

*Ralph de Wihz* presently substituted in his place by the Bishop of *Lincoln* means, without the Kings assent; who very angry at the affront, commanded him and his to be kept out of the City, detained the Temporaries a long time in his hands, restored them after much mediation and submission at last, 625, 626, 627. Consecrated at *Lyons* by the Pope, 627. A Writ to him to unlock the barns of a Clerk sequestered, or else the Sheriff to break them open, 718, 719. Present in the Parliament at *London*, where he denies an Ayl to the King, 721. A Prohibition to him not to hold plea of a Debt then pending in the Exchequer, 757. To take the account of the Bishop of *Winchester* concerning Compositions for absolutions from the Croffe, 758. Appointed by the King with others to preach up a Croffado, 766, 797, 806, 807. Consents with the Bishop of *Lincoln* in opposing a Disme to the King, though granted by the Pope, 771, 772. Joynes with Archbishop *Boniface* in excommunicating the Bishop of *Winchester* and his servants, 786. The Kings Letter to the Pope in his behalf, for his good service in preaching the Croffe, 797. Expenses allowed him for it, with Writs concerning this service, 815, 816.

*John Chipping*, summoned by the King to *St. Edwards* Feast at *Westminster*, 826. Writs to the Collectors of Dismes in this Diocese, 917, 1000, 1051.

*Stephen*, with three other Bishops. summons all exempt Abbots and other Religious persons to *Oxford*, to know whether they would stand to and defend the Barons Ordinances, 954. Excommunicated by the Popes Legate for adhering to the Barons against the King; goes to *Rome* to the Pope to purchase his absolution and peace, 1018, 1021. A Writ of safe conduct for his going and returning to answer Articles against him for it, before the Popes Legate, 1020, 1021, 1023. Subscribes a Writ to remove a Lay force from a Prebendary, with the Kings Council and other Bishops, 1005.

## D.

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*S*T. David translates the Archbishoprick of *Wales* from *Caerlegion* to *St. Davids*, 234, 235. what Bishops were Suffragans to it, K. H. 2. subduing *Wales* subjected it and all its Suffragans to *Canterbury*, *Ibid*.

*St. David*, first Archbishop thereof after its translation by him to *Menevis*, 234. 2. Archbishops after him therein, using a Pall and plenary Archiepiscopal Jurisdiction, *Ibid*.

*Sampson*, the last of the 24 Archbishops, carried his Pall to *Dole* in *Britany*; 19 Archbishops succeeded him therein, using Archiepiscopal Jurisdiction, but without a Pall, 234, 235.

*Willfrid* Bishop thereof after *Walis* subduing by K. H. 2. p. 235.

*Bernard*, made Bishop by K. H. 2. compelled by him to receive his consecration from, make his procession of subjection to the See of *Canterbury*, and to take an Oath not to raise any contention concerning the Archbishoprick thereof against *Canterbury*, 235. which Oath he violates after K. H. 2. his death; appeals to *Rome* to revive the Archbishoprick, but hath sentence given against him by Pope *Eugenius*, *Ibid*.

*Gildardus*, or *G. of J* Archdeacon of *Brecon*, made Bishop thereof by the Popes Provision, endeavours to revive the Archbishoprick; opposed both in his design and provision by King *Johas* and *Hugh* Archbishop of *Canterbury*, put by his Bishoprick, forced to quit his Archdeaconry, Writs prohibiting any to own or assist him as Bishop, declared a publick enemy to the King, and the rights of his Crown, 234, to 238, 778.

*William* Abbot of *Dygnail*, elected, approved, consecrated Bishop in his stead; the Kings Writs issued to ail in his Diocese to assist, receive him, and oppose *Gildardus*, 240, to 237, 778.

*Hugh Foliot*, the Kings Writs to the Bishop of *Hereford*, and Dean and Chapter of *St. Davids*, to elect him Bishop, (yet not elected that I find) 315, 316.

*Albionus*, dyed of grief, his Bishoprick being wasted by K. H. 3. his Wars on the *Welsh*, 726.

*Thomas Wallensis* Archdeacon of *Lincoln*. (a *Welshman*) elected, approved by the King, accepted of it when poor, wasted by the Wars, 726. Present in Parliament, joynes with the other Bishops in denouncing the E-communication against the intruders of the Churches Liberties, and *Magna Charta*, An. 1253. p. 796. Collectors of Dismes in this Diocese, 917. Archbishop *Boniface* his Letters to the Bishop of *St. Davids*, to execute his sentence of E-communication against *Llewellyn* Prince of *Wales*, for breaking his Truce with, Oath to K. H. 3. by invading *England*, 976, 977.

*Richard Carred*, his complaint to K. H. 3. of violence offered to the persons, possessions, goods of Clergymen in his Diocese, and Kings Writs prohibiting such violence for the future, 996, 997. A Writ to him diligently to collect the Dismes in his Diocese, 1034.

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*Hugo Pinlar*, four Churches in the Bishoprick of *Durham* granted by K. H. 1. and appropriated with his consent to *Carlisle*, 376. his royal house in *London*, the Popes Legate lodged in it, 464. pronounced a sentence of condemnation against *Eust* *Johas*, exiled for Treason against K. Rich. 1. Appendix p. 18.

*Philip of Poitiers*, his appeal against the Archbishop of *Tork* Excommunication, proceedings, the Kings Patent attesting it, 242. Adhered to King *Johas* against the Pope and Archbishop *Langton*, for which he suffered afterwards, 254, 265.

The King recommended *Richard de Marisco*, or the Bishop of *Norwich* to the Monks of *Durham*, who though seconded by the Popes Letters to them and his Legate: they notwithstanding in contempt of the King, elected the Dean of *Sarum* by unanimous consent, under all their hands, seals; and presented him to the Popes Legate: The Pope



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After his decease the Monks petitioning the King for a license to elect, he recommended *Luke* his Chaplain to them with much earnestness; his answer they should have no Bishop for 7. years, unless they would elect *Luke*: yet they elected *William* Archdeacon of *Winchester*, whom the King refused, and appealed against: after two years spent at *Rome*, the Monks election was cancelled, *Luke* put by, and *Richard* Bishop of *Salern* made Bishop by the Popes favour, p. 405, 406, 418. A Commissioner in the North, to inquire who broke up the *Roman* barns, forcibly took their goods, and to send them to *Rome* to be punished besides, without any appeal, 436, 437. Present in the Parliament at *Merton*, when Bastardy by the Common Law was setled against the Canons, 472. His death, the Kings license to the Monks to chuse a New Bishop, p. 483.

*Thomas* Prior of *Durham* elected; the King appeals, constitutes Proctors against it, p. 497. The Monks prosecuting his confirmation at *Rome*, are delayed, of grief, sickness, plague; and he despairing of success quits his Election; thereupon a New license to elect is petitioned for, granted, p. 565.

*Nicholas* *Farnham*, elected, refused it, till conjured by Bishop *Grosbeard* to accept it; the King approved, confirmed him, 565, 566. A Writ to him to inquire and certify how many Benefices were in his Diocese, and how many provisions granted to Aliens by Popes, Legates, or others, p. 573. One of the Popes delegates to absolve the Bishop of *Lincoln* and his Subjects from the Monks of *Canterbury* sentences against them, 599. Consecrated at *Glocester* where the King and Queen were present, his profession of subjection to the Archbishop of *York*, 623. Cured of his incurable disease by drinking some of *St. Edmunds* hair, *Ibid*. A Writ not to remove from *Durham* notwithstanding his summons to Parliament, or to attend on the Archbishop elect of *Canterbury*, or any other occasion whatsoever till further order, by reason of danger in those parts, 632. He oppresseth by his Episcopal power the Prior and Monks of *Tynemouth* by distresses, notwithstanding the Kings trebled request on their behalf; Charged with high ingratitude by the King; a Prohibition issued to him; ordered to pay damages to the Prior, sharply reprehended by the King, p. 715, 716. Falling into an incurable disease resigned his Bishoprick, reserving 3. Mannors only during his life; the King seizeth the rest, 623, 624. A Writ declaring that after his resignation he was not obliged to pay his predecessors Debts, nor to be distrained for them, 728. His death, 924.

*Walter de Kibham*, his Successor, endeavors by the Popes power to resume the 3. Mannors reserved by *Nicholas* upon his resignation; the Popes reprehension, and his infamy for it, p. 761, 924. The Kings Writs to him to promote the preaching and business of the Croise, collect the monyes raised by, and publish the Indulgences granted him by the Pope to such who took it up, 767, 768. present in the Parliament of 37 H. 2. and Excommunication publicly denounced against the infringers of the Churches Liberties and Great Charter, 796, 797. Assaulted, abu-

sed, 4. of his servants forcibly imprisoned by *Jehan de Bay* his Brother and complice, for excommunicating, imprisoning some of his Servants by a *Capias Excommunication*: His Complaint thereof to the King, Writs issued thereupon to release the Bishops servants, and punish this Ricar, 826, 827. A Writ to him to shew what right he had to the sequestration of Churches in his Diocese, belonging to the Bishop of *Carlisle*, p. 942, 972. A Writ to the Bishop of *Durham* for his Officials cit. 18 40. Brigesses of *Newcastle* out of the Town, compelling them to appear on their Citations from day to day, and take Oaths at their pleasure against their wills by Ecclesiastical censures, to their impoverishment, vexation; such proceedings prohibited as insufferable; which the King would speedily redress by advice of his Nobles in his default, p. 969, 970. A Writ of Inquiry who took away a Whale cast on shore in the Lands of the Bishop of *Durham* during the Temporalties in the Kings hands, 982.

E.

*Edw. York* Archbishoprick, Archbishops.

Commissioners in it for the damages of the exiled Bishops, p. 28.

*William* his election nulled by the Pope, and *Henry* *Mardac* elected to it by his means, p. 778.

*Geoffrey Plantagenet*: Opposeth a Tax to King *Jehan*; Excommunicates the Sheriff of *York*, beats his servants for levying it, 230, 231. His goods, temporalties seized, he summoned for these contempts and others; whereupon he submits to a fine; absolves the Sheriff and his assistants, is reconciled to the King, *Ibid*. He excommunicates the Archdeacon of *Richmond*, interdicts some of his Churches, who complains thereof to the King, Pope, 231. The Kings protection to the Archdeacon, and Popes Epistle to *Geoffrey* to absolve him, p. 231, 232. His Contempt of the Popes authority, and appeals to him, 232. Confers the Church of *Melburn* on the Archbishop of *Melfina*, Bishop of *Kalish*, for his relief, at the Popes request, 241. The Kings protection to the Dean and Chapter of *York* whom he prosecuted, oppressed by force; Writs to remove his force, 241, 242. Appeals of the Bishop of *Durham*, sundry Abbots, Priors before the King, against his Excommunications, Suspensions, Interdicts, his Patent concerning them, 242. Contradicts a new ayd granted to the King paid by all others: excommunicates all who should levy it in his Diocese, with all invaders of the Churches Liberties, departs the Realm privately, without license, 242, 243. His temporalties, goods seized, himself banished, for this contempt; He dies in exile 7. years after, *Ibid*.

*Simon Langton* Archdeacon of *Canterbury*, Archbishop *Stephens* Brother, elected by his means against the Kings license and expresse prohibition; rejected by the King, Pope, as an enemy to the King and kingdom: p. 293, 348, 349, 350. Pope *Innocents* Epistle to the Chapter against his Election, & to go to a new one, who justify *Simon*, *Ib*. See Index 6.

*Walter Grey* Bishop of *Hereford*, recommended by the King, rejected at first, after elected, approved, 349, 350. Receives his Pall, for which he was obliged in the Court of *Rome* in 10000 l. p. 350. A Prohibition to him not to admit a Clerk till the Title tried in the Kings Court, 388, 389. Proctors appointed to prosecute the Kings appeal before him against the Bishop of *Durham* election, 497, 565. His License demanded by the King for his Judges to take Oaths and try causes in prohibited times by the Canons, 407. A Writ to him concerning the Church of *Newcastle*, and Bishop of *Carlisle*, 421. To inquire, excommunicate those who broke open the *Roman* barns, spoiled their goods, and send them to *Rome* for absolution, without any appeal, 436, 437. A Contest between him & the Archbp of *Canterbury* for precedency in the

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*Godfrey de Kyma*, One of the Kings Nuncios and Proctors to the Pope touching the Kingdom of *Sicily*, 946, 947. Travels to *Rome* and is there consecrated, carries his Crosse openly through *London*; gratefully received by the King, 853, 854. Joyfully received at *York*; yet interdicted the whole City soon after, 954. The Kings Letter to the Archbishops Tenants of *Rippon* and *Osley*, to contribute a competent ayde to the Archbishop to defray the debts of his Church, which were great, and like to undo it, 977. A Writ to him to sequester the profits of the Church of *Middleton* to pay the Encumbrants debts according to an agreement which he violated, 978. A Patent to him to inquire of such who spoiled the goods and benefices of Clerks during the Troubles, and give them competent satisfaction concerning their injuries and complaints, 1003, 1004. A Writ to him speedily to collect the Disme granted him in Parliament for defence of the Realm, in his Diocese, to prevent the levying it by his Sheriff and Bayliffs, which he must be necessitated to, though he tendered the Churches Liberties, 1006 1007. A Writ to him not to levy the Disms of the King Clerks who attended on him in his march towards the Sea against the enemy, according to agreement of the Prelates and Nobles of his Council then with him, 1007. His Barony seised for not sending horse and arms to the King upon summons, 1008. The Sheriff of *York* over-acting therein, seising the goods, ransoming, imprisoning some of his Tenants, contrary to the Kings Writ and intent, who issued a Writ to deliver the goods; ransoms taken, and enlarge the persons, 1009. His death, *ibid*.

*William de Langton*, elected after his death, the Pope nullified his election because he had a plurality of benefices, and by provision transcribed *Walter G. of* (his Chaplain) Bishop of *Bath* and *Wilt* to it; who carried his Crosse magnificently before him through *London*, p. 1009, 1110. 1029. One of the Kings Council, a Mortgage of *Crowl* Lands to him for the Kings voyage to the Holy Land 1037.

*William Rotherham*, the Kings Patent of his Royal assent to his election signified to the Pope, 1021. Grants an annuity of 80 marks per annum to a Cardinal, till he should promote him to a benefice of 100 l. by the year, 2 Prebendaries awarded to secure it ratified by the Kings patent p. 1039.

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*Esau*, the Popes Delegate in the contests between the King, Archb. Abbot, Monks of *St. Augustines Canterbury* about the Church of *Feverham*; his award made therein, a prohibition to him, Appendix 6. to 16. Pope *Innocent* Epistle to him, 232. Sent into *France*, 303. The Kings Writ to him not to prejudice the Church of *York* by any thing acted during the discord between the King and Archbishop, 233. One of the Popes Delegates to admonish King *John* to receive Archbishop *Langton*, to interdict the Realm if he refused to do it; his proceedings and Kings answer therein, his flight after the Interdict into foreign parts, He and his kinred banished, his goods, temporalities seised for his Treasons, disloyalty, excommunicating, procuring, pronouncing the Kings deprivation from his Crown by the Pope, 251, 252, 253, 254, 257, 258, 259, 262, 264, 265, 267, 268, 270. Popes Legates mediation for his restitution to his Bishoprick, profits, damages during his exile, the later refused by the



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*John* Abbot of *Fountains*, p. 379. A Delegate of the Pope to examine and certify the abuses, excesses of the Bishop of *Durham* against the Monks, and proceedings therein, p. 383, 384. An Inquisition upon Oath of the several Liberties, Franchises within certain Hundreds, granted to him, 397, 398.

*Geoffrey de Ruys*; his death, 421.

*Hugh* Abbot of *Burgh*, elected, approved by *King H. 3.* 421. The Popes Commissioner to examine the canonicalness of the election of *John* Abbot of *St. Albans*, and give him the new Oath of Fealty to the Church of *Rome*, 459, 460. His proceedings, Letters thereupon, 463, 464, 465. Present in the Parliament of *Merton*, and Vote concerning Bastardy, against the Canon Law, 472. A Writ to certify the King how many benefices, Provisions were in his Diocese, and by and to whom the provisions were granted, 573. A Writ to protect him from the Priors and Monks of *Canterbury* encroachments during that Seas vacancy, 600. Excuseth his absence from the Council of *Lyon* by age and sickness, 638. Pope *Gregory* Bull to him, revoking the provision of the Church of *Medana*, and the Cardinals Bull against it, 650. Summoned to *S. Edwards* feast at *Windsor*, his fair suspended during it, 715. A Writ to the Sheriff of *Cambridge*, not to hold any Plea within this Bishops Liberty otherwise then was wont, 720. Present in Parliament, complains with others against the Kings invading the Churches Liberties, 721. Bestows the Church of *Deham* on *Rob. Passelevre*, for which he incurred the Kings displeasure, 729. The Kings Writ to him to promote the preaching of the Cross, and raising monies thereby, 767. To publish the Popes indulgences to those who took up the Cross, 768. Joynes in denouncing the Excommunication against the intruders on the Churches Liberties and Great Charter, 796, 797. His death, and Kings seizing his Temporalties, 820. The Kings License petitioned for, granted to elect a New Bishop, 922, 923.

*Hugh* *Basham* elected by the Monks, the Kings refusal of him, his Prohibition to the Archbishop not to confirm or consecrate him, his appeals, Proctors against his election; which is vacated, 922, 923. The King orders the woods to be cut down during the vacancy, 923, 928.

*Adam de Moyses*, upon a new License elected by the Monks, rejected, held because a meer Monk, insufficient by the King, who recommended *Henry de Wingham* his Chancellor to them, 923, 924. He thereupon travels to *Rome*; is there confirmed notwithstanding the Kings and Archbishops opposition, *Ibid*. A difference between the King and him about goods generally devised, granted to the King by the Pope for the Holy Land, prohibitions and proceedings therein, 964, 965, 966. A writ to him to sequester the Benefices of *John* *Walerand* an accountant, indebted to the King for the fruits of the vacancy of *Ely* and other things, 977, 978. His Barony seized for not sending horse and arms to the King upon summons, 1008. His fine and composition with the King for the Dismes of his Diocese, 1051.

### Exam Bishoprick, Bishops.

Commissioners in it to inquire of the Exiled Bishops damages, p. 280.

*Bartholomew*, present with other Bishops at the induction of the Nuns of *Fountains* into *Ambresbury* Nunnery, 228.

*Simon*, thought fit the Barons should be excommunicated according to the Popes command, p. 346. A license to the Chapter of *Exon* to elect a Bishop after his death, in presence of some of the Kings Commissioners named in it, 348.

*William Brewer*, A Commissioner to treat a peace with *France*, 446, 447. In the Parliament at *Merton*, at the settlement of Bastardy according to Common Law against the Canons, 472. A Writ to his Official to certify the Number, values of Benefices and provisions granted in his Diocese; by and to whom, 573. A Delegate to the Pope in the cause between the Bishop of *Bath* and Abbot of *Glaston*, 578. A Prohibition to secure him and his with other Suffragans, from the Innovations, Vitiations of the Prior and Monks of *Canterbury*, 600. The Donation of the Deaneries, Prebends of it belong to the King during the Bishopricks vacancy: A Writ against the Popes provision of a Deanery in the Kings gift by vacancy, as derogatory to his prerogative, 726.

*Richard Blandy*; A Writ to him to publish the Kings graces granted to them who took up the Cross, to be freed from Usury to Jews, &c. to be published by Freers Preachers, Minors, and other in his Diocese, 769. present at the sentence of Excommunication on the infringers of the Churches Liberties and Great Charter, 796, 797. Collectors of the Dismes in his Diocese appointed in Parliament, 824.

*Walter Brucecombe*, A Writ with the Kings, this Bishops other Bishops and Barons Teste, prohibiting all Layforce in a Prebendary to waste, substract the goods of *Walter de Merton*, 1005. One of the 6. Commissioners chosen and sworn in the Parliament at *Kenelworth*, to elect 6. more indifferent persons, to establish peace between the King and others who had been in arms against him, who drew up *Dilem de Kenelworth*, 1019. Writs to the Collectors diligently to collect the Dismes granted to the King by the Pope in that Bishoprick, 1034.

### H.

#### Hereford Bishoprick, Bishops.

*Egidius, Giles de Breuse*, Joynes with the other Bishops in interdicting the Realm, excommunicating the Kings Officers, then departs with them out of *England*; his temporalties, goods seized, he and his banished for it, 253, 254. *K. John* at last forced to covenant, swear to be reconciled, restore him to his Bishoprick and damages by agreement with the Popes Legat, 271, 272. The Kings and Nobles Letters of safe Conduct to him, 276, 277. his arrival in *England*, and reception by the King, 278. Commissions and Commissioners to inquire of, and restore his damages, 279, 280, 281, 333. One of the Popes Commissioners to suspend those Clergymen who adhered to *King John* during his excommunication, and said divine service, or received benefices during the interdict, till they went to the Pope in person, and made their peace, 334, 335. Satisfaction of damages given or promised him by the King, 337, 338. A witness to *King John* Charter to Archbishop *Langton* of the Patronage and Royalties of the Bishoprick of *Rochester*, 339. The Kings Writ to him to procure *Hugh Follet* to be elected Bishop of *St. Davids*, 355.

*Ralph de Mendeville*, present in the Parliament of *Merton* and resolve concerning Bastardy, 472. he resigned, and turned Monk, 509.

*Peter de Egrebant*, (recommended to *Durham*, but refused, as unknown, a forreigner, insufficient) chosen, p. 565. approved



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ved by the King, consecrated at *Pauls*, 565. A Writ to him to certify the number, value of all Benefices, Provisions within his Diocese, by and to whom granted, 573. Popes Delegate in the case between the Bishop of *Bath* and Abbot of *Glastonbury*, 578. the Archbishops Vicegerent, 589. Reprehends the King, and threatens to interdict his Chapple for persecuting the Bishop of *Windsor*, 590, 591. The Popes Letter to him on the Bishop of *Windsor* behalf, and to certify him the names of those who incensed the King against him, 593. K. H. 3. solicits to have him chosen Bishop of *London*, yet prevails not, 622. Authorized by the Pope to grant dispensations from time to time to such Clerks of the Kings as he should think fit, to hold Pluralities, the Kings Writs to him for some Clerks, 632. Authorized by Pope Innocent for 7. years to receive the first years fruits of all Benefices which shall become voyd within the Province of *Canterbury*, to levy 10000. marks, and 1000. more yearly of the Mannors of the Archbishoprick of *Canterbury*, to defray the debts of that Church, 683. The Kings Writ to him by Freers Predicants and others, to preach, promote the business of the Crosse, and collect the monies arising by it, 787. to publish the Popes Indulgences granted to those who took the Crosse, 768. sent beyond Sea, 770. The Kings Writ to his Vicar General to grant his Clerk an Inquisition, admit him to his Church, and not endeavour to defraud him of the rights of his Crown, under pain of seizing the Bishops Barony if he neglected to do it, 781. joynes with Archbishop *Bauface* in excommunicating all those who seized and imprisoned his Official, 786. joynes in the Excommunication of all infringers of the Churches Liberties, and Great Charter, 796. The King recommended him earnestly to the Chapter of *Lisla*, to be elected after *Groffheads* death, who rejected him as a foreigner, ignorant of the English tongue, a perfidious enemy to the Kingdom, intruded by secular power into the Bishoprick of *Hereford*, living infamously in foreign parts, fattened with the milk, wool, fat of his flock committed to him, exposing them as well religious as secular to the teeth of Wolves, 805. Collectors appointed in Parliament to collect the Dismes granted the King in his Diocese, 814. His infamous detestable advice to the King and Pope, how to raise monies to supply their wants, by obliging all the Bishops, Abbots, Prelates of *England* in great bonds, against their wills, without their privity, to the Popes Usurers; by what frauds he effected it, for which his memory was execrable, 821, 822, 823, 824, 825, 844, 845, 860, 918, 1000. The Popes proffer of the Realm of *Apulia* to *Edmund*, King H. 3. his Son, brought by this Bishop to the King; his endeavour to have the acceptance of it ratified under all Religions and other persons seals, 834. Employed in the Kings service beyond Sea; the collection of Dismes due for his *Commenda*, respited by Writ, 825. Desires the Archbishoprick of *Bordeaux*, whose sick Bishops recovery defeats his hopes, 841. The prime instrument to promote, levy the Kings, Popes exactions, 860. Fraudulently obliged in 4000. marks to the Popes Usurers, to draw on others; which by the Popes Bull and Kings Patents he was to reimburse, with the expenses, use, out of the Crosse money of *England* and *Ireland*, which he rigorously collected, 867, 868. Impowered by the Pope to interdict, suspend, excommunicate all persons who opposed the Disme, notwithstanding any appeal or exemption from it by former Bulls, 861. A Writ to his Agents to spare no Templar, Hospitaller, or Cistercian from paying Dismes for their impropriations or parish Churches, 863, 864. One of the Kings Council, subscribes his Patent by Oath and promise to perform the conditions required of the King and *Edmund* for the Popes grant of *Sicily* to him, 866. Writs to the Collectors of the Crosse money, Dismes in *Hereford* Bishoprick

and elsewhere, to expedite the collection, payment of it to the Popes Usurers; contrived, made at his house in *London*, by him, the Popes Legate and others, 917, 918. Takes up more monies, binds the King in more Obligations at *Rome* for *Sicily*, then he expected; called by Writ to give an account thereof, and of all his receipts of Dismes, Crosse money, and expenses in the Court of *Rome*, 943, 956, 958. His account thereof by the Dean of *Hereford* imperfect; ordered by the Nobles to make a better, to come personally into *England* to do it by a day, else all his Temporalties, goods to be seized, 958, 959. Summoned to shew cause why he admitted a Clerk to a Benefice before the title tried, against the Kings Prohibition, 971. Taken by the Barons in his Cathedral, imprisoned in *Ordeley* Castle, plundered of his monies, 1000. A Non-resident from, taking no care of his Church or peoples souls; the miserable desolation the King found in it; his memorable Mandate to him to reside on his Bishoprick, discharge his pastoral duty in person if able, or else by Deputy, under pain of seizing his Temporalties and Revenues given to support Gods service; with Writs to the Archbishop and his Official to compell him by Ecclesiastical censures to residence and his duty; wherein the negligence of Bishops, their duty, end of instituting, endowing Bishopricks, the Kings care of Gods service, and his peoples souls, are excellently expressed, 1011, 1012. A Canon for Archbishops and Bishops residence made thereupon, 1041. Writs to his Official for collecting the Dismes in his Diocese, 1034. the account for the Dismes thereof, and allowance of it, 1053, 1054.

K.

*Kelso*, Carlisle Bishoprick, Bishops.

**E**rected by King H. 1. who to augment its maintenance impropriated, seclled four Churches on it within the Bishoprick of *Durham*, by the Bishops consent, their names, 321, 376, 376, 421, 942, 970, 972. Some Priviledges granted to the Archdeacon of *Richmond* upon its erection, to its prejudice, 232. Richer then *Rochester*, 766.

The Archbishop of *Ragusa*, (forced to fly thence to save his life) made Bishop of it by King *John*, at the Popes request, for his relief, who had a living in *Commenda* with it, 241.

*Hugh* Abbot of *Bedrin*, the Bishop of *Waterford* sent for out of *Ireland* by the Popes Legate to his consecration, 273, 374. his learning, fidelity to the Pope, King; Kings Letter to the Pope on his behalf, 375, 376. The poverty, desolation of it, the Churches united to it by King H. 1. alienated; desired to be reunited, confirmed; King H. 3. his Letters to the Pope, Cardinals for that end, *ibid.* 377.

*Walter Maleleske*, intended to cross the Sea at *Dover* without the Kings license, cast out of the Ship with his Servants, Goods, by the Kings Officers, ordered not to passe over without his license; for which the Officers were Excommunicated by the Bishop of *London*, who with other Bishops complained thereof to K. H. 3. resolving in the Kings presence to Excommunicate all the authors of it, at which the King much murmured, 439. Present in the Parliament at *Merton*, and Lords resolution not to alter the Law of *Rassards*, 472. His lodging in *London*, from whence the Scholars of *Oxford* were to go barefoot to the Popes Legates lodging at *Durham* house; and humbly crave his pardon to be absolved for their force at *Oxford*, 494. A Writ to him to enquire how many Benefices, of what value, and what Provisions to foreigners, by and to whom granted, were within his Diocese, 574. A Writ to him and others, not to permit the Prior and Convent of *Trinity* *Canterbury* to attempt any novelty or new power to the disturbance of the Clergy of *Realm*.

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Realm, 579. One of the Guardians of the Realm in the Kings absence, several Writs issued by him and them in that capacity, 599, to 601. See *Edw.* The Kings Patent for him and his Heirs, confirming his Will made or to be made, of his Corne in barns or on the ground, Waids, Farmes, and all his moveables; that he, they, and their Officers should not interrupt him or his Executors therein, 636. meets with other Bishops and grave men to procure the long deferred election of a Pope, prevent the dissolution of the Church, appoint fasting and prayers to be used through *England*, and send Agents to the Emperor for this end, 648. Summoned to St. Edwards Feast at *Westminster*, and adoration of Christs blood there reserved, 715. Present in Parliament, joynes with other Bishops in reproving the King for invading the Churches Liberties, and keeping their Temporalities in his hands during vacancies, against his Oath, trust, 721.

*Syuffer*; A suit between him and a Baron for a Mannor he had sold to his predecessor *Walter*; the Kings protection to the Bishop against the Barons suit, revoked in his absence with a *Non obstante*, debated in Court, 760. sent to the King with the Archbishop of *Canterbury* and other Bishops, to reprehend him for breaking his Oath, in not suffering the Church to enjoy her Liberties, especially in the freedom of Elections; and to beseech him to reform it for the future: The Kings sharp answer to him, that he was an under-Clerk in Chancery, where he long hankered; that he had made him Bishop though unworthy, preferring him before many learned Divines; that he and the rest should give him and others good example, by repenting and resigning their Bishopricks, whereof they were unworthy, lest they should be eternally damned; that he would thereupon place and promote none but worthy persons for the future, 795, 796. Collectors of the Dismes in this Diocese appointed in Parliament, with *York* Province, 814. Writs to hasten the collection, 917.

*Thomas Vipont*, translated to *Ely*, dyed within one year after, 851. The Kings layes claim to the profits of the impropriate Churches belonging to it, during the vacancy, which the Bishop of *Durham* claimed; Writs concerning them, 942, 970, 972. Sequestered and layd up in safe custody during the two last vacancies, in New Monastery; the money made of them ordered at last to be payd to the Bishop of *Durham*, 970.

### L.

#### Landaff Bishoprick, Bishops.

Commissioners to enquire of damages done to the exiled Bishops in it, 180. The Bishops antiently subject to the Archbishop of *St. Davids*, 234.

*John de Monmouth*, made Bishop of it by the Popes provision; consecrated by the Archbishop of *Canterbury*, after the Kings assent, 558. The custody of the Bishoprick and all its Demesne Lands granted by King *H. 3.* to the Duke of *Gloucester* and his Wife for their lives, reserving the fealty only of the Bishop when he should be made: The Demesnes, Temporalities after his fealty made, by Writ to the Earl ordered to be restored to him, notwithstanding this Patent to him, 559.

*William*, struck with blindness, his Bishoprick wasted by King *H. 3.* his Wars against the Rebellious Welsh, 726. his Certificate that *Mereduc* Son of *Griffis* was born in lawfull Matrimony allowed; a Prohibition against proceedings by appeal against his Certificate before the Archbishops Official, as illegal, 782. A new Writ to the Bishop for another Certificate superseded, *Ibid.* Collectors of the Dismes therein appointed in Parliament, 814. his death, 851. Writ to the Collectors to hasten the gathering of the Dismes there, 917.

*John Paschal*, Archbishop Boniface his Precept to him to ex-

communicate *Llewelin* Prince of *Wales* with his complices, and Interdict their Lands, for breaking the Truce, wasting the Kings and his Subjects Lands with fire and sword, against their Oaths; and their Treacheries therein mentioned, 976, 977.

#### Lincolns Bishoprick, Bishops.

When and how removed from *Dorchester* to *Lincolns*, 596, 597. It Bishops deprived for Symony, *Ibid.*

*Hugh* Archdeacon of *Wells*, the Kings Chancellor, made Bishop by the King during the Interdict, 157. having license to go to the Archbishop of *Rheims* to be consecrated, he trayterously went to *Stephen Langton* Archbishop of *Canterbury*, whom the King opposed, being unduly made Bishop by Pope *Innocent*, against his Regality, did canonical obedience to, received consecration from, confederated with him against the King; for which the King seized his Temporalities, which he restored to him before, 159: The Popes Excommunications, Violence, and Legates perswasions, enforced King *John* to agree to receive him to favour, restore him to his Bishoprick, profits, damages, during his exile with the other Bishops; his Patents, Writs, Letters, Commissions concerning him and it, 171, 172, 277, 278, 280, 287, 288, 333, 337, 338. His return into *England*, and reception by *K. John*, 278, 279. A witness to *K. Johns* famous Charter of Resignation, Homage and Fealty to the Pope, 290. and to the Archbishop of the Patronage of *Rockefter* Bishoprick, 339. A Writ to remove all those who had intruded into any of his Lands and possessions during the differences between the King and him, and put him into personal possession of them, 334. The Popes Legates Mandate to him to suspend all Clergymen who adhered to the King, received any Benefices, celebrated Divine Service by his command, or openly communicated with him during the Excommunication and Interdict, till they personally went to *Rome* to be absolved; the rigour used therein, 334, 335. dyed, soon after canonized a Roman Saint by Pope *Honorius*, for his Ingratitude, Treasons, 379, 380. Prohibited any vicuals to be sold to the Jews; the King commands the contrary by his Writs, under pain of imprisonment, 387. The Kings Teste to a Writ in his presence to admit a Clerk 389.

*Robert Grossetest*, *Graftstead*; A mandatory Writ to him to command the Archdeacon of *Oxon.* without delay to revoke his presumption in removing the Kings Administrator placed in the Hospital of *St. Johns Oxon.* of his Ancestors foundation, and thrusting his Chaplain into it, to the great prejudice of his Royal dignity, 480. Churches dedicated by him according to the new Decrees of *Otto* the Popes Legate, and Council of *London*, 504. A cruel persecutor of the Monks and his own Canons who made him their Bishop, 509. Resolved to visit the Dean and Canons of *Lincolns*, never formerly done in the memory of man, against which they appeal; they at last submit to an arbitrement, all Visitations in the mean time to cease, 509. Contests about the word *cease*, since he and his predecessors never visited nor began to visit before: They refuse his Visitation, repent of his Election, tell him so publicly to his face, openly declaim against him and his oppressions in their Sermons; saying, if they held their peace, the very stones would speak; at which words a great part of the Church fell down, 509. Their appeals, contests, excommunications at *Rome* concerning his Visitation of them, *Ibid.* The Popes agreement with the *Romans* to conferre all Benefices in *England* (especially of Religious persons) on them when they fell voyd, his Letters to *Graftstead* and two Bishops more to provide 300. livings that next fell voyd in their Diocesses for *Rome*, admired at by all, 564, 572. The King Writs thereupon to *Graftstead* and other Bishops, to res-

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turn him the number of all Benefices, Prebendaries, Ecclesiastical Dignities in his Diocese, their values, and how many were conferred on aliens, by the Pope, his Legates, or others by Provisions, 573. He conjures and persuades *Nicholas de Perham* to accept the Bishoprick of *Durham* to which he was elected, though he formerly refused it, 565, 566. A prohibition to the Popes Delegates not to proceed in the cause between him, the Dean and Chapter of *Lincoln* by the Popes authority concerning Visitations and Procurations, to the prejudice of the Kings Crown, dignity, 577. He with two more Bishops sharply reprehended the King for his tyranny in persecuting the Bp of *Winchester*, adding prayers to prayers, yea menaces to menaces to interdict his Chapel, forcing him to rescite his proceedings till he heard from *Rome*, 590. An high contest between the King and him concerning the Church of *Thame*: his high Message to the King by his Archdeacons, and menaces to excommunicate all the infringers of the privileges of his Church; his contempt of the Popes provision and authority in this case, which caused the Kings Clerk to desist, 595, 596. The Dean and Chapter forced by the Bishop to shew their ancient Charters, which gave the King a claim against both, 596, 597. The Bishop rash, obstinate, wills all the Archdeacons Bishops to joine to oppress the Abbot and Monks of *Canterbury*; they excommunicate each other with Bell, Book and Candle; condemn each others excommunications, interdicts, celebrating notwithstanding them, 598. The Popes Decree at *Rome* between him, the Dean and Chapter, concerning their Controversie, 599, 597. He excommunicates the Monks of *Bardsey* after their Appeal to the Pope, the King. Writ to the Guardians of *England* not to take them upon a Writ of *Capias Excommunicatum*, 599. Nor yet to permit the Prior and Monks of *Canterbury* during the Sees vacancy, to attempt any Noveltie, or exercise any new power against the Bishop of *Lincoln* or other Suffragans, to the disturbance of the Clergy, Realme, or prejudice of either Church, and to supersede all proceedings till his coming into *England*, to settle their differences by advice of his Bishops and Nobles, 600. A Prohibition to his Archdeacon of *Oxon*; exacting annual procurations against Law from the Kings Church of *St. Cross*, 602. Causes *Wesham* Dean of *Lincoln* to be elected Bishop of *Cowetre* and *Lichfield*, without the Kings license or consent, in opposition to the King, who was consecrated by the Pope at *Lyon* against the Kings will, He injuriously seized upon his Church of *Alisbury*, by whose opulency he thought the Dean took horns against him, to humble and subject him to his will, for which the King was highly offended, 625, 626, 627. A person of an unquiet, contentious spirit, his hand being against every one, and every ones almost against him, 629. After many Letters, and inestimable expence of monyes, he purchased Pope *Innocent* the 4th. his Decree against the Canons of *Lincolne* to visit the Dean, Chapter, Canons Clerks of the Quire; Choristers, Priests and Parishioners of the Churches belonging to them, to correct their excesses, reform their manners; but freely without any 'procurations, 629, 630. He and other Bishops meet to consult about the desolation of the Church, the election of a new Pope long deferred, to send Messengers to the Emperor for that end, prescribing fasts and prayers through *England*, that God would provide for and relieve the Church of *Rome* being destitute of a Pastor, 648. Published Pope *Innocent* Bull throughout *England*, whereby he granted *Donisface* Archbishop of *Canterbury* the first years profits of all Benefices and livings which should fall voyd for 7. years within his Bishoprick, Province, till he should raise the summe of 10000 Markes, to defray the pretended Debts of his Church, at which the King at first was amazed, and exceeding angry, 683, 684. After his purchased Priviledge at *Rome*, to visit the Dean, Chapter, Canons

of *Lincolne*, and their Churches, he, his Deans, Archdeacons, Officials exceedingly oppressed, vexed those of his Diocese, as well Noble as ignoble, especially religious persons, Monks, under pretext of correcting, reforming their manners; enforcing them to make inquiries, presentments, and give in testimonies upon Oath in their Visitations and Courts, against their wills, never practised before in *England*: Which the King hearing of by many grievous complaints, by advice of his Court and Council issued Writs of Prohibition to the Sheriffs of his Diocese, not to suffer that any Laymen in his Diocese at the will of the Bishop, or of his Archdeacons, Officials, or Rural Deans, from thenceforth to assemble in any place to make any Recognitions, Presentment, or Attestation upon their Oaths, except only in causes of Matrimony or Testament; (not of incontinency, manners, scandal) which *Grosthead* hearing of, asserted; That the King followed the footsteps of those in *France*, who had then newly broken forth into the like audacity, to cast off the Popes and Prelates extravagant Oppressions, Oaths, Censures, and entered into a Confederacy to assist each other, 698, 699, 700, 701, 702, 704, 761, 762. This obstinate Bishop and his Officers proceeding notwithstanding, the King issued forth New Writs to the Sheriffs, to prohibit all such Recognitions, Inquiries and Attestations upon Oath, 704. which he and his Officers obstinately persisting in; the King issued several Writs to attach, summon the Bishop himself by good sureties and safe pledges, to appear before him wherever he should be in *England*, to answer his contempt in causing Laymen and women to be cited, and compelling them by Ecclesiastical censures to appear before him, to take an Oath at his pleasure against their wills, to the great prejudice of his Crown and Royal dignity, and likewise to his grand damage, dishonour, and against the Custom of this Realm. Upon which the King issued forth this memorable Prohibition to the Bishop of *Lincoln* himself, reciting, We are informed, by the complaints of many, as well Great men of your Diocese, as others, that you by your Clerks and Deans, do every where cause certain poor men of your Diocese, and other Freemen, whose men or tenants soever they were, to be promiscuously cited, and draw them from divers places to sundry other places, and compell them by the power of excommunication, to appear before your said Clerks & Officers at divers places to their great burthen, when they ought to attend their plowing, husbandry, and other necessary temporal affairs: by which they are unduly impoverished and enormously vexed: And moreover, which was never heard of before, the fore-said Inquisitors (or Visitors) compell them to swear concerning the private sins of others, which were not (as is reported) to be purged by publick coercion, for which many Christians, perchance without merit, were shamefully defamed. And because these Vexations are devised against the long custom of the Realm, and a double danger hangs over the people by them, as well for the losse of their necessary labors, as by reason of the Oath taken upon the private facts of others, wherein men are deceived, by which they may easily incur the guilt of perjury; We therefore prohibit you, that from henceforth you do not cause such assemblies of the people to be made in your Diocese against the long-continued custom of our Realm: Neither also have we heard, That the Church hath used to compell any to give testimony but in certain causes, and unless any through favour, hatred, or force, shall withdraw himself from giving testimony. And know ye, that unless you shall desist from such unusual & undue vexations of our people, We cannot suffer them any longer, but shall put to our Royal hands to redresse, punish you and them. Whereupon after 7. years contest between the King, his Court, Council, Bps. by these several prohibitions, this first introducer of Visitation Oaths, Inquisitions, Excommunications,



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ons, & vexer of the Subjects by them was quelled, and his Innovations prevented, till *Baniers* time, who revived them, p. 705, 706, to 711, 761, 762. His justification of the Forged Relique and Viol of Christs blood reserved, shewed, adored at *Westminster* Abby, 711, 712, 713. Reprehends the King with other Prelates, in the Parliament at *London*, for violating the Liberties of the Church, he was bound by his office, Oath to protect, to its great impoverishing; and for his prodigal expences: refuseth to grant the King an Ayde, whereby the Parliament brake up in discontent, so as the King was enforced to go a begging for money to particular Prelates and Abbots, p. 721, 722, 723, 724. The Kings writ to him for endeavouring to remove his Clerk out of a living, to which he presented him by vacancy of the Archbishoprick of *Canterbury* according to the ancient right of his Crown, to put in the Popes Clerk by Provision, by the Popes order, to the manifest prejudice and enormous disinherison of the rights of his Crown, prohibiting him upon his Oath of Fealty made to him, not to attempt ought therein against his Clerk, threatening to seise his Barony, as became his Majesty, if he desisted not, 725. Published the Popes general Letters, and others granted by the Pope to the Earl of *Cornwall*, for the Collection of Dismes, and redemption of Vowes of persons crossed, commanding them to be diligently, speedily, effectually executed, 731, 732. An indefatigable injurer of Religious persons: summons all of them to appear before him, purchaseth with a vast sum of money at *Rome* a privilege to reduce all their Lands for which they could produce no good evidences, under his own power: many of them appeal against him to the Pope, others compound with him, 737. Goes in person to *Rome* to dismise the Appeals and complaints against him. Failing of his ends after many travels, and infinite expences, he taxed the Pope with injustice and corruption; who recriminating, charged him with Tyranny, Rapine, Covetousnesse, suppressing, spoiling others, and many religious persons, to advance, enrich himself; whereupon he departed confounded from the Popes presence, but continued still at his Court, hoping to effect his designs yet failed therein, 737. Excommunicates the Sheriff of *Kutland* for not taking and imprisoning a Clerk upon his *Significavit*, whom he deprived for incontinence, and excommunicated for contumacy in continuing in his benefice notwithstanding his deprivation, contrary to the Rights of the Crown. The Kings Writ, & Popes Letter to him to absolve the Sheriff, not to molest the Kings Officers, who ought by Law to be punished in his own Courts only, 738. His high contempt against the King, in holding plea of temporal causes in his Courts, against the Law, Kings prohibitions, in prohibiting his Clerks to appear or answer their contents in the Kings Courts for disobeying his Prohibitions, and attachments on them, to the subversion of his royal authority and rights of his Crown; which he neither would nor ought to suffer, for which he was highly incensed, p. 739, 740. Crossed in his exorbitant proceedings by the Kings Prohibitions, and in his appeals to the Pope, he resolved to retire from the world, and quit his Bishoprick, yet retains it only in spight to the King, that he might not seise the Temporalties by its vacancy, 740. Held his exorbitant Visitations by colour of Pope *Innocents* Bull, which prohibited Oaths and coercion which he exercised, 743, 744. Archbishop *Boniface* oppressed Canons and others he visited, by his example, 754. A prohibition to him not to hold plea of Chattels in his Ecclesiastical Court, for which there was a suite pending before the Barons of the Exchequer, 747. His Visitation of Religious Houses within his Diocese with austerity, inhumanity, he violently searching these Chambers, breaking open their Chests, Cabinets, overturning their beds, trampling their Cups under feet, thundering out execrable horrid maledictions against all who transgressed

his Edicts, but pronouncing Blessings on those who kept them taken out of *Moses* Laws, as if his were equal to them, 761. He enjoined all Priests to live continently, to remove all suspected women far from them; depriving transgressors of their benefices: allured many with flattering words to turn Priests, *ibid.* frequently preached to the people; compelled Priests living near to hear his Sermons under penalties; hated dishonest *Romans* having Popes provisions like the poyson of Serpents; said, he should play the Devil if he committed the cure of souls to such; oft times throwing away such Bulls of the Pope, refusing to execute them, 762. Publickly opposeth the Disme granted by the Pope to the King for 3. years, with much scorn, great indignation, induced the other Bishops to withstand it, for which the King was highly incensed, 771. The Parliament thereupon dissolved with high indignation and discontent, 774, 795. Forced Priests, Schoolmasters to take orders, reside on their benefices; and procured a Bull for augmenting the Stipends of small Vicars; out of Religious persons impropriations, out of hatred to them, 774, 775. Suspended his Bishoprick for opposing the Popes provisions, and trampling them under feet, 762, 777, 790. Computes the Revenues of the *Roman* provisions in *England*, which amounted to 700000 marks a year, being three times more then the Kings Revenue, 777. A Mandate to him to admit the Kings Clerk, or else to summon him to appear before the King for his contempt, 781. Joined with other Bishops in the publick excommunication of the infringers of the Churches Liberties and Great Charter, which he commanded to be published in every parish Church throughout his large Diocese, which made most mens ears to tingle, hearts to tremble, 796, 797, 802. He opposeth the Popes Letters for an Ayde to the King, exciting all the Bishops unanimously to withstand it, which they did, notwithstanding the Kings and Popes petitions to them, 795, 796. His notable Epistle to Pope *Innocent* the 4th. against Provisions, Non-obstantes, with other corruptions, comparing him to *Lucifer*, *Antichrist*, the Murderers of Christ, &c. The Popes Oaths, indignation, intentions against him for it, though perswaded to passe it by, 799, 802, 803, 926, 927. His great learning and skill in tongues, 801. His sickness at *Bugden*, actions; discourses against the Popes, Court of *Rome*, Legates, Cardinals, Priests, and Monks corruptions, rapines, avarice, usury, indulgences during it, stiles, proves them to be *Hereticks*, *Antichrist* few Popes to be saved: that they cannot reverse the Bulls, Constitutions of their predecessors, 801, 802, 803, 804. An open Reprover of the Pope, King, Prelates, Monks; Mall, contemner of the *Romans*, &c. His death, Musick heard at it, *ib.* The Pope intended to dig up, cast out his corps, burn his bones, declare him an infamous Ethnick, Rebel, Disobedient person throughout the world; writ a Letter to *K. H. 3.* to that effect. His apparition, words to the Pope the next night, whom he smote with his pastoral staff, terrified, pricked him to the heart, killed, 804, 805, 811. 469, 802. Being excommunicated by the Pope he appealed him to appear before Christs Tribunal, *ibid.* His miracles famous, yet not canonized a Saint by the Court of *Rome* for opposing its corruptions, 805. The difference between the Archbishop of *Canterbury* and Canons of *Lincoln* after his death, 805. The Rebels in the Isle of *Ely* stiled him a Saint, affirmed they followed his doctrine, 1082. He encouraged the Barons and Earl of *Leicester* (who committed his children to him) in their wars against King *H. 3.* affirmed the peace of the Church could not be settled without the material sword, p. 1022. Archbishop *Sewal* imitated his Example, 926, 927.

*Henry de Lexington* elected, approved, consecrated Bishop, 805. The King presents the Prior of *Ravensham* to him, constitutes Proctors before him, 831. A prohibition to him not to draw any into suit out of the Realm, 980, 981:

*Benedict*

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*Benedict*, a Patent to him to inquire of those who injured or damaged Ecclesiastical persons during the troubles, and give the complainants reparation upon hearing, 1003, 1004. His Barony seized for not sending horse and arms to the King upon summons, 1008. Collectors of Dimes assigned in that Diocese, Writs to them, An account thereof to the King, 1033, 1034. 1051, 1052. A Writ to the Sheriffs to assist the Collectors thereof in levying the arrears, *Ibid*.

## London Bishoprick, Bishops.

The Church, Bishoprick instituted, endowed by King *Ethelbert*, to what end, 607. The Bishop Dean of the Bishops of *Canterbury* Province, to admonish, interdict the King during its vacancy, 901, 902.

*Gilbert Foliot*, the Abbesse, Nuns of *Ambresbury* thrust out for their Incontinency by his and others advice, 128.

*William de Marisco*, one of Pope *Innocent's* Delegates to hear the difference and appeal between the Archbishop of *Canterbury*, and Abbot, Monks of *St. Augustine's* Case, concerning *Faversham*, Appendix p. 13, 14, 15. One of his Delegates to admonish King *John* to receive *Stephen Langton* as Archbishop, or else to Interdict the Realm; his conference with the King, the Kings high answer, Writs to him concerning it, 150, 151, 152. Interdicts the Realm, Excommunicates the Kings Officers, departs the Kingdom; for which his goods, temporalities are seized, he and his relations banished by the King, 153, 154. Caused the Pope to excommunicate the King, his Orders to publish the Excommunication every Lords day in all Conventual Churches throughout *England*, disobeyed by the Bishops and Clergy therein; slighted by the Nobility, 157; 158, 159. King *John's* victories, successes notwithstanding it, 160, 161. The King upon the Popes messages offers to restore him to his Bishoprick, but not to the profits, which offer is rejected, 161, 162, 163. Caused the Pope to absolve all the Kings Subjects from their Allegiance, who must not eat or drink with him; to deprive him and his Heirs of the Realm, and give it to the French King, which sentence he publisheth, endeavouring to execute in *France*; stirring up the French King to raise forces to dethrone him, and seize his Kingdom, 164, 165, 167, to 171. The King thereby, and the Popes Legates persuasion, enforced to be reconciled to him, restore his Bishoprick, with the profits, damages, to engage by Patents, Oathes of himself and Nobles to effect it; dishonourably to resign his Crown, Kingdoms, swear Homage to, become the Popes Vassal, Tributary, 171, to 186, 188, 189, 190. what monies he received of the King before his return, 172, 333. what after, 188, 331, 333. His return and reception by the King, 177, 178, 179. Commissioners to enquire of his damages, 179, 180. His commission to suspend all Clergymen who adhered to, communicated with, received Livings from the King, or officiated during the Interdict, till they went to *Rome* for absolution, 334, 335. A Writasse to the Kings infamous Charter, Homage, Fealty to the Pope, 190. To his Charter of the Patronage and Custody of *Rockester* Bishoprick, to Archbp *Langton*, 339. King *John's* Patent to him, that none should enter into or detain his Fees by gift, sale, mortgage or grant without his assent, 380. resigned his Bishoprick, 384.

*Euftace de Fauconbridge* succeeded him, 384. King *H. 3.* his Writ of Proclamation to the Sheriff of *Middlesex*, that none should enter into or detain any lands of his, by gift, sale, mortgage, grant, without his assent, to remove and fine all who should do contrary, 380, 381. One of the Kings Council, 381. His contest with the Abbot of *Westminster*, (where he was consecrated) to visit, receive procurations, processions, exercise Episcopal Jurisdiction over the Abby, referred to arbitrators, awarded against him, 384. A Writ concerning the Bishop of *Elies* Liberties in-

ed by the King in his presence, as one of his Council, 398. His death, 421.

*Roger Niger* elected, approved by the King, consecrated; his praise, 421. Consecrated Archbishop *Edmund* at *Canterbury*, 434. Solemnly excommunicated all such who broke open the *Roman* barns, threshed out their corn; and those who laid violent hands on *Cicero* a Canon of *Pauls*, 436. Accused for assenting to those who thus spoiled the *Romans*, forced to *Rome* about it to his great vexation, expence: and to take up money of the Popes Vassals, whom he endeavoured to expell the City; who laughing at him, by the Popes favour after much pains put him to silence, 437, 469, 902. Reprehends King *Henry* for pulling *Hubert de Burgo*, accused of High Treason, out of a Chapel of his Diocese; threatened to excommunicate all who offered this violence, unless he were restored to it, which to prevent the King was enforced against his will to do, 438, 439. Excommunicates the Kings officers at *Dover* for slaying the Bishop of *Carlisle*, taking him and his goods out of a ship by the Kings command endeavouring to go out of the Realm without his license: Repairs to the King at *Hereford* with his army, complains of this violence to the Bishop, excommunicates all actors, authors of it in the Kings presence (though out of his Diocese in both) with other Bishops; the King much murmuring at, and prohibiting it, 439. The Popes Commissioner to examine the canonicalness of the Abbot of *St. Albans* election, tender him his new prescribed Oath of homage, fealty to the Popes and See of *Rome*, his execution thereof, 459, 460, 461, 462, 465. Present in the Parliament at *Merton*, and settling of Bastardy according to common Law against the Canons, 472. Prohibits any to sell victuals to the Jews, under pain of Excommunication; the Kings Mandate to the contrary, 475, 476. Helps consecrate the Bishop of *Rockester*, 499. Consecrates *Pauls* Church, 566. A writ to certify the number, value of all Benefices in his Diocese, all provisions to aliens, and by whom granted, 572, 573. The Prince of *Wales* subjects himself to his and two other English Bishops Ecclesiastical censures, if he violated his Charter and Oath to the King, 609.

*Fulco Basset*: his prayles, elected against the Kings will by the Canons, 623. Seals the Pope transcript of King *John's* most detestable Charter of his Realms surrender, subjection to the Pope when burnt, contrary to the Kings, kingdoms protestations against it, all of all the Bishops against his conscience, p. 300. Constatuted by the Pope to execute his exaction of the 3d. part of all residencies, and half of nonresidents benefices through *England*, with severe penalties, 676. Present at *St. Edwards* Feast, Fair at *Westminster*, to adore the blood of *Christ* above refused, 710. One of the Bishop of *Durham's* provisors of his three reserved manners upon his resignation, by the Popes appointment, 724. The Kings Prohibition to him not to remove his Clerk out of possession of *Ensford* Church, to which he presented him by his ancient prerogative to vacant benefices of the Archbishoprick while in his hands; not to put the Popes Clerk by provision, in derogation of his prerogative, by the Popes Decree and Mandate, under pain of violating his Oath of Fealty to him, and seizure of his Barony if he proceeded therein, 725. A prohibition to the Inhabitants of *Pactrich* not to permit him to exercise any Jurisdiction within the Kings free Chappel there, 728, 796. nor in any other Free Chappel within his Diocese, 734, 735. He resists the Archbishops Visitation at *Pauls*, *St. Bartholomews*, and *London*, for which the Archbishop excommunicated him, 741, 742. He appeals, prays aid by Letters against it, 742, 743. Fearfull to offend the Archbishop by reason of his power, agrees with him, 744, 751, 752. The Excommunication declared null by the Pope and his Delegates, 744, 745, 746, 751, 752. He agreed with *Grosbeard* in opposing the Triennial Disme granted by the Pope to the King, 771. His I et.



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ter to the Bishop of *Nottingham* to publish Pope *Innocent's* Decree concerning procurations, and against exactions in visitations, 791. Joynes in the publick excommunication of infringers of the Churches Liberties and Great Charter, 796, 797. Opposed *Russlands* demands, exactions in the Council at *London*, protesting, *He would lose his head before he would submit to so great an injury and slavery of the Church*; which encouraged the rest, 823. Complained on for it by *Russland* to the King, Pope; who threatening punishment, he stoutly answered, *they might take away his Miter, being stronger then he, but not his head-piece*, 824. A Writ to the Archbishops official to prohibit his intended excommunication of the Abbot of *Glaston* by the Bishop of *Wells* instigation, pending in his Temporal Court, after an Appeal, Writ, seeing it touched his Crown, Dignity, and was against his prerogative, 851, 852. Ordered by the Antimonarchical Council under Archb. *Boniface*, that he & his successors in the vacancy of the Archbishoprick, as Dean of the Bishops, with two Bishops more, should admonish the King to recall his proceess against Clerks summoned to appear in his temporal Courts, or else to interdict his Castles, Towns, Lands, and excommunicate his Judges, Officers if they desisted not, 901, 902. Died of the Plague 954. The Bishop of *Ely* his will produced under his Seal, 965.

*Henry de Wingham*, Chancellor of *England*, recommended by the King, elected, though unlearned, insufficient, 954. His Patent to hold all his former Promotions, benefices in commendas, before consecration, 954, 955, 984. A prohibition to him and his Officials not to draw any of the Kings Subjects into plea without the Realm, 980, 981. A Commissioner to hear and determine the Complaints of such Clergymen whose goods were spoiled, substracted during the Troubles, and give them recompence against the Trespassers, 1000, to 1007. A Writ to excommunicate the Earl of *Gloucester* and others for staying in *England*, and not going over into *Ireland* according to their Oathes, 1013, 1014. Joynes with the Barons against King *H. 3.* for which he was by name excommunicated by the Popes Legate, suspended from his office and benefice, and commanded within 3. months to appear before the Pope, where he appeared expecting his doom, 1018. The Rebels in the Isle of *Ely* commend him, blame the Popes Legate for banishing him the Realm, and seizing the profits of his Bishoprick, 1010, 1011, 1013. The City of *London* interdicted by the Legat, 1025. Collectors of the Disme appointed in his Diocese, and Writs to hasten the collection, 1033, 1034.

*Benner*, the first reviver of Visitation Oaths and Inquisitions introduced by *Grosheade* Bishop of *Lincoln*, after their suppression by King *H. 3.* his prohibitions, p. 710.

### N.

*Nottingham* Bishoprick, Bishops.

**T**rinity Church, the antiquity, and Kings care of it, 1016, 1017.

*John de Oxenford*, present at the ejection of the Abbess, *Nuns of Ambresbury* for their whoredom, and introduction of others in their places, 1228. A Writ of King *John* to him to revoke, and to the Justices to assist him in the revocation of all Lands, Tenements, possessions unjustly alienated from his Church in times of his predecessors, 240.

*John de Gray*, recommended by King *John* to be Archbishop of *Canterbury*, unanimously elected by the Monks, approved by the King, yet unjustly rejected by the Pope, and *Stephen Langton* obtruded, 244, 245, 246, 247. brought 500. Foot and many Horse out of *Ireland* to assist the King, against *Lewis* invasion to deprive him, 269. joynes with others and the King in writing to the rebellious exiled Bishops to return and enjoy their Bi-

shopricks, according to agreement with the Legate, and Oath of the Nobles; and for the restoring of their damages, 277, 338. recommended by the King and Pope to the Monks of *Durham* for their Bishop, but rejected by them, 353, 354. His Official during the vacancy one of the Popes Delegates to excommunicate the Barons, 359.

*Pandulfus* the Popes Legate, Bishop elect thereof, 378, 381, 382. Excommunicated the Earl of *Albemarle* for withholding and seizing the Kings Castles, 378, 379, 421. His recognition before the Kings Council, that he never put the Prior and Convent of *St. Friswite Osm.* in possession of the Church of *Astley*, 381. See Index 12.

*Thomas de Blundervil*; A Writ to him to restore the Benefices in his Diocese to a Clerk sequestered, who had made his peace with the King, 446. his death, 483.

*Simon* Prior of *Nottingham*, elected by the Monks, disallowed by the King, who appointed a Proctor to appeal against him, 483. delayed, excepted against, his election nullified by the Pope, because it displeased the King, 484, 924.

*William de Ratis*, unanimously elected Bishop thereof; approved, consecrated, 484, 510, 511. elected Bishop of *Winton* by the Monks, approved by the Pope, refused by the King, 581, to 591. See *Winton*.

*Walter*, consecrated the Church of *Walham*, 604. joynes with other Bishops in appointing publick fasts, prayers, and a message to the Emperor for electing a new Pope after a long vacancy, 648. Appointed by the Popes Bull an Executor of his Tax imposed on the English Clergy, his proceedings therein, notwithstanding the Kings Nobles, Prelates provision in Parliament, and Kings special Writ of Prohibition against it, 672, 673. Spends above 4000. marks in gifts and entertainments on the Popes Legate, 697. said Masse and preached at *Westminster* when the viol of Christs blood brought from *Jerusalem* was carried thither by King *Henry* in solemn procession, and given to that Church for a sacred Relique; justified it to be Christs real blood; granted 6. years and 140. dayes pardon to those who should come thither to adore it, by the consent of the other Prelates, 711, 712. A Prohibition to him not to collect the First-fruits of Benefices, granted by the Pope to Archbishop *Boniface*, which the Nobles in Parliament opposed, 718. Present at the Parliament at *London*, wherein the Bishops blamed the King for invading the Liberties of the Church, and denied him an ayd, 721, 722. The Kings Letter to the Pope to appoint him one of the auditors of the account concerning the monies levied for redemption of the Croffe, 958. A Writ to him to appoint Freers Predicants and others to preach the Croffe, and collect the monies raised by it, 767, 807, 917. A Writ to sequester the goods of a creditor to the King, 782. his publication of Pope *Innocent* the 4. his Decree concerning Visitations and Procurations, 791. Present in Parliament, and joynes in the general Excommunication of all infringers of the Churches Liberties, and Great Charter, 796. A Collector appointed for the Dismes granted to the King by the Pope in *England* and *Ireland*, 814, 815, 816. A Writ to him to respite the collecting of it from Priors and Redtors of poor Hospitals, from those of *Winton*, and others in particular, 834, 835.

*Simon de Winton*; elected by the Monks, dispatched swift messengers presently to *Rome*, where with expence of vast sums of money he obtained confirmation, and a license to hold all his former rents, livings for four years, though his Bishoprick was sufficient, 925. meets at *Oxford* with three other Bishops, convenes all the exempt Abbots and other Religious persons, to know whether they would adhere to, and defend the Barons Constitutions there made, 954. A Writ de cautione admittenda for an excommunicated person imprisoned, whole caution he refused, else the Sheriff to take it and enlarge him in his default,



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974. published Pope *Alexanders* absolution of King *Henry's* Oath from the Ordinances of the Barons at *Oxford*, 989. A Writ to him to collect and secure the profits, goods of Aliens, Non-resident Clerks, and others beyond Sea who had been against him, and were taken away during the late Troubles, and particular Clerks goods, houses, &c keep them safe till disposed of according to Law, 1005. A Writ to him speedily to collect the Dism granted the King by the Clergy in Parliament for defence of the Realm, and pay it by a day, to prevent the Sheriffs levying it in his default, 1006, 1007.

*Roger de Sherwin*: the Popes Bull to him to revoke, null all confederacies, Leagues made by the Barons in derogation of the Kings royal Majesty, to excommunicate all who would maintain them, and Mandate to *Roger* Abbot of *Canterbury* to execute it, 1015, 1016. The Kings Writ to maintain the rights and Liberties of his Church, a Commission at the Bishops instance to inquire of those who had invaded them in a riotous manner at *Leam* and *Gypswick*, 1016, 1017. Writs to the Collectors of Dism in it diligently to attend and return the monies with speed, 1033, 1034. To suspend the Collection of Tithes of some particular persons allowed to them for Debts due from the King, 1055, 1056. A License to a tenant in *Capite* to sell the Mannor of *Felwing* to the Bishop of *Norwich* and his successors, to procure monies for his voyage to the Holy Land with Prince *Edward*, 1056. The Priory, Cathedral, and Bishops palace burnt, by reason of a fray between the Monks and Citizens about tallages and liberties; the proceedings against the Malefactors by the Kings special writs and commissions, 1065, 1066, 1067, 1068.

*William Middelton*, A witness to Pope *Martins* Letter of recit of monies given from King *Edward* 1. for the annual rent granted by King *John's* Charter, p. 333.

## R.

*Reffen, Rochester* Bishoprick, Bishops.

The Bishoprick, Church first erected by King *Elisbert* upon his conversion by *Augustine*, 607. The perpetual Advowson, Royalities and Custody of the Temporalities during vacancy granted by King *John* to Archbishop *Laurence* and his successors; which ungratefull Trayor presently gratified him with the surrender of *Rochester* Castle to the Barons, and adhered to them against him, p. 339, 340, 341. Commissioners in it for the damages of the exiled Bishops, 381.

*Gilbert* one of the Popes Commissioners in the difference between the King and Monks of *St. Augustins Cant. Append.* 12.

*Berardus*, the difference between the Bishops of *Worcester* and *Linrick* referred to him and others by the Pope, 380, 382. Sent to *Rome* with others by the King and Bishops, to oppose the election of *Heusham* to be Archbishop, who promised the Pope that the King should grant him a Disme against the Emperor, to vacat his election, which effected it, 418, 419. His Testimony to the Pope of *Richards* learning, good life, made use of by the Pope to make him Archbishop, against the Kings minde and his employment to *Rome*, 420. Consecrates *Richard* of *Canterbury* and two more Bishops, 421. Sent into *Wales* with *Edmund* Archbishop of *Canterbury* to make Peace between the King, *Llewellyn*, and the Earl Marshal, 445. Present in the Parliament at *Merton*, which over-ruled the Bishops motion against bastardy at the Common Law, 472.

*Richard de Wendover*, elected by the Monks of *Rochester*, refused by Archbishop *Edmund*; upon an appeal to *Rome*; though the Archbishop went thither in person to oppose it, judgement was given for the Monks against him, and he consecrated Bishop, 498, 499. A Writ to him to return the number, values of all Benefices, and provisions to aliens in his Diocese, and who granted them, 573. A Writ to prohibit the Prior and Monks of *Canterbury* to exercise any

power, thing to the disturbance of the Clergy or Realm during the vacancy of the Archbishoprick, upon his and other Suffragans Complaints, 600. Present in Parliament with other Bishops who reprehended King *H. 3.* for violating the Liberties of the Church and Great Charter, and denied it: ayde he demanded, 721. His death, 728. *Laurentius de Sancto Martino* the Kings Clerk, elected by the Monks to please the King, that he might not appeal the election; he got a dispensation to hold his former promotions, because his Bishoprick was the poorest of all Bishopricks in *England*, 746, 751, 768. The Bishop, the Kings Proctor at *Rome*, well known there, 768. Present in Parliament, joynes in the general Excommunication of all infringers of the Churches Liberties and Great Charter, 796. Visited by Archbishop *Boniface*, 799. Collectors for the Dismes therein nominated in Parliament, 814. The ayds levied in it, its fees for marrying the Kings daughter, or making his son a Knight, challenged and awarded by Writ to the Archbishop, (though formerly paid to the King) who hath the custody of *Rochester* temporalities during its vacancy, and return of all the Kings Writs on the fees of the Bishoprick: which was countermanded by an other Writ by the Kings Council, and no fees ordered to be levied till decided whether they belonged to the King or Archbishop, 819, 877. Oppressed by Archbishop *Boniface* for temporal rights, whereupon many bloodsheds and Tumults arose: A Writ to the Judges itinerant to stay proceedings between them till the King and Council should determine them, 825. Complaints of this Archbishop oppression to the King, who could not move him to justice or humility, 842. Goes to *Rome* and complains to the Pope against him, 850, 928. procured the Archbishop of *Messina* to come into *England* to free him from his oppressions, who brings a Letter to the King from the Pope to right him against his oppressions. The Archbishop cited to answer his oppressions before the Pope in case he shall not redresse them, 928, 929, 930. A Writ to the Sheriff of *Kent* to distrain him by his lands, goods for his contempt in suing the Archbishop and others out of the Realm, against the privilege of the King, kingdom, to which his Bayliffs put in sureties to appear, he being absent out of the Realm, 941, 942. A Prohibition to him for suing the Archbishop in the Ecclesiastical Court by the Popes authority for gifts and rents belonging to the Temporalities of his Bishoprick, 877. Writs to Collectors of the Dismes therein, 917. And to his Official to collect them with speed, 1008, 1034. An account of them, 1012, 1013. Constituted one of the Kings Proctors at *Rome*, 984.

## S.

*Sarum, Salisbury* Bishoprick, Bishops.

*Joselin*: present at the election of the Abbeys and Nuns of *Ambresbury*, for their whoredom, and induction of those of *Fossevois* in their stead, p. 228. Commissioners in that Diocese for the damages of the exiled Bishops, 280.

*Richard*, one of the Kings Council, his Teste to Writs, p. 387, 390, 392, 398. One of the Popes Delegates to inquire of the extravagances of the Bishop of *Durham*, upon the Monks complaints of them, 383. Made Bishop of *Durham* by the Popes favour, 406, 418.

*Robert Bygham* elected, 418. Authorized by the Pope to grant dispensations for pluralities to the Kings Clerks, 422. excommunicates all the Kings souldiers who by the Kings command pulled *Hubert de Burgo*, accused of Treason, out of a Church, to which he fled for Sanctuary; the King enforced thereupon against his will to restore him to it, 419. The Popes Bull to him and 2. Bishops more to provide 300 of the next Benefices that fell voyd for *Rome*, 564, 579. His Complaint with others against the Prior and Monks of *Canterbury*es new usurpation upon them during

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the Archbishopsricks vacancy, and Kings prohibition against it thereupon, 600. His death 685.

*William de Eboraco*, a Courtier; the Kings Clerk, skilfull in the Lawes of the Realm, provost of *Beverly*, elected to please the King: presently approved, confirmed by him, 685. A prohibition to him and others not to invade the privileges of his free Chapels, or inform against them or his other privileges before the Pope, or elsewhere, 734, 735. Wavers, whether he should joyn with *Groffthead* and the other Bishops in opposing the Dismes granted him by the Pope, 771. Sent with two other Bishops by the rest to King *H. 3.* to perswade him to protect the Liberties of the Church and freedom of elections, according to his Oath which he had violatred, to the destruction of his Prelates, subjects, and enormous damage of the Church: His answer to him, *That he had exalted him from a low condition, being the writer of his writs, and present in many perivious judgements, as a Justice and hirling: That it was expedient for him and them principally in the first place, that he & they should penitently resign that they had unjustly obtained, lest they should be eternally condemned: That he being justified, reformed by such an example, would from thenceforth take care to promote no man unlesse worthily*, 395, 396. Collectors appointed in Parliament of the Dismes in that Bishoprick, 814. Writs to them, 1034. Invited to *St. Edwards* Feast by the Kings Letters, and to hold it solemnly in his absence, with other Bishops, Abbots, Nobles, 826. The first prebendary that fell void in *Sarum* granted by the King to *H. de Wingham*, 855.

*Giles de Bridlesford*, went to *Rome* when elected, procured a grant to retain all his former benefices, 925: Sent to the Pope by the King to prosecute some business of the Church, which he respited, 929. A Writ to sell all the Corn sowed by the King in Lands of the Bishoprick during the Temporalities in his hands, and answer the money in the Exchequer, 993. Writs granted at his and other Bishops request by the Barons advice, to remove all Lay force which seized or spoiled the Tithes of corn, other Churchgoods of Priests and Prebends during the Troubles, and secure the profits of them, 1004, 1005.

W.

*Winton, Winchester* Bishoprick, Bishops.

**D**ivided into two Bishopricks by King *Edward* the elder: its Founders, Benefactors, *Appendix*, p. 1.

*Hinhellian*: made Bishop by King *Edward* the elder; his Charter to him, *Appendix* 1.

*Godfrid*: his death, 242.

*Peter de Rupibus, de la Roche*; a *Pyrovian* Knight, Soldier, elected by King *Johas* procurement; by great gifts consecrated at *Rome*, 242. His Letter to the trayterous exiled Bishops, and oath for their safe return, enjoyment of their Bishopricks, damages, his Teste to the Kings Patent sent to them as one of his Council, 277, 283, 309. A Commissioner for restoring their damages in his Diocese, 280, 287. His name put as a witnesse to King *Johas* Charter, and Oath of Fealty to Pope *Innocent*, 290. The Kings Chief Justice, 331, 338, 381, 332, 352: Writs to the Earl *Mosshall* and others to do as he should direct them concerning the Popes release of the interdict, 332, 333. A witnesse to King *Johas* Charter of the Advowson Royalties of *Rocheſter* Bishoprick to Archbishop *Longeton*, 339. Moved him to publish the Popes general Excommunication against the Barons, which he delayed, 345. Pronounced the Popes sentence of suspension against this Archbishop, and that none should obey him till it were released, 347, 348. The King writ to him, to promote an Abbeſſe to *Beſſia*, not permit another to be elected by any means: To promote one to the Archdeaconsry of *York*; & respire the election of the Abbot of *St. Alban*, 352. King *H. 3.* sealed some Patents with his and the Legates seal

before his New seal made, 372. King *H. 3.* under his Wardship, 379. *Habert* removed by his power from all offices, 438. One of the Popes delegates, who nominated what particular Barons should be excommunicated for taking arms against King *Johas*, 359. repured a meer firebrand of sedition, instigating the King against the English Nobility, Prelates, whom he and his *Pyrovian* complices hated, siling them *Traytors*. Archbishop *Edmunds* and his Suffragans complaints against them for it, perswasions to remove them, to follow his natural subjects advice, else they would excommunicate him, and all who opposed his accord with his Nobles; whereupon he and his confederate aliens were banished the Realm, 443, 444, 445. A Writ to assist him in the Treaty with the King of *France*, 446. Sent for by the Pope to supply him with monyes: The King contented he should return again into *England* by the Popes leave, motion, who departed out of *England* rather by his own will, motion, then his: Remits his indignation against him at the Popes request, His Writ to him thereupon to that effect, 456, 457. Upon his return *Otto* the Legat endeavours to reconcile him and *Hulert* Earl of *Nent*, 485. the Legat & he then admonished the King at present to submit to the just request of his Nobles, Prelates who rose up against them, 498. His death after he had been Bishop 32 years, his good actions, praises, 500.

Three Records attest *Richard de Marisco* (I know not upon what account) during *Peters* Episcopacy was elected to *Winton*, (probably mistaken in them for *Durham*, See *Durham*) being specially recommended by the Kings Patent to the Monks election: the Kings applauses of his fitnessse for it, & fidelity to him; Commissioners enjoyned to give his royal assent to none but him, notwithstanding former orders: Elected: The Kings Patent to the Popes Legate to confirm him, because the Archbishop attempted unaliciously to defer it, 354, 355.

*William de Valentia* the Queens Uncle: specially recommended by the King to the Monks election; rejected as a forraigner, unlearned, insufficient, scandalous: *William de Rale*, elected by them, for which he is removed from the Kings Council; the King disallowing him, persecuted the Monks for his choise: They to avoid the Kings fury go to a new election; elect his Chancellor *Ralph Nevil*, thinking thereby to please the King, who disallows it, removes him from his Council, takes the Great Seal from him, gives it to others: appealed against his election which was nulled at *Rome*, 501, 502, 581. where the Monks procure an Order from the Pope, to chuse no alien, for which the King was highly displeased, *Ibid*.

*William de Rale* chosen a-new; being then Bishop of *Norwich*: his election confirmed at *Rome*; the King appeals against, sends Proctors to oppose it, prevails not: 578, 581, 582. The King imprisons, beats, expells the Monks for their choise: commands the Mayor to keep the Bishop out of the City, because he would not resign the Bishoprick; for which the Bishop excommunicated the Mayor, interdicted the City; The King upon this commands the Mayor & Sheriff of *Southampton* to permit none of the City or Country to receive, lodge the Bishop nor any of his Clerks, Officers, nor to make any contract or commerce with them under pain of imprisonment; That they should all depart out of the Bishoprick within 4. dayes after proclamation; That neither the Bishop nor any other should exercise any Jurisdiction in the Diocese; he forced thereupon to fly into *France*. Sundry Writs, Letters, Appeals concerning it, p. 581, to 592. Excuseth the execution of the Popes mandate to promote a Tax for him, being against the Kings prohibition, and Nobles provisions in Parliament, 672, 673. Present at *St. Edwards* Feast at *Westminster* to adore the Viol of Christs false blood, 715. A Writ to the Sheriff to enlarge a woman taken upon a *Capias Excommunicatum* issued by his Official for suing an



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an Attachment against him, for holding plea of a Layfee, 718. Present in Parliament with other Bishops, who reprove the King for violating the Liberties of the Church, and freedom of Elections, against his Oath; denied him an Ayde, 721. Obliges the Bishoprick in vast debts to the Pope; whilst the King persecuted him; who comforted, assisted him against the King, 748. His death, *Ibid.* *Wilhelm*, the Kings half brother, recommended to it by the Kings Agents, and in proper person; His speech to the Monks, elected by them, though every way unfit; the Kings special recommendation of him to the Pope, who by payment of the annual rent granted by King *John*, and gifts, procured not only his confirmation at Rome from the Pope, notwithstanding his youth, ignorance of Letters, insufficiency for such a charge, but likewise a dispensation for him to hold all his former benefices, preferments, amounting to above 2000. Marks, and equivalent in value to *Canterbury*, 310, 748, 749, 751, 764, 765. His *Teste* to a Writ, as Bishop elect, 769. His speech against resisting the Kings and Popes demands, with *Grobbheads* reply to it in Parliament, 771. The Kings speech, valediction to him, recommending him to the living Devil, for his ingratitude to him after all his advancements, 773. The contests between him and *Boniface* Archbishop of *Canterbury*, who excommunicated him and his Servants, for forcibly imprisoning, abusing his Official, 785, 786, 787, 788. Sent with two more Bishops by the Parliament, to induce the King to reform his invasions of the Churches Liberties, and freedom of Elections, with his Satyrical reply to him and them, as persons unworthy of their Bishopricks, 795, 796. See *Boniface*, *William de Rale*. A Prohibition against the Monks of *Winton*, for suing him in the Court of Rome for the Temporalities of his Barony, and against a Sequestration there granted, 832, 832, 833. His contests with the Prior of *Winton*, whom he expelled, prevailed against by bribes at Rome; a great rent reserved out of his Bishoprick for the Popes kitchen, 840, 852, 853. An agreement between him and the Prior, ratified by the Kings Patent, 852, 853, 854. Writes to the Collectors of the Dismes granted the King in that Diocese, speedily to collect and pay them, 917. His opposition against the Barons provisions at *Oxford*, to which he refused to swear, 930. Menaced, questioned by the Barons, flies the Realm, 936, 937, 966, 1021. His domination and insolence, 980. A safe conduct for him to come to, and return from the Parliament at *Oxon*, 937. Writes to the Abbots of *Wau-tham*, *St. Albans*, *Merton*, not to suffer any of his monies to be thence removed, 938. His monies seized at *Dover*, 938, 939. The Nobles Letter in Parliament, and Messengers to the Pope against him, to remove him totally from his See, to which he was advanced by his favour, relating his insolencies, 940, to 952. His temporalities, stock seized, granted by the King to others, 955. The Kings Epistle to the Pope to provide for him elsewhere, seeing he fled the Realm, was the author of much contention in it; and not to confirm him in *Winchester* to prevent scandals, discontents, 966, 967. A Proctor constituted at Rome by the King to appeal against his restitution, *Ibid.* The King presents to a Benefice during the vacancy by his recesse, 972. Commits the custody of the Bishoprick, presents a Chaplain to a Chapple in it, 979. The Archbishops Official acting in his Diocese during the vacancy, a Prohibition to him, 980, 981. *Henry de Wingham*, elected, received it conditionally, that if *Ethelmar* were consecrated by the Pope, he might then enjoy it before any other, 954. *John a Gerssey*, made Bishop by the Popes collation, consecrated at Rome, payd 6000. Marks to the Pope, and as much to his Chancellor for his confirmation, 1016. Compounds with the King for 2229 l. 13 s. 2 d. for the corne and stock on his Temporalities, 994. The Kings Com-

missioner in the Treaty between him and his Barons concerning the reformation of the Realm, referred to the French King and Popes Legate, 1002. Writs issued at his and other Bishops request, to remove, prevent Laymens forcible seising, spoiling the corne and Ecclesiastical goods of Priests and Prebends during the Troubles, and secure them, 1004, 1005. His Barony seized for not appearing with horse and armes to serve the King upon summons, according to his Tenure, 1008. Excommunicated by name by the Popes Nuncio, for ayding the Barons against the King, he goes to Rome to make his peace, 1018. banished the Realm by the Popes Legate, who usurped the profits of his Bishoprick, which the Rebels in *Ely* 11st object against him, 1021. A Writ to the Collectors diligently to collect the Dismes in that Diocese, 1034.

*Wygorn, Worcester* Bishoprick, Bishops.

*Roger*, present at the ejection of the Whorith Abbesse and Nuns out of *Ambrabery*, and induction of others in their places, 225.

*Malgerus, Mautere*; One of the Popes Delegates who admonished King *John*; he interdicted the Realm, excommunicated the Kings Officers, excited the Pope to excommunicate the King, absolve his Subjects from their Allegiance, depose him and his Heirs, give away his Crown; then stirred up the French King to invade him; for which Treasons his Temporalities, goods were seized, he (flying the Realm) banished, with all his relations, till he and his confederates enforced King *John* to receive them to his favour, restore their Bishopricks, profits, damages during their exile; to give them his Barons Oaths, Letters, his own Patents, safe conducts, engagement to perform it; forced him to enthrall himself, Realm, surrender his Crown, Kingdoms to the Pope, under an annual pension, swear Homage, Fealty to him and his Successors as his Vassal, to his perpetual infamy, and intolerable damage, dishonour of the Realm, Nation, 251, to 292.

*Walter Gray*; King *John* promised in his presence, to grant all the Barons petitions which the Pope should deem just, which they refused, 347. recommended to *York* by the King, but rejected by the Canons, electing *Simon Lang-ton*, whose election was null'd, 349, 350. See *Ebor*.

*Walter de Cantelupo*, elected, confirmed, consecrated by the Pope, without difficulty, 484. Opposed *Otho* the Popes Legates Canon against *Pluralities* in the Council of *Londou*, as prejudicial to Noblemens Sons, 488. chosen an arbitrator between the Bishop of *Lincoln*, his Dean and Chapter, in the difference about their Visitation, 509. Consecrated the Archbishop of *Armsuch* at *Westminster*, 566. A Prohibition to him as Popes Delegate to proceed in the cause between the Bishop, Dean and Chapter of *Lincoln*, as prejudicial to the Kings Crown, Dignity, 576, 577. Joynes with *Grobbhead* in threatening to Interdict the Kings Chap-ples, if he desisted not from persecuting the Bishop of *Winton*, 590. The Popes Epistle to him to prosecute that business, and send the names of all whisperers to him, who incensed him against the Bishop, 593. His, other Bishops petition, that the Prior and Monks of *Canterbury* might use no new Jurisdiction over them, to disturb the peace of the Clergy or Realm; the Kings Prohibition thereon to them, 600. Very dear to the Pope, as created by him; suspected to the English, as apt to do any thing to the Kingdoms prejudice, to please the Pope; he departs suddenly out of the Realm to him, 626. The chief of the Papal Bishop, who promoted the Popes exortions, dissuaded Earl *Richard* and the King from opposing them, having a power from the Pope to Interdict the Land; by whose counsils the King being swayed, effeminately relinquished his manly resolutions to withstand the Popes intolerable exactions, trembling for fear of the Popes menaces, 674. This Bishop imitating *Grobbhead* in passing through his Diocese by himself, or his Clerks specially designed, to visit



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visit is, compelled as well Freeman as Villains, without the Kings special command, to take an Oath to make Inquisition according to his will, against custome and the excellency of the Royal Dignity, from whence great scandal and schism were engendered in the people: whereupon the King issued a Writ to the Sheriffs of Gloucester and Worcester, commanding them, that they should from thenceforth permit no Lay-person to appear before the said Bishop or his Clerks, for the cause aforesaid, so as he might be able justly to command their diligence therein, (which quelled this his usurping innovation) 705. Summoned to, present at St. Edwards Feast at Westminster, to honour and adore the false relique of Christs blood, 715. Present with other Bishops in Parliament, who joyned in a sharp reprehension of the King for violating the Churches Liberties, and freedom in Elections; denied him an ayde, then departed in discontent, 721, 722. One of the Bishop of Darbours provisors to retain 3. Mannors of his Bishoprick during life, upon his surrender thereof, 724. The Popes principal Commissioner, Agent to publish his general Letters through all Bishopricks for a collection of Dismes, and redemption of Vows, for Richard Earl of Cornwall, 731, 742. The Popes command to him to absolve William Beauchamp the Kings Sheriff of Worcester, and others, from an Excommunication denounced by him against them, for things belonging to the Kings Court, to his prejudice, or else the Archbishop to absolve them; a Patent of Procuracion by the King thereupon, 735. The Kings Letter to the Pope to call him to an account for the Crosse-money and redemption of Vows received or distributed, 738. Appointed one of the preachers of the Crosse to all the Londoners summoned to Westminster by the King, 766. Joynes with Bishop Grossthead in opposing a Tax and Disme granted by the Pope to the King, 771. Collectors assigned in his Bishoprick for the Disme granted the King in Parliament, 814. Writs to them to hasten the Collection, 917, 1034. Protested, he would rather be hang'd then yield to such an insupportable exaction as Rustand demanded for the Pope, from the English Prelates and Clergy, 823. Excommunicated some of the Sheriff of worcesters Bailiffs, for distreining upon his Lands; after which an Attachment and Distingas issuing against him for this contempt, he released his Excommunication; whereupon the King suspended his Attachment and Distingas, 860. One of the Kings Counsil; the Bishop of Ely his Will produced under his Seal, 965. A Writ to him to sequester the Benefices of John Waterland, an accountant

and debtor to the King, 978. A Writ to his Official prohibiting the citing of any of the Kings Clerks to answer for their Benefices out of the Realm, 981. One of the Kings Proxies and solemn Nuncios before the French King and Popes Legate, Arbitrators of the differences between him and his Barons, 1001. Peremptorily adhered to the Barons Constitutions at Oxford, against the King; asserted, that the King having sworn to them, the Pope had no power to absolve him from his Oath, nor reverse those Provisions made and sworn to by common consent; drawing with him many false Prophets into this his error, ravenous Wolves in Sheeps clothing, against the Vicar of Christ, and the Lords anointed their own King, muttering not what the Holy Ghost gave them to utter, but what the object of the supreme power (this Bishop) to gain say, 1016. The night before the battle of Lewes he absolved Simon Earl of Leicester, and all his Souldiers, Complices, from all their sins, commanding them upon the remission of their sins to fight manfully for justice the next day, promising entrance into the Kingdom of Heaven to all who dyed in that cause, 1012. Publickly excommunicated by name in the Council of Northampton by the Popes Legate, for siding with, and encouraging the Barons against the King; He soon after dyed basely, 1018.

Gulstif Gifford, the Kings Chancellor, elected Bishop; one of the 6. persons chosen in and by the Parliament at Kenelworth, to elect 6. more, who upon their Oath were to draw up Articles tending to peace and settlement between King H. 3. and those who had been and then were in armes again him; who thereupon drew up the Statute of Kenelworth, 1019. The King upon his election presently granted him the profits of the Bishoprick during the vacancy, belonging to the Crown of antient right, towards the repair of the houses and edifices then fallen to decay; gave him a special license to fence his houses within the Close at Worcester, and at Widdington in Gloucestershire, with a wall of stone, lime, and battlements in form of a Castle, by two special Patents; and so to hold them to him and his successors for ever, without question or impediment of him or his Heirs, 1038, 1064. His seal and testimony to Pope Martin the 4th, his acquaintance for 4000. Marks received from King Edward the 1. by his Agents for his use, for some years arrears of the annual rent granted by King John to the Pope and Church of Rome, 312, 313.

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*G.* approved by the King, a Writ to the Archbishop of *Dublin* to consecrate him, according to the Popes command, 393. He resigns his Bishoprick, 480. The Dean and Chapter electing a new Bishop without the Kings license, the King refuse to confirm the election, as null, apparently derogatory to his Crown, and contrary to custome used in all Cathedrals belonging to his Patronage, who upon every avoidance ought to petition for a license to elect, ere they proceed to chuse a Bishop; but because the Bishoprick was poor, the King granted the Archbishop of *Dublin* and Chief Justice power to grant them a license to elect and approve a new Bishop by his Royal favour and authority, so as the person be faithfull to him, and necessary for his land of *Ireland*, 480, 481.

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*David* Archbishop of *Cassal*, confessing his error in consecrating some Bishops in his Province before the Kings confirmation, not out of fraud or malice, but ignorance, promised by his Letters Patents under hand and seal for him and his Successors, never to offend in this kind, nor to consecrate any Bishop till first elected by the Kings license, and afterwards specially confirmed by the King according to custome, 1038, 1039.

*Cenanes* Bishop.

The Kings appeal against him and other Bishops, conspiring to elect an Archbishop of *Ardmach* without his license, contrary to his Right and Dignity, 240.

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The like appeal against him as next before, 240.

*N.* Bishop thereof, a Writ to the Chief Justice to hear his complaints against the Archbishop of *Ardmach*, for grievances, spoiles of his Lands, Churches, and imprisoning his Tenants, by pretext of Excommunications and the Kings Letters, wherein the Archbishop circumvented the King, and to do him full and speedy justice, 482.

*Cloansenis, Clemenfis, Clauen, Clan* Bishoprick, Bishops.

The like appeal of the King against him as the two former Bishops, 240. A Patent to the Dean and Chapter to elect a Bishop, so as he be an English man, 402.

*Florentius*, the Kings Royal assent to his election, and Mandate to the Archbishop of *Cassal* to consecrate him, 393.

*Elyan*, resigned his Bishoprick, 473.

*Thomas* Dean of *Clan*, elected by the Chief Justice his license only, without the Kings first petitioned for and obtained, which ought not to be, yet approved by reason of his poverty for this time, out of special grace; A Writ to the Archbishop of *Dublin* to consecrate, and Chief Justice to confirm him, 474, 475.

*Alanys*;



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**Alanus**; an Affise of Novel Disseisin was brought against him by the Bishop of *Imleth*, for a Tenement in *Kilcompy*, of which he apparently disseised him; whereupon the Bishop of *Clon* threatened to excommunicate the Chief Justice if he proceeded, who desisted thereupon; the King admiring at it, by special Writ commanded the Chief Justice to proceed, notwithstanding his threats, to amerce the Defendant, and give damages and possession of the Tenement to the Plaintiff, according to the Law and Custom of *Ireland*; to take and imprison the Judges who held plea thereof in the Ecclesiastical Court, and the Bishop too, for prosecuting the cause there against his Prohibition, in contempt of his Crown and Dignity, till they made full satisfaction to the King for such an enormous and grand contempt; and to proceed in like manner in other like cases, that he might lose none of his right, 635. See *Imleth*.

**Daniel**; the King at the earnest importunity of many great and Religious persons, gave order to his Chief Justice to restore his Temporalities, although the Dean and Chapter of *Clon* refused to prefer him to the King after his election, for to approve or disallow him; and without his favour proceeded by the Popes command to consecrate him, in prejudice of his Royal Dignity: Provided that the Bishop, Dean and Chapter should first give security by a Charter under their hands and seals, that they would not hereafter proceed to any election of a Bishop, without first petitioning for a license, and that after the election they should present the person elected to him and his heirs before his consecration, p. 719.

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**Luce**; the Kings Patent to him and others, with the Bishops of *Northwich*, *Chichester*, and Abbot of *Westminster* Letters and instructions to them concerning the business of the Crosse; and collecting the Dismes of all *Ireland* for relief of the Holy Land, p. 815, 816.

**Ranulphus de Norwiche**, Chancellor of *Ireland*, elected Archbishop by the Canons at *Dublin*, was excepted against, his election nullified in the Court of *Rome*, and the Electors blamed, because he was a secular person brought up in the Kings Court, sitting at the receipt of Customs, and the Archbishop

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*Thomas Lidel*, his election justly null'd by the Archbishop of *Ardmach*, who was ready by his Metropolitcal authority to confer it on *Reginald* Archdeacon of *Dume*, if the King thereto assented; the King thereupon at his request assented to him as a fit person, receives his fealty, and issued a Writ to the Chief Justice after the Archbishops confirmation of him to restore his Temporalities, and to the Archbishop to do his duty in confirming and consecrating him, p. 941.

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#### *Elfin*, *Elphis* Bishoprick, and Bishops.

*I* Archdeacon of *Elfin*, approved Bishop elect by the Popes Ordinance in derogation of the Kings prerogative, being chosen without the Kings assent; the Archbishop of *Tuam* refused to consecrate him; yet because the Pope gave a laudable Testimony of him in his Letters to the King, he issued a Writ to his chief Justice to restore his Temporalities to him, p. 635.

*Thomas* Dean of *Archada*, elected Bishop of *Elfin* by the Dean and Chapter before they obtained a license from the King, yet the King assented to his election, to prevent danger to the Church, so as by occasion of his grace at this time, no prejudice might accrue to him for the future, nor any prerogative conferred on them, but that the Chapter of *Elfin* when the See became void, should have a license from the King before they went to an election, 687. He joynes in a complaint to Pope *Alexander* with the Archbishop and Suffragans of *Tuam* against the Kings Justices in *Ireland*, for interdicting, imprisoning, oppressing their Priests and Tenants for crimes and suspicions of crimes before confession or conviction; and binding them to appear before secular Judges; procuring a Bull to excommunicate them if they desisted not from it, notwithstanding any prohibition or constitution, p. 857, 858, 859.

*Thomas* made Archbishop of *Tuam*, p. 951. See *Tuam*.

*Milo* Archdeacon of *Clos*, elected by the Kings License; and none excepting against it, the King gave his assent thereto, commanding the Archbishop of *Tuam* to do his duty therein, and the chief Justice to restore his Temporalities, if his election was confirmed by the Archbishop. After which the Dean, Archdeacon, Treasurer, and Provost of that Church, presented *Thomas* Abbot of *Buelie* of the Cistercian order, whom they elected Bishop, to the King, by Letters Patents under their Common Seal, certifying him that the Archdeacons election was unduly made without expecting the Kings license, which the Archbishop also certified by his Letters Patents; and that by his Archiepiscopal authority he had null'd his election for certain

causes: And although the King by reason of the contradiction of these their Certificates, might well doubt which of them was justly to be preferred, as duly elected, yet he assented to the Abbots election upon the Archbishops certificate, so as he more fully examined the merit of both elections, and certified the King which of them he ought to admit without violation of Law, p. 979. After this the Archbishop of *Dublin* confirming and consecrating *Milo*, and the Archbishop of *Tuam*, *Thomas*, as duly elected, *Thomas* appealed to the Pope, who gave a definitive sentence for *Thomas*, as appeared by the Popes certificate to the King: and *Milo* being dead, as appeared by the Archbishop of *Tuam*s Letters: thereupon the King (who suspended the restitution of the Temporalities till the controversy decided between them) issued Writs to his Escheator to restore the Temporalities to *Thomas* without delay, out of special grace, he receiving first in his name, an Oath of fealty, which he and all other Bishops and Prelates of the Land were bound to make, p. 991, 992.

### F.

#### *Firn* Bishoprick, Bishops.

*Albinus*; a Writ to the Chief Justice to attach him by safe pledges and sureties to appear before him on a set day for his contempt in prosecuting a suite in the Ecclesiastical Court before the Archbishops of *Dublin*, *Tuam*, and Bishop of *Clew* against *William* Earl Marshall for his Layfee, against the Kings Prohibition to them, p. 572. A Patent to him and the Archbishop of *Dublin*, to promote and collect the Ayde of all the *Irish* Clergy granted by the Pope to the King, and to repair to *Dublin* to confer with the other Archbishops and Bishops concerning it, 406, 407. A Delegate of the Pope with others in the case of the Bishop of *Imelic*, 423.

*John*, a Patent for him and another to receive the profits of all Archbishopricks and Bishopricks which should fall void in *Ireland*, to satisfy a Debt the King owed the Archbishop of *Dublin* in the first place, and after that for the Kings use during pleasure, to be answered to his Exchequer, 423.

#### *Finabernus*, *Finabern* Bishop.

Pope *Alexander*s Bull to him his Dean and Archdeacon to compel the Kings Officers and Bayliffs in *Ireland* by Ecclesiastical censures, to give over their grievances of indicting, suing, and imprisoning the Archbishop of *Tuam* and his Suffragans Clerks and Tenants in Temporal Courts, notwithstanding the Kings prohibition, or any constitution, p. 857, 858, 859. The Kings Proctors exceptions & protest at Rome against it, as against the Kings prerogative. *Ibid*.

*Mauricius*, elected Bishop thereof by license from the King; was unwarily confirmed and consecrated Bishop by the Archbishop of the province, before and without the Kings royal assent to his election: or receiving or sending to the King for his assent: which offence and neglect the King at this time remitting, issued a Writ to the Escheator of *Ireland* to restore the temporalities to him, receiving Fealty first from the Bishop in the Kings name, according to usage, and Letters Patents from the Chapter, that they shall not draw the said negligence or omission into consequence; yet punishing the Metropolitans Trespass done to the King in admitting the Bishop elect without his assent, according to the quality of it, 1017, 1018.

### H.

#### *Henricus* Bishoprick.

*I*T being anciently a Parish Church, and no Cathedral, two Bishops were successively placed in it as a Cathedral. The Pope upon the Archbishop of *Tuam*s petition, to whom it belong-



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belonged, gave way to reduce it to its pristine state; the Archbishop petitioned for the Kings favor and assent thereto; whereupon a Writ of Inquiry issued to the Chief Justice concerning it, p. 783, 784. See *Tam.*

## I.

### Imlic Bishoprick and Bishops.

**A** Suffragan to the Archbishop of *Cassell*, p. 613.

*John O'Connell* pretending himself Bishop elect of *Imlic*; the King appealing against his election, the Pope appointed the Archbishop of *Cassell*, Bishop of *Fen*, and Archdeacon of *Dublin* to hear and determine it, before whom the King constituted a special Proctor to defend his right p. 412.

**C.** A Writ to the Chief Justice of *Ireland* not to intermeddle, if the Archbishop of *Cassell* questioned him and other his Suffragans concerning their Spiritualties; but not to permit him to trouble or sue them for their Lands and Temporalities belonging to the Kings Crown and Dignity, 603.

*Christians* Bishop of *Imlic*, sued an Assise of Novel disseisin, against the Bp of *Clos* for a Tenement in *Kylcomry* of which he injuriously disseised him: The Bishop of *Clos* threatening to excommunicate the Chief Justice, who for fear thereof delayed to give judgement against him, and damages or possession thereof to the Bishop of *Imlic*, according to the Lawes and custom of *Ireland*; for which the King by special Writ checks, and commands him to proceed to judgement notwithstanding his threatened Excommunication or any other cause; and to imprison the Bishop of *Clos*, and those Judges who held plea of it in the Ecclesiastical Court against his Prohibition, Crown and Dignity, p. 635. See *Clos*.

## L.

### Limerick, Lann Bishop:

**D.** Bishop thereof, a Suffragan to the Archbishop of *Cassell*; prohibited to molest or sue him for his Lands and Temporalities held of the King, but only concerning Spiritualties. p. 603.

**Lann:** The Bishop one of the Popes Delegates in a case of the Election of the Bishop of *Meden*. The Kings prohibition and menace if he unduly proceeded therein, p. 816, 817.

### Lebhis Bishops.

**R.** his decease; p. 424.

**Archdeacon of Lebhis** elected Bishop thereof after him, without the Kings precedent license required, his election declared null in Law; yet the King out of special grace, by reason of the honesty of the person, afforded him his favour & royal assent thereto, though his election were deservedly void; Upon condition, that the Chapter and Clergy of *Lebhis* should first make Letters Patents to the Justice of *Ireland*, of a license craved from him, lest it should prejudice him and his heirs in a like election in future time, p. 423, 424.

### Limerick, Limbrick Bishoprick and Bishops.

Suffragan to the Archbishop of *Cassell*, p. 629. The Bishops of *Ireland* contending to deprive the King of the Liberty he and his predecessors usually enjoyed, to have the Custody of their Bishopricks during the vacancies, and that their Tenants from thenceforth should not require Justice from the Kings Court, and Pleas which were used to be brought in determined by his Writs to the prejudice and hurt of his Royal Dignity, specially sent or intended to send the Bishop of *Limerick* to the Popes Court to obtain these designs; whereupon King *Henry* the 3. sent a special Letter to the Pope

not to permit any thing to be obtained or granted, by any ones suggestion against him that might hurt his rights or deprive him of his accustomed power in this behalf: but remain safe under the wings of his protection against the machinations of his Enemies; Commanding 4. Proctors manfully to resist those who would obtaine these things in the Court of *Rome*, so as thereby he might have cause to commend their discretion and fidelity, p. 428.

**H.** A Prohibition that the Archbishop of *Cassell* should not molest nor implead him for his Lands and Temporalities held of the King, but only for Spiritualties, p. 602, 603. A Prohibition to the Archbishop of *Cassell*, not to confirm a Bishop if canonically elected, in the Church of *Limerick*, notwithstanding the Kings royal assent was not required thereto, and to revoke whatever he had done to the Kings prejudice without delay: 716, 717. See *Cassell*.

*Lismore* Bishoprick and Bishops, Suffragans to the Archbishop of *Cassell*, p. 603.

**R. de Belesford**, by Letters patents from the Chapter of *Lismore* to 2. Canons thereof, was elected Bishop of *Lismore*, to which election the King gave his royal assent, they affirming the Church to be then void, the King issued a Writ to put him in possession thereof; while *R. Bishop of Waterford*, to whose Bishoprick it was annexed, was sent into *England* by the Popes Legates command to help consecrate the Bishop of *Carlisle*. The Bishop upon his return complained of this surprise to the King and Council, producing before them the instrument of *J. the Popes Legat* for the union of both Bishopricks; and alleged that he could not be justly put out of either of them without hearing, or summons while absent, and thus united, by a false and fraudulent suggestion: whereupon the King decreed, that the lying informer (who circumvented him) should not obtain his suit, that his fraud and guile should not patronize him; thereupon he by Writ commanded the Chief Justice of *Ireland* to put the Bishop of *Waterford* in full and speedy seisin of all possessions and goods belonging to the Bishoprick of *Lismore* or *Waterford*: The like Writ issued to the Archbishop of *Cassell*, 373, 374. After which the Pope referred the examination of this cause to his Legat then Bishop elect of *Norwich*, the Archbishop of *Canterbury*, and Bishop of *Winchester*, who by their definitive sentence adjudged *R. de Belesford* his election and possession to be good, legal, and that he ought to enjoy the Bishoprick; whereupon there issued a Writ to the Chief Justice of *Ireland*, by advice of the Council, to put the Bishop of *Lismore* into the possession thereof, and of all its profits without delay, p. 381, 382.

*Griffis*, gaining possession of the Bishoprick by pretending to the King, he was elected, and confirmed, so deceiving the King, being not confirmed; the King by Writ commanded his Chief Justice upon sight thereof, to seize into and keep safely in his hands, the Bishoprick then in *Griffis* possession with all the appurtenances, lands, goods, rents, possessions belonging to it, till further order, p. 412. A Writ that the Archbishop of *Cassell* should not molest nor sue the Bishop for any Lands or Temporalities belonging to the Crown, but only for Spiritualties, 602, 603. The Kings presentation of *VV. de Kylkeny* to the Church of *Dangruay* directed to the Bishop of *Lismore*, by the King, 756.

## M.

### Meden, Midenis, Middin Bishoprick, Bishops.

**T**he Bishop one of the Popes delegates to release the interdict of the Archbishop of *Cassell* against the Kings lands and Tenants in *Ireland*, if he refused to do it in 19. dayes, p. 384.

**T.** appointed one of the Kings Collectors by the Pope to collect the Dismes granted him in *Ireland* for relief of the holy Land, 559, 560.



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**Hugo** Bishop thereof having obtained confirmation, and the spiritualties and temporalities of the Bishoprick, *Galfridus de Cusack* pretending himself Bishop thereof, being consecrated by the Archbishop of *Ardmach* to the prejudice of the Kings dignity, when he neither demanded nor had the Kings consent to his election or confirmation, conferred certain Churches belonging to the Bishoprick, to the Kings and Bishops prejudice, one of them on the Chancellor of *Ireland*. Upon which the King issued a Writ to the Chief Justice, that he should not detain that Church, nor do such things for the future, that he should take those persons according to the Custom of *Ireland*, who were excommunicated by *Hugo* or his Officials, remove all Layforce resisting him, out of Churches: and if any menaced him or his in their goods or bodies, to take good security and sufficient pledges from them to attempt no evil against the person elected: the Archbishop and *Hugo* endeavouring to seclude the King and his heirs, that no license should be demanded from them to elect a Bishop in the Church of *Miden*, which would redound to their great prejudice, p. 816, 817.

The Bishop of *Miden* certifies a confirmation of the Bishop of *Offory* to the King, p. 980. Executor of the Dism granted to the King in *Ireland*, p. 1055.

### O.

*Offory* Bishoprick, and Bishops.

**T**he Kings grant to the Queens Chaplain of the next Prebend or benefice belonging to the Patronage of that Bishoprick which should fall voyd during the vacancy, p. 971.

*Galfridus de Sancto Leodegaris* his election to it confirmed by the Archbishop of *Dublin* official by his authority whilst absent at *Rome*, certified to the King by his Official and 2. *Bissh* Bishops; whereupon seisin of all his Temporalities is awarded him by a Writ to the Chief Justice, p. 980.

### T.

*Tuam* Archbishoprick, and Archbishopps.

**T**homas, an attachment against him and others for holding Plea of a Lay-fee against *W. Earl Marshall*, at the suit of the Bishop of *Fern* against the Kings prohibition, p. 371. Writs issued to him to levy an ayde granted upon the Clergy of *Ireland* by the Pope, and to repair to *Dublin* to receive instructions concerning it, p. 405, 406. See *Dublin*.

**Martin** Archbishop, refused to confirm or consecrate the Bishop of *Elfin* by the Popes order, without the Kings consent, p. 635. A Petition to the King for a license to elect a new Bishop after his death, the Chief Justice commanded to grant one freely, yet to require them to elect such a one who might be fit for their Church, profitable to the kingdom of *Ireland*, and faithfull to the King, 735. A mandate to the Archbishop to employ Freers Predicants daily to preach the Crosse, and collect Legacies, redemptions of the Crosse, and all monies belonging to that affair, p. 768. The Archbishop requested the King that the Church of *Henneshdun*, alias *Eanden*, formerly belonging to his See, but having two Bishops successively placed in it as a Cathedral, might become parochial as at first, as the Pope had ordained; the examination thereof referred by Writ to the Chief Justice: the value of the Lands and Edifices belonging to the Church to be enquired after, to be exchanged for other Lands of like value, that the King might build a Castle there: The Patronage of the Church to remain at present in the Kings hands, whose license was required for election and confirmation of the Bishops there: till enquiry made who were the ancient patrons: To inquire what land belonged to the Church before it was made a Bishoprick: that the Archbishop should have the lands belonging to him of right, and be assisted with

favour to recover his right in the Kings Courts against the Tenants, 783, 784, 818.

**Five Articles of Complaint & Grievance of *Florentius*** Archbishop thereof, his Suffragans and Clergy, whereby the Church of *Ireland* was enormously oppressed, grieved, defrauded of its rights, Liberties by the Kings Justices, Sheriffs, other Officers, and some Irish Barons, referred by the King to Prince *Edward*, to examin and redress, by the advice of his Chief Justice, other discreet men of his Council there, and of the Archbishopps, Bishops, Abbots, Barons, Justices, and all the great men of *Ireland*, to be assembled for that purpose with all convenient expedition, in such sort as should be most expedient for the Churches indemnity, his and the Land of *Ireland*s profit, tranquillity: So as the glory of the Church might encrease by him, and the beginning of his new government might receive more increase of praise, 817, 818.

**Walter de Lundie** Dean of *Pauls* being made Archbp, the Pope granted him the profits of all his former livings (by way of *Commenda*) for two years, not excepting his former grant to the King of all Dignities and livings falling void for 5. years, towards his expedition to the Holy Land; whereupon the King issued a Writ to his proxies not to collect the fruits of the Deanary and Prebendary of *London*, or other benefices before his promotion by this *Commenda*, which if they presumed, they should answer them to him, p. 913. He being made Archbp. by the Popes provision without the Kings license, the King refused to restore his temporalities to him; at last he permitted his Bailiffs to dwell in the houses, and manure the Lands belonging to the Archbishoprick; yet so, that all the profits and rents thereof should be sequestered, laid up, and safely kept in certain places within the Archbishoprick without diminution, untill the Archbishop should come to the King, and do his Fealty in person to him. Which he accordingly performing, the King restored him to his grace, favour, Archbishoprick, with the Temporalities, and profits thereof from the time of the sequestration, by a Writ to the Chief Justice of *Ireland*, 939.

**Thomas (O Connor)** Bishop of *Elfin*, being elected and confirmed Archbishop of *Tuam* by the Pope, as the Pope certified the King by his Letters, he approving and confirming his translation, sent Writs to his Chief Justice and Escheator of *Ireland*, to give him full seisin of all his Temporalities and possessions without delay; and to all the Tenants of the Archbishoprick, to obey and answer him as their Lord, 956. The King receiving contrary Certificates concerning the elections of two persons to the Bishoprick of *Clon*, commanded the Archbishop to confirm and consecrate him he had certified to be duly elected, yet to inquire further of the election, and give him a fuller account thereof, that the King might know which of the two to admit without injury of right, 979. See *Clon*. After which one of them being confirmed and consecrated by the Archbishop of *Dublin*, the other by the Archbishop of *Tuam*, who upon his appeal to the Pope had his definitive sentence to be duly elected and confirmed; the King upon the Popes certificate, issued a Writ to his Escheator to give him seisin of the Temporalities without delay, p. 991, 992. See *Elfin*.

### W.

*Waterford*, its Bishoprick, Bishops, and matters concerning them.

**T**he Bishoprick of *Lismor* united to it by *J. Cardinal* Presbyter of *St. Stephen*, the Popes Legate in *Ireland*, though formerly divided, p. 373.

**R. Bishop of *Waterford*** being in actual possession of the Bishoprick of *Lismor* by this Union, during his absence in *England* by the Popes Legates mandate to help consecrate the Bishop of *Carlisle* the Chapter of *Lismor* informing the King

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King the Church was void, elected and presented a new Bishop to him, whom he confirmed and restored the Temporalities to; but upon complaint of the Bishop of *Waterford*, and proof of the Union, restored him to the possession thereof. Upon an Appeal to the Pope, the Bishop of *Notwich* elect then his Legate, the Archbishop of *Canterbury* and Bishop of *Rochester* to whom he referred the examination of the cause, resolved the Union to be void; the election and confirmation of the other good; whereupon the King restored him to the possession of *Lisnor*; and the other to all the possessions and Temporalities belonging only to *Waterford*, p. 373, 374, 381, 382. See *Lisnor*.

*Philip* Dean of *Waterford* being elected Bishop thereof, whom the Pope approved to be Bishop, the King thereupon granted him his Royal assent and favour: And because he had done fealty to the King, he issued Writs to his Chief

Justice to give him full seisin of the Temporalities thereto belonging, according to usage, and to all Tenants of the Bishoprick to be intendant and respondent to him, p. 784. King H. 3. being in *Gascony*, granted a license to elect to the Dean and Chapter of *Waterford*, yet to spare their labour and expenses of sending thither for a confirmation after the election made, he commanded his Chief Justice of *Ireland*, when the person they required or elected should be presented to him, he should give the royal assent and favour to him; yet so, as the King might have no reason to suspect his loyalty; and to restore him full seisin of the Bishoprick, and all Temporalities thereto belonging, when he was confirmed, having first received the due and accustomed Fealty to the King from him; and that he should take care he received Letters Patents from the Dean and Chapter, containing, that they should not draw this grace of the King into consequence in future times, p. 818.

This Index (with those in my other Tomes when compleated) will supply sundry defects in Sir *James Ware* his Book, *De Praesulibus Hiberniae, sive Provinciae Dublinensis, & Archiepiscoporum Cassiliensium & Tuamenisum Visa.*



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*St. Andrews* Archbishop; G. A. Writ to the Barons, Bayliffs of the Cinque-ports, and others, to arrest him and all his, and other enemies coming from beyond the Seas, or out of *Scotland*, who had procured certain things from the Court of *Rome* tending to the dishonouring of the King of *Scotland*, (who had married King H. 3. his daughter) nor without the manifest scandal and disgrace of him and the said King; and not to suffer any of them to come into the Realm, 973.

*Antiochia* Patriarch, claims primacy of the Bishop of *Rome*, p. 490, 491, 492, 521, 643.

*Auxianensis*, *Auxiensis* Archbishop, p. 400.

*Aquensis* Episcopus, ordered by Pope *Honorius* his Bull, at King H. 3. his instance, to excommunicate *Geoffrey* de *Lisnase*, the Kings sworn Vassal, for breach of his Oath of Fealty to him, p. 401, 473. Summoned to appear before the King at *Burdeux* on a certain day, upon the men of *Aquis* complaint, for invading them in an hostile manner, to the Kings great disgrace and dishonour, taking three of them prisoners, and slaying one: *J. Mansell* sent thither to hear and end the differences between them; The Bishop prohibited not to molest them again, as he would avoyd the Kings revenge, p. 600, 601.

*Aquilegia* Patriarch, p. 643.

*Arelatenis* Archbishop, prohibits Earl *Richard* by the Popes authority not to passe to the Holy Land, when in his journey towards it, to all mens admiration, 514.

*Armenia* Archbishop, arrives in *England*, p. 431.

**B** *Alvacensis* Bishop; *Philip* taken in his arms against King *Rich. 1.* by his forces, was kept in them long,

detained prisoner, not released by him, nor by King *John*, notwithstanding all the Popes Letters, menaces, till he paid a ransom of 6000 Marks, and 2000 Marks more for expenses in prison, p. 227.

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*Burdegalesis* Archbishop, summoned to a Council to *Nivern* in *France* by the Popes Legate, p. 400. The Bishop of *Hereford* aspiring to it, defeated by the Archbishops unexpected recovery, p. 851. *Fortune* the Kings Clerk elected by the major part; the Kings Letters to the Pope on his behalf, 971.

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**C** *Asariensis* Archbishop, p. 529.

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**D** *Olensis* Bishop; *Sampsa* Archbishop of *St. David*, carries his Pall from *St. Davids* thither; whereupon the Bishop succeeding him refused subjection to the Archbishop of *Tower*, till Pope *Innocent* the 3d. decided the controversy for *Dale*, p. 234.

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**F** *Ferraria* Bishoprick, p. 516.  
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**G** *Laigo* Bishop; *Nicholas*, his election vacated by the Pope, who conferred the Bishoprick by Provision on *John de Chyham*, whom he consecrated; King *H. 3.* his Letters at the Popes request, to the King and Queen of *Scots*, and whole Council of *Scotland*, to restore his Temporalities without opposition, though they might justly withstand it, p. 972, 973.

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**L** *Audensis* Bishop, p. 510.  
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*Petrus de Colle Medie*, elected Archbishop by the Dean and Chapter of *Rhoan*; King *H. 3.* for his fidelity and special friendship to him, gave his Royal assent thereto; being confirmed by the Pope, he petitioned he might swear Fealty to the King by his Proctor on his soul in his behalf; which the King granting, ordered the restitution of his Temporalities in *England* to his Proctor, p. 482, 483. Bestows rich presents on Pope *Innocent 4.* whereby he brought his Church much in debt, 641, 642. The Pope makes him a Cardinal in the Council of *Lym* for his presents, *Ibid.*

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their Priors election; They bribe his Cardinals, Agents of all sorts, who would do nothing for the Kings or others Letters, without great gifts; for which they would not so much as invite them to a small dinner, 461, 463. He prohibited the ordination, preferment of Bastards, Pluralities, &c. only to gain monies for dispensations in such cases by the See Apostolick, which alone must grant them, 467, 753. The *Grecians* set up *Germanus* Patriarch of *Constantinople* as an Antipope against him, who denied his Supremacy, renounced him and the Church of *Rome*, for their detestable symonies and corruptions, 490, 491, 512, 513, 643, 752. The Emperor opposed against him *Heliar*, chief of the *Freers* Minors, a most famous preacher, who absolved all this Pope had bound with an Anathema; who had rendred the Church of *Rome* infamous by symony, usury, various rapines, and became a step-father to her sons; thrusting only after money, which he extorted by sundry devices, not caring at all for prayers, masses, exhortations, which used to free oppressed ones from persecutions; fraudulently and privately disposing in his own Chamber, the money collected for relief of the Holy Land, without the Cardinals consent, employing it and the forces raised against the *Saracens*, against the Emperor and *Greek* Church, better Christians than himself; prohibiting them to go to the Holy Land against their vows, when ready, yea marching towards it, to employ them against the Emperor, against whom he was raging mad, to destroy the rights of the Empire, and trample him under foot: He sealed many blank Bulls and sent them to his Legates, to write what they pleased in them for his or their advantage, 408, 409, 512, 513, 514, 753. He excommunicated *Heliar* for reprehending instead of reforming these his execrable crimes; His words, double dealing, breach of faith generally declaimed against by the *Crescigiani*, *Ibid.* He more desired the encrease of gold and silver, than of the Christian faith, 517. He persuades, commands all who had taken up the Cross for the Holy Land, not to proceed but return home again, when they were in their journey towards it, by his Bulls, Nuncios; who thereupon exclaimed against his double dealing, and were like to mutiny against his Nuncio, had not the Prelates pacified them, 512, 513, 514. *Richard* Earl of *Cornwall* proceeds in his voyage, notwithstanding this Prohibition, *Ibid.* The Emperor *Frederick* according to his Oath resuming the Isles, Territories belonging to the Empire, notwithstanding this Popes Inhibition; he thereupon studying revenge, fomented the Rebellion of the Citizens of *Miliss* against him, excommunicated, deprived him of the Empire, without any hearing or conviction; excited all he could against him, under pretence he had raised sedition against him in *Rome*, intending to expell him and his Cardinals thence, against the privilege, dignity of the See Apostolick, and to tread the Liberties of the Church under feet, against his Oaths: His scandalous Excommunications, Letters successively published in *England* and elsewhere to defame him, with his memorable Letters, replies thereto, shewing his Rebellion against the Emperor, slanders of, and unchristian deportment towards him, to his great infamy; his endeavours to depose him, 514, 515, to 550, 649, 752, 753. Verses found in his Chamber, that *Rome* should cease to be the Head of the World, which he and the Emperor applied to each other, 520. His extreme avarice, abuse of money collected for the Holy Land, exacting monie by several other means, to War against the Emperor; His stirring up his Subjects of *Miliss*, other Cities to rebell against him: who were defeated, punished, destroyed for their Rebellions, notwithstanding his Papal assistance and benediction, 532, 539, 541, to 550, 624, 605, 640. His execrable, infamous contradictory slanders published against the Emperor in all places, as inclined to Mahumetism, Achism, to

exhort, exasperate all Christians unanimously to rise up against him, as an open enemy of Christ and his Church; against which the *French*, &c. people justified him, as more pious, religious, lesse oppressive than himself; his impiety, dishonesty being so notorious, execrable to all, that his authority was regarded by none, or very few; his Letters, actions so scandalous, that his fame and authority suffered great detriment, ruine in all places; so as wise and holy men feared greatly the total losse of the *Roman* Churches, Popes, Clergies honour, and that God in justice would smite them with an incurable wound, 539, 540, 544. He caused another Emperor to be elected, who peremptorily refused it; two others elected, blasted by God, 540, 753. The *French* Kings and Nobles notable answer to his Letters and Nuncio, 544, 555. The Emperors Letters, countenancing those who contemned his Excommunications, 656, 657. The *English* Bishops complaints against his oppressions, injuries, contrary to the Kings Oath, Charters, Priviledges; their Excommunication of their infringers; King *H. 3.* neither would nor durst contradict his exactions, though against his Priviledges, and Subjects Liberties, 545, 546, 548. He exacts the fifth part of the Clergies goods, for which the Emperor expostulated with the King; Archbishop *Edmund*, others opposed, but yielded to it at last, 546, 547, 563. The *Romans* and Cardinals consult together to oppose his Papal violence, to the danger of Christianity, 548. Having gained money enough in *France* to wage War with the Emperor for a whole year, he perfidiously brake his Truce, sends for the Cardinals who procured, made the Truce with him, from thenceforth to desie and denounce War boldly against him to his face; which *John de Columpus* one of them dissuading him from, and contradicting, as favouring of inconstancy, he told him, *He would not from thenceforth account him for a Cardinal*: To which he replied, *Not I thee for a Pope*: Upon which the King of *France* detained all the money there collected for him till he saw the issue, 549. He summoned the Duke of *Venice* and other enemies of the Emperor to a Council; engaged the King and Prelates of *England* to exhaust the Kingdoms Treasure, to depose the Emperor by force, 550, 551. He endeavoured to subject the Emperor and all Christian Kings to his Papal Dominion, and make them his Vassals, taking example, boldnesse from his predecessors trampling the King and Kingdom of *England* under his feet: The Emperors resistance of him, the only means to secure the Rights, Crowns of all other Christian Kings; though they deserted or engaged against him, and their own interest, by ayeing this Pope with monies extorted by his Nuncios, 544, 552, 553, 554. The Emperor contradicts his summons of a General Council, designed to excommunicate and depose him; prohibited all Legates, Bishops summoned to it to repair thither, under pain of imprisonment; who presuming to repair to it upon this Popes Letters, great naval forces to transport them by Sea; Gods owning of the Popes, Churches cause, and disowning of the Emperors as accused, excommunicated by him; were all intercepted, spoiled, some of them slain, drowned by the Emperors naval forces, the Popes Fleet scattered, his Legates, Cardinals, Prelates long detained in prison; the Popes designs, Council frustrated to his grief, infamy, 552, to 556, 655, 656, 657: A *Carthusian* Monk at *Cambridge* brought before his Legate and others, affirmed to their faces, *That Gregory was not Pope, nor head of the Church: That he was the Devil broke loose; an Heretick, who pulled the church, yea world; That he had not power to bind or loose souls, nor was St. Peters Vicar, nor had his power on earth; being a Simoniack, usurer, and perhaps involved in greater crimes; following not Christs footsteps, virtues, as St. Peter did; At which the Legate blasphed, and all were silenced, 560. He conferred the Bishoprick of *Landaff* by his Papal provi-*



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tion, which the King assented to, 518, 559. Granted K. H. a Dispense in Ireland for relief of the Holy Land, 559, 560. He grants the Tenth of all profits of Benefices to the Abbot and Monks of Cluny, belonging to any houses of their Order in England, without the Kings privy, against his prerogative, and custom of the Realm, for which the King issued Writs to prohibit the collecting of them, 562. Grants a privilege to Edmund Archbishop of Canterbury, that he and other Archbishops in their Provinces should present to all Bishopricks, Abbots, Priories continuing voyd in the Kings hand after 6. months space, which he afterwards nulls, as contrary to the Kings prerogative at his instance, 563. He intends to bestow all the benefices in England upon the sonnes, kindred of Romans, to encourage them unanimously to rise up against the Emperor; writing for 300 of the next benefices that fell voyd only in 3. Bishopricks to be conferrd on them by provision, 564. He sent Peter Rabes to demand an intollerable Tax of the English Clergy, proposed privately to each of them under an Oath of secrecy not to discover it, which the Prelats and inferior Clergy generally, cistercians manfully withstood, 565, to 570. Recalls Otto from Eng. to Rome, who burnt his letters, to advise, assist him in a Council against the Emperor, 401, 402, 570. The insatiable shameles covetousnesse, corruption, Simony of him and the Court of Rome, exposing all things to sale, repuring Usury a small sinne, but Simony none at all, 571. His two Agents intollerable exactions in England, by Procurations and new devised extortions, 572. Writs to all Bishops to inquire of the number, value of the Benefices granted by him and his Legates by provision to aliens, 572, 573. The King by writs exempts all his own Clerks and Freeschappels from his Legates procurations, taxes, exactions, provisions, 573, 574. A Prohibition against his Legates compelling any person by Ecclesiastical censures to contribute any thing to him, and against his provision of a Prebendary in Paris belonging to the Kings presentation, 574, 575. The Kings appeal, Proctors to him against the Bishop of Winces election. His Nuncios and their Treasure seized by the Emperor, 605, 606. His death, Sees vacancy and schisms after it, 605, 647, 648, 650, 651. His Bull for relief of the Holy Land transcribed *verbatim* by Pope Innocent the 4th. 660. His Statutes, Letters whereby Archbishop Boniface would visit the Monks of Canterbury, resisted and revoked by his Successors, 793, 794. The Kings Letters of Complaint against his Provisions. His death concealed by his agents, till they could collect, transport their rapines, 608. Gregory the 10. His Complemental Letter to King Edward the 1. for a safe Conduct to his Agent to collect Peter-pence, and desiring the payment of 7. years arrears of the annual rent then due for England and Ireland by King Johns Charter, 311, 312. According to his predecessors practice he rejected the Monks election of Childeben to the Archbishoprick of Canterbury, opposed by the King, made Robert Archbishop by his Papal provision; which the Monks not daring to oppose elected him *pro forma*, to preserve their right of election, 1061, 1062, 1063.

### H.

**Honorius 2.** his Decree against Priests taking an Oath, or being compelled to swear in criminal or other causes, unless by their Bishops special license, 707. **Honorius 3.** Young King Henry 3. his Complemental Epistles to him and his Legates for their tender care of him and his Realm, during his minority, professing himself his creature, (sub):ct, desiring him not to confirm the election of the Bishop of Wy, a professed enemy to him and his father, adhering to the French King against them, the Isle being a place of strength, and to provide a fitter Bishop for it, 374, 375. His Epistle to him touching the Bishop, Bishoprick of Kells, and resettling the im-

propriations thereon granted to it by H. 1. then alienated from it, 375, 376. touching the restoring of his Sister Jane, detained from him by H. de Lizimacs, and his excommunication if he refused to do it, 377, 378. His threatening Hugh Bishop of Lincoln for a Saint, 379, 380. The Kings appeal to him touching the Church of Atey, 381. His Bull to two Bishops in England to examine the abuses, vices, excesses of the Bishop of Durham, upon the Monks complaints against him, and certify their proceedings to him, 382, 383. One of the first introducers of Papal provisions, 337, 778. His Letter to the Earl of March and his wife upon K. H. 3. his complaint, to restore his Castles unjustly seized by him by a day, with damages, under pain of excommunication and interdict of their lands formerly released by him, which he endeavoured to elude by craft and contempt, 384, 385. The Kings Letters of thanks to him for former favours, requesting him to write to several Bishops and Nobles therein named, to assist and continue faithfull to him; and restrain all who should rebell against him, or detain his Castles, Lands, by the spiritual sword and censures, 389, 390. Excommunications thereupon denounced against the detainers of them by the Archbishop and his Suffragans, 391. Commanded King Henry to prolong the Truce with France for 3. years 392. At his request the King gave his royal assent to the election of the Archbishop of Cassil. The King prohibits an appeal to him from any of Ireland, in a case of Bastardy pending in his temporal Court, 393, 394. Constitutes a Proctor at Rome, 395. His Letter to the King to continue an annuity granted by King Johns to a Roman Cardinal, afterwards revoked, 395. His Bull to the French King, to permit the King of Englands Nuncios freely to passe and repasse through his territories to his presence: And to the Bishops, Abbots, Priors, and Clergy of England to grant a competent Ayde to King H. 3. to be employed by common consent for the benefit of the Realm, and not drawn into consequence, 396. To the Archbishop of Dublin to excommunicate those who refused to surrender the Kings Castles to him; without any appeal, 397. Sent Legates into all parts of the world to extort undue exactions in all places. One his Nuncio sent into England with Letters to the King, demanding two Prebendaries to be granted him in every Cathedral, and the allowance of 12. Monks in every Monastery where the Abbot & Covent had distinct interests, to prevent the old scandal of avarice, bribery, Simony, rapine of the Church and Court of Rome, occasioned through her poverty, extortions, delays of Justice, which the King, Clergy opposed, as prejudicial to the Crown, Church, kingdom. 397, 398, 400, 4001. The like proposals by his Legat in France; with the French Bishops answer thereto, as destructive to the Church and Realm, 400. His Legates procurations, rapines, 398, 401, 402. His Letters to Geoffrey de Lizimacs, reprehending him for the breach of his Oath of Fealty and Allegiance to K. H. 3. which ought not to be violated or discharged by any contrary Oath; commanding him inviolably to observe it under pain of excommunication without any appeal, 402, 403. Granted, published a Croisado against the Earl of Thoulouse, and Albigezes. He prohibited the King of England and his Nobles to invade France during that Kings wars against the Albigezes, 403, 404. Grants an ayde to the King from the Clergy and Religious of England and Ireland; which they were compelled to pay by Ecclesiastical censures, without any appeal, on which this Pope refused to relieve them; 406, 407. His Bull against granting procurations to aliens and Italians in England, after the death of those aliens who then enjoyed them, leaving them to their Patrons free disposal, 778, 779. His large Bull of old privileges confirmed re-granted to the Abbot and Monastery of St. Albans, an annual rent of one Ounce of gold reserved for it to him and his successors, in dedication of

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the Kings prerogative, *Appendix* 20, to 25. The Emperor *Frederick's* Oath to him to defend the rights and possessions of the Church of Rome to his power, 656.

*Honorius* 4. demanded of *Edward* 1. the arrears of 3. years rent granted by King *John* for England and Ireland, who refused or neglected to pay it, 313.

L.

**L** *Innocent* 3. persecuted the Emperor *Otho* 4. excommunicated, deposed, vanquished him in battle, & set up *Fred.* 2. 259, 260, 539, 753. displeased with King *John* in the beginning of his reign, for his divorce from his Wife by his *Norman* Prelates, against the Canons obligation, and for detaining the Bishop of *Belvoir* in prison, notwithstanding his frequent Letters for his enlargement, till he paid a great ransom, and took an Oath of him never after to bear arms, 227. His Letter to King *John* to protect the Archdeacon of *Richmond* against the Archbishop of *York's* oppressions, 231. To Archbishop *Geffrey* to absolve the Archdeacon excommunicated by him after his appeal to Rome; else others to absolve him in his default. Taxed *Geffrey* with rebelling against the See of Rome, whose authority he still contemned, 232. He endeavours to make *St. David's* an Archbishoprick, as formerly, grants it to *Gilardus* Archdeacon of *Brechin* by his provision; authorized the Bishops of *Durham*, *Lincoln*, *Ely*, to consecrate him, if Archbishop *Hubert* refused: which he refusing to do, the King by Writs prohibited all of his Diocese upon their allegiance not to own, receive *Gilardus* as Bishop, but oppose him to their power, declared him a public enemy to his prerogative, a disturber of the public peace; the Archbishop nullified his election, forced him to resign his Archdeaconry to him, to become his Chaplain; the King nominated, and Archbishop consecrated another Bishop in his stead, commanding all to aid, receive, assist him against *Gilardus*: and so quite nullified this Popes first Provision, 334, to 338. The first introducer of Papal provisions, 377, 378, 777, 778. His decision of a Controversie between the Bishops of *Do'e* and *Turon*, 334. Of a turbulent haughty spirit like *Hildebrand*. Grants a *Croisade*, Ayde for relief of the Holy Land. His Bulls, Letters concerning its taxing, collecting in France and England, those Kings, Nobles consents to, proceedings therein, 238, to 241. King *John's* appeal to his Legate in Ireland, against the Suffragan Bishops of *Ardmache*, endeavouring to elect, consecrate an Archbishop without his precedent license or confirmation, 240, 241. His Letter to King *John* to bestow the Bishoprick of *Carlisle* on the Archbishop of *Regusa*, who at his request conferred it on him, and a living granted him by the Archbp of *York* 241. He nulls the clandestine election of the Monks of *Canterbury* of their Subprior without the Kings precedent license, His exhortatory Epistle to them for unity; nulls their second election by the Kings license, though approved by him; enforced the Monks at Rome to elect *Stephen Langton* a Cardinal, without the Kings license, against his consent, or their fellow Monks in England, there presently consecrated him Archbishop, writ Letters, sent rings and precious stones to the King, to persuade him to receive and admit him Archbishop, 244, to 249. The King for this high affront, by armed force expelled the Prior, Monks of *Canterbury*, putting others in their places; sent a menacing Letter to this Pope for his unjust refusal of the Archbishop duly elected, approved, confirmed by him, and consecrating *Langton* his enemy, publicly conversing with his enemies of France, without his royal assent, or the Monks due election; to the derogation of the rights of his Crowne and dignity, which he admired at, he not considering how England had been, and was more beneficial to the See of Rome than all the kingdoms on this side the Alps:

That he would stand for the rights of his Crown, and defend his Clerks due election to the Archbishoprick, to death; threatening he would suffer none to passe out or through his Territories to Rome, nor any of his Bishops or Prelates to go thither for justice, unless he granted his requests. The Popes insolent Letter in answer thereunto; his Letters to 3. English Bishops earnestly to persuade, admonish him to receive *Langton* for Archbishop, else to interdict the whole Realm till his submission to it; their proceedings therein, and interdicting the whole Realm, 250, to 255. He deprives the white Monks of the Liberty granted to others for officiating during the interdict, at the Kings command, 255, 256. He excommunicated King *John*, for contemning his Interdict, banishing the Bishops and their kindred who interdicted the Realm, with *Langton* and his Parents, seizing their goods, temporaries, and of all who obeyed the Interdict, commanding it to be published in all Cathedral and Conventual Churches through England: the Clergy in England refuse to publish it; King *John* and his Nobles slight it, *Alexander* *Comenarius* disputes, writes against it and the Popes power to inflict it, all his Nobles, others, publicly communicate with him, he hath admirable successes in his wars, affairs, notwithstanding it, 248, to 262. His Legates, Agents insolent words, messages, deportment towards the King, notwithstanding his promise to receive the exiled Bishops and Archbishop without restitution of the profits of their Bishopricks during their exile, 252, 261, to 265. He absolves King *John's* subjects from their Fealty, Oaths, obedience to him; prohibiting them under pain of excommunication strictly to avoid his company, both in Table, Council, Conference, 264, 265. After which at the Archbishop and Bishops solicitation he deprived King *John* and his heirs of the Crown of England, gives it to King *Philip of France* and his heirs; writes to him, and all Nobles, Souldiers in sundry Countries to take arms, to deject him and conquer it for his contumacy, rebellion; to cross themselves for that purpose, granting them the same Indulgences as those who went to the Holy Land against the Saracens. Sends *Pandolphus* his Legat to see it executed, yet with secret instructions to him to agree with King *John* upon terms he was to propound to him, 267, 288. When the French King and *John* had both raised great forces by Land and Sea against each other, *Pandolph* by fraudulent persuasions, menaces, terrors induced King *John* and his Nobles to receive the exiled Bishops, give them damages, & swear to make good the terms the Pope propounded for himself and exiles, to resign his Crown, kingdoms of England and Ireland to this Pope by a special Charter, enjoying them under him and his successors, paying 1000. Marks annual rent, & swearing fealty to him as his vassal; The manner thereof being effected, he prohibited the French King to invade him after vast expences. to his great discontent, because under his Papal protection by this submission, 267, to 293. The Interdicts, Excommunications, Frauds, force by which this Charter was extorted, with the protests, Declarations against, and real Nullities of it, 271, 273, 274, 280, 281, 289, to 330, 414, 1058. King *John's* Oath to him, 274, 279, 290. The Emperor by his Embassadors stirred up the English, others to contradict, withstand this Charter, Tribute, and other illegal oppressions, 414, 415. 613. His Bull to his Legat to confer all vacant dignities, benefices in England by postulation or Canonical election, to correct all rebellious persons opposing his proceedings therein by Ecclesiastical censures, without any appeal; his tyranny, inhumanity, proceedings therein, especially against those who had been loyal to the King during the Interdict, 258, 259, 329, 330, 334, 335. The Original of his provisions in England, 237, 329, 330, 778. His Bull to his Legat for releasing the long Antichristian Interdict of England after 7. years 3. months, & 14. days space, during which divine Offices, Sacraments, and



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and Christian burials ceased, 331, 332, 33. His Bull for confirmation of the Great Charter of King *John*, to his Prelates, Barons, and Freedom of Elections to the Church, Clergy, upon the Kings request, 337, 338. *K. John* complaint to him against his Great Charter as extorted from him by armed force, fear, circumvention, rebellion; and of designs to expell him the Realm now under the Crosse, and Popes protection: his Oath by *St. Peter* to avenge this injury; His Bull perpetually nulling the great Charter notwithstanding its former confirmations, prohibiting any to observe it under pain of excommunication, reciting the Barons rebellion, obstinacy, perjury against their Oath, 341, 342, 343, 345, 346, 347. He first excited the English Barons by his Bulls to take arms against King *John*, as an obstinate enemy to the Church, to enforce him to surrender his Crown to him, and after his unworthy effeminate surrender of it to him as his Tributary, endeavoured without fear of God or shame of the world to trample them under feet, dishonour, put them to death, and swallow up their estates; He promoted none to livings, but unworthy outlandish Clerks, 414, 415. His Letter to the Barons, charging them with rebellion, disobedience to his commands and the King, threatening to excommunicate them if they persisted therein, 341. His Letters for the Barons Excommunication sent to the Archbishop and his Suffragans, 344, 345, 348, 351. The Archbishop delays, denies to publish it, siding with them, for which he is cited to the Council at *Rome*, suspended his Archbishoprick, and all prohibited to obey him as Archbishop, 343, to 348. His Bull reprehending the Chapter of *York* for electing *Simon Langton* their Archbishop, against the Kings and his prohibition, and *Simons* promise: his menaces of him and them; His election nullified, he swears he would provide an Archbishop himself for them unless they presently proceeded to a new election: whereupon they elected *Walter Gray*, whom the King at first propounded, who paid ten thousand pound *Sterling* for his Pall, for which he stood bound in the Court of *Rome* to this *Simons* *Magus* and his Usurers, 350, 351. The Kings Letters to him not to null the union of the Abbey of *Glaston* to the Bishoprick of *Bath* and *Wells*, formerly confirmed, being prejudicial to the Crown, He appoints delegates to hear and determine the cause, 356, 357. His Care to preserve King *John* and his heirs rights in *Normandy*, 357, 358. His Bull exempting all his Freechappels from Episcopal Jurisdiction and excommunications, though a royal prerogative before, 358, 720, 721, 727, 728, 759. His Bull to the Abbot of *Abbeys* and others, to excommunicate certain Barons, *Londoners*, and others by name for opposing, rebelling against King *John*, with their high contempt thereof, and reviling speeches against him and his Papal power, as *Constantines*, not *Peters* successor, either in merits or works, making a prey of the Church and Kingdom he had invaded, 359, 360, 361, 362, 414. He absolves the Archbishop upon caution, but prohibits his return into *England* till the King and Barons were accorded, 361. He sends *Wals* to the French King *Philip*, to prohibit him or his sonne to invade King *John* being his Vassal; or the Realm of *England*, the Churches patrimony, whereof he was supreme Lord, by the Kings Charter, Homage to him: The French Kings reply thereto, declaring the Charter void, denying *England* to be *St. Peters* Patrimony. *Lewis* his Proctors opposition, objections before him against King *John*, and plea for *Lewis* his Title to the Realm of *England*; This Popes replies thereto on King *John*s behalf; his Dilemma in this controversie between them. The Barons reject King *John*, elect, receive, crown *Lewis*, notwithstanding his Legates prohibitions, excommunications of *Lewis* and them, which they condemn, 358, to 367. His Usurpations upon King *John*s Crown, kingdom, Church, Subjects of *England* and *Ireland*, 370. His Unchristian Excommunication and Interdict of all

the Kings Officers and others who by his command offered violence to the Monks of *Canterbury*, and shed their blood in the Church of *Faversham*, to which the King and Monks laid Title, the Kings Prohibitions; Writs, sent to his Delegates not to execute it, as being derogatory to his Crown; the Popes contrary Letters to proceed therein; with the issue of it, Appendix 8, to 16. Sends *Otto* into *England* and other Nuncios into all parts of the world to exact undue exactions from them, 398.

*Innocent* the 4. His election after a long vacancy, 605, 651. Being confirmed, he ratified the Excommunication denounced against the Emp. *Frederic*, stirred up the Citizens of *Viterbium* against him, caused sundry to revolt from him in *Germany* soon after his election, 651, 652. He refused all offers of peace, cautions tendered by the Emperor for performance thereof; raised new discords, wars against him to the great danger of Christendome and Christianity, then invaded by the *Turks*, *Saracens*, *Tartars*: whereupon the Emperor stopped all passages to *Rome*, 652, 755, 758. His unsatiable thirst after money, 652. He flies from *Rome* with his Cardinals to *Lyon* secretly in a disguise. The King and Nobles consult whether they should receive him, as conceiving him prejudicial to the King and kingdom; they refuse to admit him into *France*, or *Rome*, whose Archbishoprick was then void, 653, 654. Their Letter to him denying his entrance into lower *France*, 654. He desires *K. Henry* that he might come into *England*, wherein he had a special right, to honour it with his presence, but is denied: he spoiling, defiling it by his Exortions, Simons, Usurers, though not personally present: the stink of his Papal Court and infamy ascended to the clouds, 654. He endeavoured to deprive the Emperor, 653, 753. The Kings appeal to him against the Bishop of *Winton*, being neither duly elected, nor presented to him for his confirmation, to the prejudice of his Royal right and dignity. The Bishop gives the Pope 8000 Marks to procure his peace, and free him from a contempt against the King, 589, 590, 591, 592. His Decree between the Monks of *Canterbury* and Bishop of *Lisles*, during the vacancy, 599. He desires the prayers of the *Cistercians* in their General Chapter, for the state of the wavering Church, 604. His Legates rapines, provisions, Exortions in *England*, 605. The Kings Letters of Complaint against them, 606. Endeavours to subject *Wales* to himself under an annual Tribute; absolves the Prince of *Wales* from his subjection and allegiance to *K. H. 3.* against his Charter, Oath, encouraging him in his rebellion against him, 609. His Letters to all the Prelates of *England* in general, and each of them in particular purchased with the effusion of much money, to grant a competent ayde to the King, highly applauded in them, 609, 610. The Prelates unanimously opposed them, being conjoyned, and complain of the Popes rapine, provisions, by his agents, 610, 611, 612. His Letters to the English Prelates for a supply of his own and the Church of *Rome*s necessities; which they and the Emperors agents in *England* contradict, 612, 613, 614, 615. His Nuncios rapines, exortions, Ibid. 619. His daily Bulls sent into *England* to extort monies; prohibited to be imported, searched after in *Dover* and other Ports by public order, and their importers imprisoned, 617. A prohibition to tax, collect or pay any Tax to this Pope or his agents in *England* or *Ireland*, 618. His Nuncio chased out of *England*, at which this Pope extraordinarily raged, 619, 620: resolved to make peace with the Emperor, whom he styled the Dragon, that so he might trample the petty Kings and Serpents of *England* and other Countries under foot; which incensed the hearts of many against him, 620. The King of *Scots* Charter of League with *K. H. 3.* sent to him to confirm; he and his Nobles subjecting themselves and their heirs thereby to his Jurisdiction and Ecclesiastical censures in case they violated it, 620, 621. He absolved *David*



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Prince of *Wales* from his Oath, Homage, Charters made to King H. 3. exciting him to rebel against him, by putting himself and all his Land under the Popes protection, to be held of him under an annual rent of 500 marks. His Bull for that purpose: notwithstanding which K. H. 3. wasted *Wales* with fire and sword, reducing it to extreme misery, desolation, 621, 622, 623, 624. *William* the elder Bishop of *Coventry* voluntarily resigned his Bishoprick into his hands, being opposed by the King, 624, 625. The Bishops of *England* made, advanced by him, more addicted to him, then to the kingdom or King, 626, 627. He granted Archbishop *Basiface* for money an unheard of privilege of the first years fruits of all vacant benefices in his Province for seven years, till he levied ten thousand Marks thereby, under pretext to defray the debts of his Church: Which his Suffragan Bishops opposed, but were enforced to submit to, by Excommunications and Ecclesiastical censures published in all Churches against those who should speak against, detract from it, or fraudulently substract any of the firstfruits, 626, 627, 628, 629, 718, 719. He consecrated *Basiface* Archbishop, and *Richard de Winton* Bishop of *Cicaster*, *Roger de Winton* Bishop of *Coventry*, elected against the Kings will, and appealed against, at *Lions*, to his great affront, and the kingdoms prejudice, for which he confiscated their goods, seized, detained their temporalties, and kept them out of their Cities for a long time, 625, 626, 627. He granted *Philip Ball*, a Souldier employed as his General in the wars, for a great summe of money, to hold by *Commenda* all his rents in *England*, the profits of the Bishoprick of *Valentia*, Archbishoprick of *Lions*, and other Churches in *Flanders*, *England*, *France*, who took no care at all of the peoples souls, nor to exercise his Episcopal office, 626, 627, 642. Summoned, celebrated a General Council at *Lions*, 623, &c. 753. He granted the Bishop of *Lincoln*, after an infinite expence of money and great gifts, a privilege against the *Canons*, to visit the Dean and Chapter of *Lincoln* to correct their manners, without taking an Oath of Canonical obedience, or manual subscription: His Bull and definitive sentence therein, 629, 630. A prohibition and appeal by the King against his drawing any of his Subjects in suit before him out of the Realm, 628. What arrears of the annual Tribute were paid him by King H. 3. and upon what occasion, 311. His Dispensation for some of the Kings Clerks to hold pluralities, 632. Fiecers Predicants and Minors the executors of his Papal extortions, advanced, enriched by his means, 633. The King prohibited the Abbots, Priors, and Ecclesiastical persons, to grant this Pope any aide, or to meet about it, without his royal assent, 634. His summons of a General Council at *Lions* by Bulls and Nuncios sent into *England* and elsewhere, 636, 637. The King complains of his nulling Canonical elections to Bishopricks duly made and approved by him, out of malice, or upon feigned or frivolous pretences, for advancing Bishops without his royal assent, contrary to his ancient approved right in all former ages, praying redress thereof by a special Proctor, 637. His Epistle to the King, excusing the appearance of some Bishops and Abbots at the Council, by reason they were Guardians of the Realm in his absence, others undone by wars, others aged, or sick, 638, 643. He shamefully abused and cast out of his Palace the Abbot of *Baugh* for opposing his provision to a Church, which he gave to one of his kinsmen, so as he died of shame & grief, 618. The King sent solen Embassadors to this Council in his own and the kingdoms name, to complain against his insatiable covetousness, execrable rapines, extortions, provisions of Churches, and other corruptions of the Court of *Rome*, against King *Jubas* Charter, Tribute, the Letrons, protestations of the whole kingdom against them, the proceedings therein, to which the Pope deferred his answer, 299, 300, 638, 636, 644, 645, 646, 647. The Kings Patents

commanding all his Bishops, Abbots in that Council upon their allegiance to use all diligence to acquire, conceive and defend all the rights of his Crowne, kingdom, invaded by the Pope, and not to attempt, procure, or assent to any thing therein to his or the kingdoms prejudice, or of the rights his predecessors and he had used by ancient approved custome; that none of his Bishops should be translated by the Pope and Council, but by consent of his Ambassadors and Proctor St. *Martin*, for the benefit of the Realm, 640. He set his study on fire before the Council, wherein King *Jubas* detestable Charter was burnt, on purpose to extort monies from the Bishops repairing to the Council, 300, 641. Sundry Abbots, Bishops present him with vast sums of money, and rich presents, to the prejudice of their Churches, whom he advanced to Archbishopricks by his Papal power, 641, 642. The *Canons* of *Lions* strenuously opposed his provisions, swearing they would drown his *provisors* in the *Rhene* if they durst appear there, whereupon they desisted, 642. The hand of his Porter cut off by a Citizen of *Lions*, of which he complained, desiring reparations, which was done superficially in some sort to save his Papal honour, 642. The *Greek* Church not only refuse to obey, but opposed him & the Church of *Rome*, for their *Simony*, claiming Primacy from St. *Peters* first residence at *Antioch*, to which he could give no answer, 643, 352. He deferred the Canonization of *Edmund* Archbishop of *Canterbury*, canonized at last by him, 643, 644, 689. He scornfully rejects the proffers of the Emperor by his Advocates, to satisfy the Church and Prelates injured, and defend the Christians against the *Tartars*, *Turks*, *Saracens*, incensed the whole Council against him, except the King of *Englands* Ambassadors and Proctors, 644, 651, 652. His sentence of Excommunication and deposition denounced against the Emperor in the Council, sent into *England* and other places to be published to his infamy, wherein he challenged a Sovereigne superintendency over all Christians, as Christs Vicar, and *Peters* successor, the Top of Apostolical dignity; power to advance, censure, punish, depresse, anathematize whom he pleased; excommunicating him for breach of his Oathes, invading the rights and possessions of the Church, imprisoning sundry Cardinals, Bishops, (when summoned to a Council to depose him) imposing taxes upon the Clergy, convening them before secular Judges for criminal and civil causes which did not touch their fees; imprisoning and executing some of them, to the confusion and disgrace of their Clerical Orders; (though for treason and rebellion against him) condemning Pope *Gregories* former sentence of Excommunication against him, marrying his daughter to *Baltazar* an enemy to the *Roman* Church; making a Peace with the Soldan of *Babylon*, invading the Realm of *Sicily*, the Special Patrimony of St. *Peter*, and absolving the Inhabitants thereof and other places from their allegiance to the Church of *Rome*; Chargeth him therein with heresie, apostasy, inclination to Mahometism, & other forged crimes; absolving all his subjects from their former Oathes of allegiance to him, and excommunicating all who should obey, favour, counsel, or converse with him from thenceforth as Emperor or King: which Excommunication was contrary to his own *Canons* made in that Council, 652. to 660, 757. Moved for a *Croisade* to raise monies, forces against the Emperor, which was publicly opposed to his face by the *English*, because of his former manifold cheats, abuses therein, 660, 666, 753. The Emperours Notable speech, Epistles against Popes insolencies, usurpations, and his abuse of his Papal power in deposing him; charging him and Prelates with pride, ingratitude, avarice, ambition, contempt to Emperours, Kings, their advancers, and the danger of such a president to all Christian Kings, kingdoms; sets his Crown on his head with his own hands, professeth himself absolved from all obligations to him, and

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and free to oppose him for his tyranny, 660, 661, 662. 713. Popes intollerable insolencies, though of base birth, ignominiously to insult over, depose, trample under feet all Emperors, Kings, Princes, Prelates, though innocent, after *Frederick's* final deprivation, as not so potent to resist them, 662. His Papal Mandate to the General Chapter of the *Cistercians*, justifying his excommunication and deposing of the Emperor, for and in which he was prepared to stand, fight unto death, exhorting all of them, and other his brethren, immutably to stand, fight for this cause of God and his Church together with him even to death, 662, 663. His privileges promised to the *English* in the Council of *Lyons*; To grant provisions and dispensations for pluralities of Livings to well deserving *Englishmen* of Noble families; That the Clergy and Lay-patrons should freely present fit persons to their Ecclesiastical benefices as they fell void without contradiction; That one *Italian* should not succeed another; That all Crossed for the Holy Land, should not be exempt from the usual customs of the Realm, though from other things; That all *English* Prelates newly advanced should for some few years hold all their former promotions by commendation. After which he & other Popes null'd, violated them all by *Non-obstantes*, oppressed the *English* more then ever, 666. He refusing to give competent satisfaction to the *English* Ambassadors demands in the Council, they departed thence in discontent; swearing they would never hereafter pay, or suffer to be paid the detestable Tribute granted by King *John* to the *Roman* avarice, which the King likewise swore: nor permit any rents of *English* Churches (especially such whereof Noblemen were Patrons) to be exorted from them, which he, with patience and silence passed by, till a fitter time to revenge it, 663. The *English* Bishops at his command most cowardly set their hands, seals to the transcript of King *John's* Charter, then newly burnt, to make it valid; and subscribed, published his excommunication against the Emperor, 309, 663. Upon which he expressing his former concealed causeless rancor against the King, kingdom, Nobles, for daring to demand their rights and liberties; most insolently threatened, that if he could tame *Frederick*, he would then trample under feet the insolent pride of the petty King of *England*, his Vassal, and the disobedient *English*, whom he would not permit so much as to lament or mutter against the oppressions or Tribute they complained against in the Council; exciting, perswading the French King in a conference with him at *Cluny*, to revenge this great injury, by rising up and warring against the petty King of *England* even to his disinheriting, or so as to enforce him *volens* to submit himself to the will of the Court of *Rome* in all things, promising that the Church and he with all his Papal power would assist him therein; which the King of *France* refused to do, because of the consanguinity, truce then between them, and prevalency of the Pagans against the Christians in the Holy Land, who expected his ayde, 309, 663, 664. He oppressed, pillaged the *English* more then ever before by sophistical Legates and Freers, having the power but not name of Legates, to evade the ancient Privilege of the King, that no Legat should come into his Realm, unless he first desired him; seized upon the goods of all dying intestate, against Law and former custom; injuriously usurped the Lands of *David* Prince of *Wales*, the Kings Nephew, Vassal, who was to hold it under him for 500 marks a year Tribute; cited the King to satisfy *David* for certain pretended injuries done him, to the hissing and derision of many. To oppose, redress these insupportable grievances which the King, kingdom could no longer tolerate, without infamy and imminent ruine: the King summoned a Parliament, wherein he, the Nobles and Prelates drew up 7. several Articles against his exactions, grievances, oppressions, provisions, *Non-obstantes*, imploding the Subjects out of the Realm, Taxes with-

out the Kings assent, and against his appeals: & provisions to *Italians*, who neither preached nor resided on their benefices, succeeded each other by frauds, suffered their houses, Churches to fall to ruine; sent them by their Messengers to the Pope with 4. notable Epistles; the 1. from the Archbishop of *Canterbury* and his Suffragans; the 2. from all the Abbots, Priors, Convents of *England*; the 3. from all the Nobility and Commonalty; The 4. from the King, with another to the Cardinals, relating the Nobles, peoples weeping clamors against them, urging him speedily to redress these grievances, which else the Nobles threatened to do themselves, with such perill, damage of the Church of *Rome*, as could not easily be repaired, 664, to 671. Who instead of redressing those grievances, in contempt of them and their Letters, sent several Letters to divers Prelates to send or finde several men with horse and arms for half a year or more for his service, which they were to do secretly, and reveal to none under pain of excommunication: to the prejudice of the kingdom & King; Knights service being only due to the King & Nobles, nor formerly exacted by Popes in any age. He exacted golden Jewels and other ornaments made in *England*, published an unheard of Statute, that all Clergymens goods dying intestate should be converted to the Popes use, which the Freers Minors were to execute; Exacted by a New Bull a Subsidy of 60000 Marks from the Bishops, Clergy of *England*, to be divided between them, and paid in with all speed, notwithstanding any appeal, privilege, constitution or Decree of a General Council: Against which Taxes the King by provision made in Parliament, issued several Prohibitions to Bishops, not to collect or pay it, because against his royal dignity, which he neither would nor could by any means suffer, 664, 671, 672, 673, 674, 681, 682. Shewed no moderation towards the King or his Ambassadors, neither in words nor gestures, concerning their grievances, complaints against him; but said, the King *Frederick*, he hath his Council and I have mine, which I will pursue, would scarce look on any *English* man, but repelled, reviled all of them as Schismatics, slighting all the Kings and Nobles Epistles sent to his Court, whereat they were very angry. The King prohibits by Writ, that no Prelate or Clerk in any County should consent to or send any money to ayde him, or obey his commands therein; whereat he being much incensed, sent a second Letter to all *English* Prelates to pay the ayde demanded under pain of Excommunication, threatening to interdict the Realm if refused; whereupon the King by perswasions of *Earl Richard*, some ambitious Clergymen, and Papal Bishops, whereof *Worcester* was chief, terrified with his Papal threats so that he trembled at them, desisted from his former mainly resolutions, sent Messengers to pacifie, and tell him, he would comply with his desires, whereof he was very joyfull, 675, 676. He filled *England*, an unexhausted pit, where many things abounding, he might thence extort much, 671. The *English* like *Belshazzars* Ass beaten with his spurs and clubs, were necessitated lamentably to cry out, 670, 671, 672, 676. He observing the Cowardise, division of the *English* Clergy, oppressed them daily more and more, imperiously demanded the moiety of all Non-residents, and 3d part of all Residents Livings under hard conditions, by detestable *Non-obstantes*, which the King specially prohibiting, the *English* Clergy denied to grant, as impossible, for sundry reasons they drew up against it, 676, 677, 678. *England* ground as by two Millstones between the King and this Pope. The Archdeacons and other Clergy in a Parliament summoned, lamentably complain of their intollerable exactions, to the desolation of the Church, Realm; whereupon they resolved to present their Grievances in order by Messengers and Letters to this Pope and his Cardinals in the name of all the Clergy, people of the Realm; at which

Letter,



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Letters the Pope and Court of Rome murmured, because their avarice was so reproved, restrained, and to prevent the danger of a revolt from them, reduced the 60000 to 11000 Marks, which the Bishops to avoid the Popes displeasure assented to, against the Kings, Nobles Letters, and inferior Clergies wills, 678, 679, 680. His grants of Commendates for money, to engage the Bishops to whom they were granted to side with him, 680. His politick Innovation when Wars were between two Princes, to excommunicate at the request of one of them, who fled to him for assistance, the opposite party, to suppress him, and absolve, assist the other, to oblige him perpetually to him, 680. He employed the Friars Minors and Predicants to collect monies to War against the Emperor, while the *Turks* and *Saracens* over-run the *Christians*, to whom he would send no aid to resist them, 643, 649, 650, 651, 664, 680. He stirs up Wars in *Germany* against the Emperor *Frederick*, causing them to elect the *Landgrave* Emperor, who refused it, 651, 680, 681, 753. The Emperor lays wait to seize all monies coming from *England* to the Pope or his corrivals, 680, 681. His hypocritical Statutes concerning the pretended relief of the Holy Land, and Letters to the Friars Minors to collect it; to enquire of the goods of all persons dying intestate; of all Usurers and others goods ill gotten, of goods left upon Testament undivided, or to be distributed to pious uses, according to the Executors discretion, and levy them by Ecclesiastical censures for his use; to compound for monies with Excommunicated persons, and those who had taken up the Cross, 681, 682. He granted a privilege for a vast sum of money to *Lambert de Muletun*, not to be excommunicated for any offence by any person, but by the Popes special command, 682. His sophistical delusory privilege to King *Henry*, that he would grant no provision of Ecclesiastical Benefices in *England*, to any *Italian*, Cardinal or Kinsman, unless he or his Cardinals should increase the King with importunity to assent to the Provision, 682, 683. The Kings Writ that all bringers of this Popes Bulls of Provisions to Benefices, or for collections of monies, to the impoverishing of the Realm, should be seized on, imprisoned, and the Ports kept that none should be brought in, 684. His privilege granted to the new Abbot of *Westminster*, at the Kings request, to celebrate Masse Pontifically, and give the benediction solemnly to the people when *Agnes Dei* was sung, 686. His Bull to the Abbot of *Cluny*, who brought his house in debt by the great gifts bestowed on him, to collect one years Disme from all of his Order on this side the Alps, notwithstanding the contradiction of any Ordinary, whereof he was to receive 3000 Marks to his own use, and the Abbot the residue; King *Henry* by Writ seized all the money thus collected in *England*, 686, 687. A Prohibition to his Delegates not to molest the Kings Clerk, 688, 689. His Provisions odious in *England*, yet the King approved of one at the instance of two of his Clerks, 690. His intollerable depredations in *France* and *England*, *Ibid*. He sends Friars Minors into *England*, armed with terrible Bulls, to extort monies from the *English* Prelates and Clergy under severe penalties, which they concealed from the King, who demanded no less than 6000 Marks out of the Bishoprick of *Lincoln*, and 40 Marks from the Abby of *St. Albans*, for the Popes use; which the Abbot refusing, was enforced to pay and expend upon Appeals above 100 Marks, besides other daily extortions; which the King summoned a Parliament to prevent, from which the Bishops cowardly absented themselves, 690, 691, 693, 694. He sent likewise Friars Minors severally to all the Bishops of *France*, to beg and borrow monies of them, which the King prohibited them to grant, under pain of forfeiting all their goods; whereupon his sophistical Legates departed thence with hissing and derision, 691. He dispersed several Le-

gates into *Scotland* and *Ireland* to collect monies, 692. His Cardinals compelled him to revoke his Decree of Intestates goods, by reason of its general scandal, and the damage it did to many against Law, 692. An unsatiable *Corydon*, 694. He authorized his Friars by Bulls, and their Delegates to interdict, excommunicate Archbishops, Bishops without any appeal, notwithstanding any privilege, if they opposed their exacti- ons, or refused to contribute to him according to their faculties, 694, 695. He attempted by all means to ordain the Archbishop of *Ardmash*, which the King endeavoured to prevent, by authorizing his Chief Justice to give his Royal assent to the election for that time, 690. He sent *Martin* his Chaplain into *England*, with the power, not title, ensigns of a Legate, to elude the Kings privilege, and fish for mens goods, possessions, nor souls, 691, 692. He taught Princes, Laymen the way to mutilate and revoke the possessions they had given to the Church, by *Non-obstantes*, 693. Excommunicated those Prelates, Abbots and others, who refused to provide liberally for his Nuncios, whom he impowered to enquire of vexations of Provisors, all alienations of Lands, Churches, and Symoniacal Contracts made by Prelates, Clergymen, or Religious persons; to revoke them without judgement or noyse, and notify them to him, that he might proceed against them according to the quality of their offences to get money; and to excommunicate, suspend, interdict all opposers, notwithstanding any privilege or appeal, 695, 696. The King summons another Parliament to advise how to redress these manifold and frequent extortions, exhausting the Kingdoms Treasure, bringing no good, but much detriment to the Church, and very displeasing to God; summoning the Bishops specially to it, frequently impoverished by them, who all most basely condescended to a Contribution of 11000 Marks to the Pope, which some of them before resolved to oppose, being so frequently worried, tyred with the Popes Agents vexations when they opposed them, which act rendered all the Clergy suspected to the Kingdom, 696. He sent a Cardinal Legate to crown and anoint *Haco* King of *Norway*, *Denmark* and *Sweden*, in whose entertainment the Bishop of *Norwich* spent 4000 Marks, besides other presents: For this Coronation the Pope received 15000 Marks sterling, besides rich presents to the Legate, and 500 Marks extorted by him from the Churches of that Kingdom, 697. He sold Bishopricks, and Canonizations of Saints for money, 698. Granted *Croyadoes*, Dismes to *Richard* Earl of *Cornwall*, and *William Longespee*, whereby vast sums of money were collected by rapine, injustice, by his Nuncios, wherein he shared; He suspended Patrons from presenting to their Benefices, never heard of before, to preferre *Romans* to them, or satisfy his avarice; filled *Germany* with Wars, preyed upon *France* and *England*, whereby he and the Court of *Rome* became infamous, 698, 716, 710, to 736, 753, 755. The *French* Peers, King conspire and enter into a confederacy against him and the Prelates Exactions, Excommunications, Encroachments on their Rights and Liberties, 699, to 704. His Citation of the Abbot of *Abbeidan* to *Rome*, for his contempt in denying to present a *Roman* his Provisor to a Benefice of the Abby, and presenting another by the Kings command; for which though old and infirm, he was forced to go to *Rome*, and after much vexation, expence, to give the *Roman* a pension of 50 Marks a year, to the great prejudice of his Church, 716, 717. He vacated the Monks election of the Abbot of *St. Edmunds*, without just cause, to insnare him in the net of his unmercifull mercy; and then to content the grieved Monks, out of his meer grace confirmed him their Abbot, so as he entred into bond to pay 800 Marks to his designed Merchant; which he forced to do, dyed of grief in his return thence,



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## INDEX 12. Of Popes Legates, Nuncios, real, sophistical, sent into England, Scotland, Ireland, France, other Kingdomes, Countries; their general and particular Names, rapines, avarice, pomp, pride, frauds, inventions to extort, gain monyes, kingdoms, for Popes, wealth, promotions for themselves, their Clerks, Kinred by hook or crook, by infamous Bulls, Provisions, Procurations, Crossadoes, Disms, Dispensations, Excommunications, Interdicts, Appeals, Citations to Rome, Absolutions, Exemptions, Non-obstantes, blank Bulls, and other devices, mentioned in this Tome.

**P**opes Legates, with the Titles, Ensigns of Legates, others with the power of Legates or more without the Title, badges, sent successively into England, Wales, Ireland, France elsewhere, to publish Popes Excommunications, Interdicts, Bulls, Crossadoes, Disms, Suspensions, Citations, Mandates, &c. to and against Emperors, Kings, Princes, Bishops, Abbots, Priors, and all sorts of persons, to exact, collect monies, pillage sacred Churches, Monasteries, Mansions founded by our devout simple Ancestors for relief of the poor, strangers, and sustentation of religious persons; invade Empires, Kingdoms, which Popes ambitiously aspire after, though base, ignoble; to enthrall them, Emperors, Kings, Nobles, all others to their Tyranny; raise up wars, seditions, schisms, in all places, to reap where they never sowed, casting the shame of the world and fear of God behind their backs, but not to sow the seed of Gods word to gain souls to Christ, 414, 415, 416, 490. The English Nobilities, Commonalties, Clergies general insurrections and petitions against them for their unsufferable rapines, vexations, oppressions, disposing their Prebendaries, Benefices to aliens by Papal provisions, 436, 437, 438, 616, 619, 620, 663. Pope Gregory the 9. and Innocent 4. some of the first Popes who sent abroad Legates, Nuncios, Letters, to summon General Councils, the ancient prerogative of Emperors; & that to excommunicate, deprive the Emperor, who prohibited their meeting, 652, 653, 753, 755. The King of France, and Richard Earl of Cornwall employed them to raise monyes, and Disms for the Holy Land; the extortions, exactions therein, and sad issue of them, to the irreparable damage of France, England, and scandal of Christianity, 733, 734. The ancient Privilege of the Kings of England and Scotland, that no Legat & later should come into any of their Dominions by the Popes mission, unless at the Kings special instant request to the Pope: who eluded this Privilege, by sending Nuncios, Chaplains, Clerks, Freers Minor or Predicants into their Realms, with the full power, not Titles or Ensigns of Legates, 485, 486, 469, 492, 493, 615, 671, 690, 692, 693, 960, 1014. Some Irish Bishops without the Kings privity endeavouring to procure a Legate to be sent thither, the King upon notice thereof by his Chief Justice and others, writes to the Pope to send no Legate thither against his will, 458. Pope Gregory the 9th his Legate imprisoned for stirring up sedition in Lombardy against the Emperor, 513, 516. Three Legates, with sundry Archbishops, Bishops, taken by the Emperors Gallies going to a Council upon Pope Gregory the 9th his summons, Letters of encouragement, against the Emperors advice and inhibition, to depose him, confiding in the strength of their conductors; the Popes authority, and Emperors disability to hurt them being excommunicated, 553, to 557.

**A**lbertus: Innocent the 4. his Notary, prohibits King Henry to infect any of the French Kings lands however possessed, whiles crossed, employed in his Holy Wars, 723. 776. Profers the kingdom of Apulia, Sicily, and Calabria, to Richard Earl of Cornwall, to drain his treasure; reports his answer, refusal of it to the Pope, 776, 777, 788. acquires many benefices in England, then returns, 777. P. Albinus, sent to the Emperor Frederick by Pope Honorius to take his engagement to go to the Holy Land, and denounce him excommunicated if he went not, 412. Alexander, a Freer Minor, armed with many formidable Papal Bulls, covering his wolfish rapine with a sheeps skin, his and his Companions rapines, pride insolency, 690, 691. See John. Archbishop of Messina, a Freer Predicant, sent into England by Pope Alexander with great Pomp, and many attendants at the Bishop of Rochesters sollicitation, to relieve him against Archbishop Boniface his oppressions; and about the business of Sicily: returned with rich rewards, 918, 919. Adrianus Primicerius, Pope Martin the 4th his Chaplain and Nuncio in England to receive his Arrears of the annual Tribute, 312, 313. Arian, or Heriot: Pope Alexander 3. his Nuncio in England, sent for by King Henry 3. to excoriate it with new Papal Taxes; the Popes Notary and special Clerk, wanting the name, not dignity, power of a Legate: his Pomp and attendants, 930, 931. Demands an infinite summe of money of the King for Apulia, for which the Pope was obliged to his Merchants, 931, 932, 942, 943. The Kings and Parliaments answer to the Pope concerning Arians proposals, 942, 944, 945. The King bestows an annuity on his Nephew: which the Pope writes to him to continue for Arians good affection to and service for him, 952, 953. His Nephew preferred to Ouslan Church: The Kings Writs to keep him in quiet possession of it, 974, 975. The Custody of sundry Wards and their Lands granted to another of his Nephews, 991.

**B**eraldus Albanensis, a Cardinal, sends his Chaplain to collect Procurations in Ireland, (where he seems to have been Legate) the Kings Writ to his Justice, Officers to assist him therein, 559. Betardus de Nympha: comes armed into England with Pope Innocent the 4th his Bulls to collect money from the Cruce signati for Earl Richard, his rapines, injustice therein, 730, 731, 732, 932, 931. Popes blank Bulls found in his Chest after his death, containing manifold machinations

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**2.** Presbyter Cardinal *T. Sancti Johannis & Pauli*, Popes Legat in France, King Henry the 3d. his complemental Letter to him to prohibit any injury to be done by the *Crusignats* against the *Albigenses* to any of his Subjects, 375.

C.

**C**incius, a Roman Clerk, Canon of Paul, taken, imprisoned by the Barons and people making an insurrection against them and the Popes agents, for their intolerable oppressions of the English, 434, 435, 436.

D.

**D**urandus, a Templar, sent with Pandulphus by Innocent 3. to reconcile the exiled Bishops to King John, their insolent speeches, deportment toward King John, See Pandulph. 261, to 265.

G.

**G**odefridus, Gifridus de Verano, a Clerk of Pope Martin the 4. his Chamber, his Nuncio to King Edward 1. to demand, receive the arrears of the annual Tribute granted by King John, 312, 313, 314. Sent Legate into Scotland by Innocent 4. only to attract money thence, 692.

**G**ualtero, or Wala, a Presbyter Cardinal of S. Martin; His arrival in England; Joyfully received by King John, excommunicates Lewes and all his adherents with Bells and Candles at Gloucester, and Simon de Langton, who appealed against it as null, 362. King John placed his chief hope of resisting his enemies in him, *ibid.* Is very active in setting up, crowning King H. 3. after his fathers death, causing him to do homage to the Church of Rome and Pope Innocent, for England and Ireland, and to swear faithfully to pay the annual rent for them which his father had granted so long as he enjoyed those Realms, 306, 360, 369, 370. Caused Lewes to be solemnly excommunicated every holyday & Lords day with ringing Bells, and Candles, till he made Peace with King Henry, and departed the Realm, 362, 370, 371. Upon what conditions he absolved him, *ibid.* He deprived Simon Langton Archdeacon of Canterbury, and Gervase de Flaberges, (who obstinately adhered to Lewes and the Barons, and celebrated divine service, mysteries to them and the Londoners after their excommunication) of their benefices, for which they were compelled likewise to go to Rome, 362, 371. He sent Inquisitors through all provinces of England, suspending, depriving them of their benefices for the smallest faults, & adhering to the Barons, bestowing their Livings on his own Creatures, Clerks, enriched with others spoils. Received 1000 Marks from Hugh Bishop of Lincoln, and vast sums from other Bishops and religious persons, Canons, exhausting their purses, and reaping where he did not sow, to make one grand heap out of many portions: which the King then an Infant was forced to connive at, 371, 372. He bare sway in King H. 3. his Counsils, who sealed some Writs, Patents with his Seal before his own Seal made, and usurped on his Crown during his minority without opposition, 172. Sent for the Bishop of Worcester into England to help consecrate the Bishop of Carlisle, 373. His Ordinance concerning restoring the alienated Impropriations to the Bishoprick of *Kalis* at the Kings request, 421. 376. Sent into France by Pope Innocent to prohibit the French Kings invasion of England after King Johns surrender of his Crown to the Pope, as St. Peters Patrimony; who denied it, and sent Lewes into England notwithstanding his menaces of excommunication, 257, 258. The Kings Letters to him at Rome after his return, rendering him thanks for settling the peace of the Realm, and craving his assistance to the Pope to encourage those

who were faithful to, and excommunicate such who rebelled against or detained his Castles, Lands; which was effected accordingly, 389, to 392.

**G**uido Cardinal, Bishop of St. Sabien, sent by Pope Urban the 4. to the Emperor to take his obligation for his voyage to the Holy Land; denounced an excommunication against him if he went not, 412. arrived in England at the Kings request to excommunicate the Barons, and others, then in arms against him; the Kings safe conduct to him and his, 1014. An Arbitrator with the King of France between the King and Barons concerning the reformation of the State of the Realm of England, 1002, 1006. The King sent Simon de Montfort to him concerning that affair, desiring his safe conduct in going to and returning from him, 1006. The King sends to him to proceed by way of Clemency, rather than rigor, 1014, 1015. He dares not enter England for fear of the Barons: Cites some of the English Bishops to Ambias first, then to Bullen, he denounced a sentence of excommunication against the English Barons in arms, & the City of London, to be pronounced with sounding Bells, and Candles, which he committed to some Bishops and other Nobles present to execute: The Barons, Londoners appeal against it, as unjust, to the Pope, to better times, to a General Council, and to God's supreme Judge; which Appeal was afterward ratified, executed in England by the Bishops and Clergy in the Council of Reading, 1015. His interdict of them, intercepted at Dover by the Citizens, taken from the Bishops, torn in peeces, and cast into the Sea in contempt, *ibid.* He dissolved the Barons Statutes, Leagues, Confederacies against the King, absolving all from the bond of the Oath taken to observe them, 1015, 1016. He returned to Rome after his excommunication and interdict denounced, 1018. Sent Popes Legate to the Kings of Denmark, Sweden, and Norway, to crown and anoint him, received many gifts, procurations from Bishops, Abbots, Priors in passing through England thither, staying here 3. months, without refusing the covetousness of the Romans; cost the Bishop of Norwich alone 4000 marks in gifts and entertainments: received 15000 marks sterling for the Pope from the Kings of Denmark, Norway and Sweden, many rich gifts for himself, and extorted 500 Marks from the Churches of that Realm, 697.

I.

**I**ames Bishop of Bosnia specially sent into England by Pope Alexander the 4. to invest Edmund in the kingdom of Sicily with a ring, 822, 826, 830, 932. The Kings oath and obligation taken before him to perform the hard conditions upon which the Pope granted Sicily to his Sonne Edmund, *ibid.* His obligation to him in 4000 L. Turins, and Writ to pay it out of the Croffe-money, 867.

**J**ames, the Popes Chaplain and Penitentiary; the Kings Patent to his Justice, Nobles and others in Ireland to receive him with the honor and reverence due to the Popes Legat, to advise, assist him; require his Counsil and advise, if any new things hapned there touching the King or State of the kingdom, 381.

**J**ohn de Drua, an English Freer, 932, an hypocritical, sophistical Legate, armed with many Papal Bulls to extort moneys from the English for Pope Innocent the 4th. under dreadful penalties and fulminations: he exacts 6200 marks only out of Lincoln Diocesse, *Griffheads* answer to him, 690, 691, 692. His exactions at St. Albans appealed against who demanded 300 marks notwithstanding the appeal, to be paid within 8. dayes, under pain of excommunication and interdict, which the Pope upon an appeal caused them to pay; His extraordinary extortions, violent proceedings, notwithstanding all privileges exemptions, eluded by *Nas obstantes*, and new powers from the Pope, 691, 693, 694, 695. The Popes Bull to him to inquire of all Lands alienated from Churches, Monaste-

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series, vexations by Provisors, all Simoniack contracts for livings, to seise them to the Popes use; and excommunicate, interdict all opposers without appeal, 695, 696. his depredations, extortions, *ibid.* 698.

*John Ferrandinus*, Pope *Innocent* 3. his Legate in England, holds a Council at *Redings*, exacts much money, and then returns to *Rome*, 245.

*John de Fruslyn*, Popes Clerk, Nuncio into *Ireland*, to collect money for the Holy Land, and absolve such who laid violent hands on Clerks; the Kings Writ to the chief Justice to receive him; yet commanding to suffer him to exercise no other Legatine power till further Order, 634.

*John de Kancia*, Pope *Urban* the 4. his Nuncio into England to receive the arrears of the 1000 Marks rent, 310.

*John Ruffin*, or *Rufus*, sent by *Martin*, and Pope *Innocent* 4. into *Ireland*, to collect monies there, without the title, ensign, but power of a Legat, he extorts 6000 Marks from the Clergy there, notwithstanding the Kings prohibition, 618, 690.

*John Saracenus*, Dean of *Wells*, Popes Collector of Disms, and dispenser of his provisions, 718, 731, 736.

*John*, a Cardinal Priest of St. *Stephens* in Mount *Caliv*, Popes Legat in *Ireland*, unites the Bishoprick of *Lismore* to *Waterford*, p. 373. The Kings appeal to him against the Suffragans of *Ardmachi* attempts to deprive him of his ancient prerogative of granting Licenses to elect their Archbishop, and confirm him when elected, 240.

M.

*Mansuetus*: Pope *Innocent* 4. his Chaplain, and Penitentiary, sent to K. H. about the League with *France*, the Kings applause of his meekness, diligence, 944.

*Martinus*: Pope *Innocent* 4. his Chaplain, another *Martin*, sent into England to fish for mens goods, not souls, in the Sea of this world, having the power, not Title of a Legate, to deceive the King, 691.

*Martin*; Pope *Innocent* the 4. his Sophistical Legate, without that Name, Ensign, but with an infinite large power, sent into England to extort monies, armed with Bulls to excommunicate, suspend, and by manifold ways to punish all, as well Bishops, Abbots, as others, who opposed his extortions, rapines, provisions of Benefices, rents to the use of the Popes Clerks and kinsmen, 605, 615. He ravenously writ for, extorted gifts, garments, pulfres from them, suspending those who refused, though upon reasonable excuses, till satisfaction, 605, 606, 615. seised upon and bestowed the Treasurership, rents of *Samum* on his little Nephew by the Popes provision, in despite of the Bishop, Dean, Chapter, to the cordial grief of many, 606, 615. 616. His intollerable rapines, provisions, excited the King, Nobles against him, who write Letters to the Pope to redress them, 607, 608, 613. He twice summoned the English Bishops and Clergy for a contribution to the Pope, and their mother the Church of *Rome* against the Emperor; their answer to him, and Kings prohibitions to them not to grant him any ayde, under pain of forfeiting their Baronies, 612, 615, 632. His intollerable extortions and suspending all to present to benefices of 30 marks value or upward, till his and the Popes covetousness was satisfied; the English men bore heavier burdens under him, then the *Israelites* sustained in *Egypt*, 615. The Kings memorable prohibitions to him against his intollerable provisions, rapines; who perseveres in them with a stony heart notwithstanding, 616. The Cinqueports guarded, to interrupt the Popes Bulls, Provisions sent to him by many execrable means, his Messenger imprisoned in *Dover* Castle, but released upon his complaint by the King, 617. The Kings prohibitions by advice of his Nobles to all the Bishops in England, and Chief Justice in *Ireland*, not to suffer him or any other Nuncio to collect any monies for the Pope, or confer any benefices without

his privacy and consent, 618, 619. The Nobles Message to him in behalfe of the whole kingdome to depart the Realm within 3. dayes, else they would hew him and all his in peeces: The Kings answer to him thereon, wishing the Devil to take him, demanding his protection against the Nobles fury: His speedy, timorous flight, and shamefull retreat out of England, 619, 620. His complaint to the Pope against the English for casting his Nuncio so ignominiously out of England, whence he and the Romans extorted no lesse then 60000 Marks a year by provisions and other exactions, 620. He accuseth the Abbot of *Burgh* in the Council of *Lyon* to Pope *Innocent* 4. for opposing a provision, for which he was disgracefully cast out of the Popes palace, and dyed of grief, 638. The Complaint of the Nobles and Universality of England against him in their Letter sent to the Pope in that Council, as having, exercising greater power then ever any Legat had or used before, without the Name of a Legat, and of his new unreasonable suspensions of presentations, provisions, rapines, 646, 692.

N.

*Nicholas* Bishop of *Tusculum*, a Cardinal Legate & Letter from *Innocent* 3. into England, at King *Johns* request to reconcile the Crown and Miter, curbe the power, rebellion of *Stephen* Archbishop of *Canterbury*, and the Barons rising against him: King *John* Writ, Messengers sent to meet and entertain him: his Pompous reception entertainment with Processions, Psalms, in all Cities Churches, 287. The speedy increase of his horse from 7. to 50. besides his other family: His penance enjoined the Townsmen of *Oxford* for hanging 2. Clerks by the Kings command, 287. He deprives the Abbot of *Wyllminster*, and two more for dilapidations and incontinency, placing others in their rooms, 287, Appendix 18. His Treaty with King *John*, and award of damages to the exiled Bishops, 287, 288. King *Johns* infamous Character of resignation of his Kingdom, annual rent, homage, fealty to the Pope, extorted by, delivered to him before the release of the Interdict, 288, 289, 290. Pope *Innocents* Letter to him concerning the filling of vacant Churches with worthy persons canonically elected, faithful to the King, profitable to the kingdom, with the Kings consent; his filling them and all vacant benefices, with unworthy persons, his own Clerks, without the Archbishops, Bishops, Patrons assents; suspending Clerks at his pleasure, summoning them to appear before the Pope to their intollerable grievance, expence; his tyranny therein, 329, 330. Holds a great Council at *Pauls* concerning the Bishops damages, releaseth the interdict by the Popes Letters for that purpose, 331, 333. The King grants him the Custody of the Abby of *St Edmunds*, except elcheats and vacancies of Churches: and a protection against disturbance therein, 333. Grants a safe conduct to an Italian at his request to come into England, upon security given that no hurt should accrue to the King or kingdom by him or any who came with him, 333. His answer to Abbots and others not mentioned in the Popes Bull who required damages during the Interdict, 334. A Writ to him to deal mercifully with such Clergy men who lesse offended in communicating with, obeying, or receiving any benefice from the King during his excommunication, interdict; and not to enforce all of them being so great a multitude to go personally to the Pope for absolution, 334, 335. The Kings Letter to him to confirm *Si placet*, the Abbot of *Barron* duly elected, and approved by the King, 351, 352. He confirmed the election of the Dean of *Samum* to the Bishoprick of *Durham*, without and against the Kings or Popes assent, out of zeal, without knowledge, 353, 354. The Kings Writ to him as Popes delegate, concerning the



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the union of the Abby of *Gloucestre* to the Bishoprick of *Bath and Wells*, 357, 358.

Mr. *de Negerius*, Pope *Gregory* the 10. his Chaplain, Nuncio to King *Edw. 1.* to collect *Peter-pence*, demand the annual Tribute, and for other affairs of the Church in the parts of *England, Wales, Scotland, and Ireland*, 311, 312.

O.

Mr. *Otto*, Pope *Honorius* 3. his Nuncio to King *H. 3.* his arrival, Letters, demands from the Pope; for which the King summoned a General Council of the Clergy and Laity, 398. He mediates a reconciliation between the King, *Falcatus de Brent* and his Wife, judicially banished for Treason; demands two Marks by way of Procuration from all Conventual Churches of *England*, 398, 401. His demands of two dignities, and two Monks portions in all Cathedrals, Monasteries, to free the Church, Popes of *Rome* from the old great infamy, usual scandal of Covetousness, great expence of money, delay of justice; bribery, occasioned by the poverty of the Church of *Rome*; with the Kings, Bishops, Nobles indignation at, and denial of it, 398, 399, 400, 401. Suddenly recalled by the Pope, through the Archbishops means, whiles collecting Procurations; He with a dejected countenance burns the Popes Letters to recall him, and departs *England*, 401, 402.

*Otto*, Cardinal Deacon of *St. Nicholas*, in *Carcere Tulliano*, Pope *Gregory* the 9th. his Legate, sent for into *England* by the King, without the Nobles privacy; Their great indignation against him for it, and Archbishops dislike thereof, as prejudicial to his Metropolitcal authority, 485. His pompous reception, with processions, ringing of bells; his great authority, receiving of gifts, disposing of vacant Benefices to all who came with him, whether worthy or unworthy, 485. His moderation, endeavours at first to reconcile differences, to appease the indignation conceived against him, 485, 486. The King wholly swayed by him and the Popes Counsils; he almost did nothing without him, and adored his footsteps: The Nobles indignation, speeches against him for it, 485, 486. Present in the Parliament at *Tork*, to mediate a Peace between the Kings of *England* and *Scotland*; the Charter of Peace between them sworn to and ratified in his presence; He desires leave of the King of *Scots*, to enter as a Legate into *Scotland*, to regulate Ecclesiastical affairs there as in *England*, who answered; That neither in his Fathers time, nor of any his ancestors, any Legate had entrance into *Scotland*, neither would he permit it, whiles he was in his right senses: But if he entered at his own peril, he must expect violence from his rude Subjects, from which he was unable to protect him; yet he knighted, and bestowed some Lands on his Nephew, 486, 621. The Bishop of *Winton* presented him with 50 fat Oxen, 100 Quarters of the best Wheat, and 8 Tun of the strongest Wine for his Table: Others presented him with handsome Palfry's, rich Vessels, Furs, Vestments, and sundry other provisions of meat and drink, 486. He kept close to the Kings side to avoyd danger; holds a Council at *St. Pauls* in great Pontifical state; reconciles the difference for precedence between the Archbishops; some Nobles and the Kings Proctor sent thither to command and see they acted nothing to the prejudice of the King and Kingdom; the Canons against Pluralities therein propounded, opposed, respited; those for consecrating Churches, Oath of Calumny, (then introduced) &c. passed in it, 486, to 490. The rapines, frauds, corruptions of the Church, Court of *Rome* expressed in Cardinal *John Columba* his private Letter to him, which caused the *Greek* Church to depart from the *Romans*, 489, 490, 491, 492. Pope *Gregorius* Letter to recall him from *England*, because of the great tumults raised against him, and prevent *Englands* revolt

from *Rome*: The King importunes the Pope for his stay, as beneficial to him and his Kingdom; issued Writs for his safe conduct and honourable entertainment, to all his Officers, Subjects, 492, 493, 505, 506. The great fray at *Oxford* occasioned by his Porters insolence, assaulted by the Scholars at *Oney* Abby, stiled a Ulfurer, Simoniac, ravisher of mens rents, thirster after money, a perverter of the King, and subverter of the Kingdom; forced to fly secretly from thence; his and the Kings severe proceedings against the Scholars for it, by Ecclesiastical censures, Excommunications, penances, imprisonments, almost to the ruine of the University, 493, to 498, 558. The Scholars humble submission and penance ere they could obtain absolucion, and liberty to return to *Oxford*, *ibid.* lodged at *Canterbury* in the Archbishops Palace, 499. The Popes order to him to give sentence against the Canons, in the case of *Simon Montfort* his marriage contract, 500. He cited all the Abbots of the Black Order to appear before him, to hear the Popes new Command for their regulation, 503. Churches consecrated according to his new Constitutions, 504. He summons the Bishops again to *London*, who refuse to pay his Procurations, Exactions, bidding him demand them of the King, who sent for him without their privacy, 506. Refused entrance into *Scotland* by the King thereof the second time; His writing under his hand and seal to the *Scots* King, that his admission into *Scotland* should not be drawn into consequence, who took it away with him upon his private recess: He there collected the 13th. part of all Prelates, enfeoffed Clerks goods, and sent it to the Pope, 506. The Nobles Letters of complaint to the Pope against his conferring Benefices by Provision upon Aliens, and other grievances, which were like to drown the Ship of the Church, 506, 507, 508. His answer to them, with some reformation of Provisions as to Lay Patrons, to prevent the *English* Nations total departure from *Rome*; His Letters to this Legate, restraining his Provisions to the Churches of Lay Patrons, not of Ecclesiastical and poor Religious persons, unable to resist his power, 507, 508. King *H. 3.* exceeding angry with him, swears he repented that ever he called him into *England*, for endangering his whole Realm, dissipating the wealth thereof, confounding right and wrong, and caring for nothing, but how to keep what he had unjustly gotten, refusing to part with any thing for *Peter Saracens* his own Messenger, taken prisoner by the Emperor, imploring the King to pay his demanded ransom, 509. Published Pope *Gregories* Excommunication of the Emperor *Frederick*, his Subjects absolution from their allegiance, and scandalous traducing Letters to defame him, at *Pauls* Church, *St. Albans*, and other places throughout *England*, declaring him an open enemy of God and the Church, to his great defamation and grief; against which he vindicated his innocency, by several Letters, Answers, 514, to 552. He prohibited the *Crucifigants* by the Popes command, to repair to the Holy Land, when they had prepared for their journey, for which the vulgar sort of people mutinied and murmured much against him, 512, 513. The Emperor intensed against the King for this Legates collecting of monies in *England*, employed in Wars against him, demands his present expulsion out of *England*, as the Emperors and Kingdoms enemy, 544. His inouident demand of Procurations for himself from the Clergy, not exceeding the sum of 4. Marks for any Procuration: His shamelesse exactions, and diligent scraping money together for the Popes use, to the Kingdoms impoverishing, 544, 545. His publication of the Popes Bull in all Diocesses, to compell those who had taken the Crosse on them, and were unable or unwilling to go to the Holy Land, to redeem their Vows by access to him, without going to the Popes presence, for so much money as they should have expended in the Voyage, which gave

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great scandal to Christian people, complaining of these *Roman* Mouse-traps to insnare the simple, and wrest gold and silver from them, 545, 546. His exacting the 5th. part of the goods of Aliens beneficed in *England*, and of the Prelates, Abbots, Clergies goods, to repulse the pretended injuries of the Emperor *Frederick* done to the Church; the Prelates refuse to pay it, as an unsupportable burden; the desolation of the Church, State of *England*, made a prey like a Vineyard without an Hedge by every *Roman* passenger, 546. The Emperors Letter to the King of *England* against his rapines; who answered, he durst not contradict the Popes will, 547, 548. He summons the Clergy to *London* by the Popes authority, who deserted by the King, becoming like Sheep delivered up to the bloody jaws of Wolves, yielded to his intolerable exactions, though resolved to appeal against and withstand them, 549. He exhausted most of the Treasure of *England*, engaged the King and *English* Prelates against the Emperor, to conquer and depose him, 551, 553. His exacting the Benefices of the Popes Clerks & Agents from Dimes paid by others, 1048. The Kings Prohibition to him against holding Plea of a Pichury, belonging to his Temporal Court, Crown, Dignity, 558. Put to blush and silence by one convicted before him, denying *Gregory* to be Pope, or Head of the Church, or to have the power of *St. Peter*, being a Symoniack, Usurer, Heretick, and involved in sundry other crimes, 560. The Kings Prohibition to him to exact the 5th. or any other part of the Benefices of his Clerks attending on his service, which he could by no means endure, 561, 562. The Monks of *Canterbury* claim their privilege before him at *Pauls*, in the presence of the Archbishop, Bishops, and many Nobles, 565. *Simon* a *Norman*, the chief cause of this Legates stay in *England*, deprived of his Archdeaconry by the Pope, 566. He is present at the consecration of *Pauls* Church, and confirms the Indulgence of 14. years granted by the Bishop of *London* to all devoutly resorting to it to pray, 566. Joynes with *Peter Rubus* in exacting a great Tax from the Prelates, Abbots, to shed Christian blood and conquer the Emperor: The Bishops and Canons answers to, and exceptions against his intolerable demands; He endeavours to raise a schisme and division amongst the Clergy, to obtain his exactions, 567, 568, 569. He demands Procurations from the *Cistercians*, who manfully denied them, as contrary to their Privileges, which the Pope dispensed with by his *Non-obstante*, 569, 570. The King upon his departure out of *England* by the Popes summons, feasted, placed him in his own Royal Throne at dinner, to the admiration of many, Knighted his Nephew, and bestowed an annuity of 30 l. a year on him, which he presently sold; accompanied by the King and Nobles in great state to the Sea side; their solemn Valediction; how much the Kingdom rejoiced at his departure; he leaving not so much money in *England* when he left it, as he had drained out of it; he conferred above 300 rich Prebendaries and Benefices at his own and the Popes pleasure, on their creatures; spoiled the Church of *Salernum* and many other Cathedrals, leaving them destitute of consolation; did nothing at all for the Churches benefit, demonstrated he was not sent to protect the sheep which furnished, but to fleece, and gather up all the money he found amongst them, for which he was deservedly scourged by God, being taken prisoner and spoiled of all his prey by the Emperor, 570, 571, 572, 573, 577. He is summoned by the Pope to the Council against the Emperor; animates the Prelates with Papal promises to resort to the Council, against the Emperors Prohibitions and advice, whom they contemned, as unable to resist the Pope, being so often excommunicated and delivered to Satan by him: He and two other Legates, with above 100 Prelates, taken prisoners at *Sea*, imprisoned, spoiled by the Emperor, 553, 554, 555, 556, 557, 570, 571. Released

out of prison to elect a Pope, he gives his Oath and Sureties to render himself to prison after the election, which he did accordingly to release his Sureties, 647, 648. *Othobon*, *Othobon*, Cardinal Deacon of *St. Adrian*, Pope *Clement* the 4th. and *Urban* the 4th. their Legate into *England*; 7000 Marks due for seven years for the rent of *England* and *Ireland*, ordered to be paid to him out of the Dismes of *Ireland*, for Pope *Clements* use, 310, 311. Sent for and desired by the King to assist him against, and excommunicate the Prelates, Barons, for opposing and taking up Armes against him: The Kings safe conduct granted to him and his for their persons, goods, and exemption from all Customes, Taxes, wherever they should arrive or passe throughout the Realm, 1104, 1015. He comes in red garments into *England*, summoned a Council at *Westminster*, then at *Northampton*, excommunicated, suspended all the Bishops, Clerks who had ayded or favoured *Earl Simon* against the King, and the Bishops of *Winton*, *Worcester*, *London*, *Chichester* by name, citing them personally to appear before the Pope, and all others then in Rebellion against the King, 1018, 1019, 1022, 1023. The Articles of Peace and Statutes of *Kenilworth* between the King and Barons, made at his request, 1029, 1021, 1022. The Kings protection and safe conduct to Bishops and others in Armes against him, to repair to the Legate to make their Compositions, and for other necessary affairs, 1020. The Bishops and Barons appeal against his Excommunications of them as unjust, to a General Council, Church Triumphant, and condemn them, 1021, 1022. The disinherited persons in Armes and others answers to his Propositions, as unjustly disinherited, excommunicated, exhorting him to revoke his unjust sentence, against which they appealed to the Pope, a General Council, and the Chief Judge; checking him for banishing the Bishops faithfull to the King-dm, and usurping the profits of their Bishopricks for himself, which they advised him to reform, at which he was highly offended, 1022, 1023. The King feasted, placed him in his own Royal Throne at dinner; summons a Parliament, requires ayd to subdue the Barons and others, persisting in armes by force; accused for banishing the Kings natural born Subjects, that this Legate and aliens might more freely acquire their Lands, 1024, 1025. He possessed himself of the Tower of *London*, published a Croisado at *Pauls* Crosse, admonished the *Earl of Gloucester* to return to his allegiance to the King, who refusing his advice, besieged him in the Tower to which he fled, prohibiting any to bring or sell victuals to him, 1025. He excommunicated all disturbers of the publick peace, interdicted all Churches in and near *London*, permitting Religious Houses to say Masses privately with a low voyce, without ringing Bells, 1025. The Kings Writ to deliver his Jewels in the Tower to him, and pawn them for money, 1026. His publication of Pope *Clement* the 4th. his Bull for a Disme granted to the King to supply his necessities, to be levied with severe penalties; relating the injuries, rebellions of the Barons against him, and the necessity, conveniency of the Clergies supplying him, 1026, 1030. He assigned persons for collecting, and auditors for accounts of the Disme, ordered, disposed of by the King only as he directed, 1033, to 1036, 1047, 1050, 1051, 1053, 1055. He summons a Council at *St. Pauls* *London*, of the Bishops of *England*, *Scotland*, and *Ireland*, to reform and enlarge the former Canons of *Otto*: The Canons made therein against sale of Ecclesiastical Sacraments and Holy things; for Archbishops and Bishops personal residence on their Bishopricks, and discharging their Pastoral duties; against Clergymens exercising secular Offices or Jurisdiction; against Pluralities, Commendades, Clergymens Coverture, Non-residence, and making any Pluralist a Bishop, 1040, to 1046.

*Panda' phus*



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P.

**P**aulinus, Pope Innocent the 3d. his Subdeacon, Familiar, Legate to King John, persecuted Alexander Crenmarium for pleading, writing for King John, against the Pope, 159. Sent into England to make peace between the King, Priesthood, and exiled Bishops; who Interdicted the Realm by command of Archbishop Langton and the Pope: His high most insolent speeches, deportment towards King John in the face of his Nobles and Parliament: He absolves all his Subjects from their allegiance, homages, tenures to him; enjoined particular Bishops in England, Wales, Scotland, and other parts beyond the Seas, to excommunicate him publicly, and all who communicated with him; excites all to fight against him, as an enemy to Holy Church; tells him, that neither he nor his Heirs should from that day be ever crowned; would not fear to tell the King all his message from the Pope to his face, though he should dye for it; called for a Book and Candle to excommunicate the King, for commanding some prisoners and a Clerk to be executed before him; The Kings indignation against him for his insolency, 162, to 165. Sent with the Bishops into France to publish King John's deposition from his Crown and Kingdoms, its donation to the French King, and excite him to seize it by force of armes; his private conference with, and instructions from the Pope, to make an accord with King John if he consented to certain Articles proposed by him, 167. He comes into England, decoyed King John, inducing him by threats and other indirect practices to restore the exiled Bishops and their adherents, with the profits of their Bishopricks, and damages sustained by their exile; to receive Langton as Archbishop, to surrender his Crown, Kingdoms to the Pope, become his Vassal, Homager, Tributary for England and Ireland, 169, to 193. He kept the Kings Crown in his hands five dayes after its resignation, which the King took from his own head and put on this Legate, 173. The Kings detestable Charter of Resignation, Homage, Oath of Fealty to the Pope, made and delivered to him; he named therein, 173, 174, 189. He insolently tramples under his feet the money which the King gave him as a pledge of subjection to the Pope, 174. He departs with the Kings Charter and 8000 l. sterling into France; prohibits the French King to invade England, being now St. Peters Patrimony, or King John's, now his Vassal, Tributary; at which he was greatly incensed, yet then forbore to invade England, nor upon Paulinus prohibition, but because the Earl of Flanders refused to assist him in such an unjust invasion, 175, 176. The King by Writ at his request delivered imprisoned Clerks to him, 183. He carried King John's Charter to Rome, applauds his extraordinary humility to the Pope, having never seen so humble a King, accused Archbishop Langton, and much disparaged him, notwithstanding his brother Simons opposition, 330. Pope Innocents Letter to him and others, to publish his Excommunication every Lords-day and Holy-day against the Barons in armes against King John, as worse then Saracens, 344, 345, 346. His execution thereof against the Barons, *Ibid*. The transmutation of the union of the Abby of Glasse to the Bishoprick of Bath and Wells, and differences between the Bishop and Abbot, referred to him and others by the Pope, 357, 358. Enjoined with others as Pope Innocents Delegates, to excommunicate several Barons; Citizens of London by name, and Interdict them; who decided, disobeyed, declared against their Excommunications, Interdicts, and the Pope, for abusing and exceeding his authority, 359, 360, 361. Bishop of Norwich elect, he excommunicates the Earl of Albemarle, for invading, detaining the Kings Castles, 378, 379. His publick ac-

knowledge before several Bishops of the Kings Council, concerning the Church of *Acleya*, and Writ thereupon, 381. He confirmed the election of the Bishop of London, approved by the King, 384. His and Gual's Ordinance concerning the Church of New Castle upon Tyne, and Bishop of Carlisle's right to it, 421.

**Peter Rabens, Rabry**, Pope Gregory the 9th. his exactor of a new exaction of monies formerly unheard of, execrable in all ages; exacts an infinite sum of money from the miserable Eng'ish, giving an Oath of secrecy to Bishops, Abbots, Clerks, not to discover his exactions to any other, treating with every of them in private, like Thieves who extort Oaths from those they rob, not to discover them, 568, 567. The Bishops generally complain of his extortions out of their Baronies held of the King, desiring his protection against them, from incessant Papal tortures, by new-minted extortions, 567, 572. Their and the Clerges exceptions against his unjust demands, which they unanimously opposed, 567, to 570. He diligently and greedily exacted Procurations and great sums of money, by Letters sent to particular Bishops, Abbots, Monasteries under the title of the Popes Familiar and Kinsman, both in England, Ireland, and Scotland, having power to Interdict, Excommunicate all opposers; concealed the death of the Pope, lest the King should retain the great sums of money collected, 572. The Kings Prohibitions to him to exact no Contributions for the Pope, from the Clerks employed in his service, 573, 574. The Emperors Agent *Walter de Oerd* discovered, seized all the monies he and his Companion had extorted out of England, Scotland, Ireland, in the Merchants hands who were to return it, confiscating it to the Emperors use, 572, 604, 605.

**Peter Saracenus**, the Popes Agent in England, taken, imprisoned, put to a great ransom by the Emperor, 508, 592.

**Peter de Supino**, sent by Peter Ruicenus into Ireland to extort monies thence, with the Kings permission and Writ of assistance, who extorted the 20th part of all the Clergies estates, bringing thence 1500 Marks, besides rich presents, which he speedily transported, but the Emperors Agent met with it at last, 572, 604, 605.

**Philip, Martins** Agent left behind him when he fled out of England, to extort monies, leaving his filthy foot-steps for him to follow, 616.

**Predestinatus**, a Cardinal Bishop, Pope Gregory the 9th. his Nuncio sent against the *Albigenses*, hindered by the Emperor, 515, 516. Imprisoned for stirring up Lombardy to rebell against the Emperor, 523.

R.

**R**. Cardinal Deacon of St. Angelo, Legate in France, 423. Pope *Honorius* his Bull, to him to induce the French King not to stay K.H.3. his Nuncios passage to Rome, 396.

**Robert de Circus**, a Cardinal Legate in France under Pope Innocent 3. held a Council at *Burdeaux*, made sundry Canons, his care to preserve the Rights of King John and his Heirs therein, 357, 358.

**Mr. Romanus**, Pope Honorius 3. his Legate into France, his Council; his demands of each Bishop and Prelate in particular under an Oath of secrecy; excommunicated all those who discovered the Popes secrets; he exacted two Prebendaries from every Cathedral, and the allowance of one or two Monks from every Monastery, to prevent the infamy of the Church and Court of Rome for bribes, symony, and other extortions, occasioned by her poverty; the Bishops, Archdeacons, Clergies answer and strenuous opposition against it, 299, 400, 401. His preaching a Croisado against the Earl of *Thouars* and *Albigenses* in France, to get money, which many held unchristian, being to shed the blood of such Christians who offered to submit themselves to an inquiry of their Faith in every City;



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City, that he might reduce them by his exhortations, if erroneous; He refused all peace with the Earl of *Thoufse*, unless he would renounce his Earldom; The King of *France* crosseth himself against the *Albigenses*, and procures an Inhibition from the Pope to King *H. 3.* not to invade him while employed in this War, 401, 404.

**Rustand**, a *Gascon* Lawyer, Pope *Alexander* the 4th. his Nuncio to King *H. 3.* to collect a *Disme* in *England*, *Ireland*, and *Scotland*, to the Kings and Popes use indifferently, notwithstanding any former Privileges or Indulgences, 821, 822. Received with great honour by the King, to the prejudice of the Realm, 822. Had power to absolve all from their vows for money, who vowed to go to the Holy Land, 821, 822. He joyues with the Bishop of *Hereford* in binding most *English* Bishops, Abbots to the Popes Usurers, in bonds of 3, 6, 700 Mar. or more, without their pivity or consent, for the Popes use, 820, 821. He enjoyed the Monks of *St. Albans* to pay 600 Marks to him at an impossible day, to enforce them to borrow money of his Usurers, besides use, expenses, the chiefest part of them being absent, under pain of Interdict and Excommunication, 822, 823. The Bishops generally oppose, appeal against his Obligations, to the Pope, but without red esse; he being a learned man, potent to do harm, and promoting the Popes oppressions, 823, 824. The Bishop of *London* Proclamation, that none should be impleaded upon his Letters or Bonds; his complaint thereof to the King and Pope; their menaces, and his resolute answer to them, *Ibid.* He puts the Popes seal to blank schedules, write in them what he pleased by the Popes own consent, as the issue evidenced, though not credited at first, 824. He excommunicated, suspended all contradiators to pay the Obligations in their names, justly or unjustly; the King and *Rustand*, like the Shepherd and Wolf, confederating together to undo and destroy them, the Prelates and Clergy being divided, who if united might have appealed & preserved themselves, 824. Prelates and peoples devotion to the Church and Pope of *Rome* expired, by his extortions, causing their hearts to bleed through bitterness of spirit; many innocent persons turning as it were Apostates, and renouncing the truth, through their loss of temporal goods, 824. The indulgences, privileges of Holy men nullified by the Pope and him, as of no value; three years *Dismes* suddenly changed into five, as if promised; *Dismes* for relief of the Holy Land, are turned to the ayde of *Apulia* against the Christians; men were compelled to lye and forswear themselves many wayes, prohibited from heaven in both Testaments; divers enforced to pay money at impossible dayes, to necessitate them to borrow it of the Popes Usurers; Prelates were sold like Sheep and Asses, by such sellers as were to be cast out of the Temple, the cry of whose violence ascended to the ears of the God of Vengeance, 824, 825. He averred all Churches were the Popes, not only to protect, but appropriate and dispose of; required every Clerk particularly to give his own answer to his demands, not jointly with the rest, which made them all silent, or ignorant what to answer: He refused to alter one syllable he had written in their bonds, as borrowed of the *Italian* Merchants for the publick benefit of their Churches, though apparently false, 841. Many affirmed that they should be Martyrs, like *Thomas Becket*, if they suffered in this cause; whereupon the Clergy appealed to the Pope, and sent a general Proctor to *Rome* against these forged Obligations, which the Barons animated the Prelates to resist, 841. Pope *Alexander* the 4. his Bull to *Rustand* concerning the payment of these forged Obligations, and sums in them, to his Merchants; which few had courage to resist, or to joyn with, or compassionate the suffering of those who withstood them, 844, 845. He summoned all Abbots of the *Cistercian* Order to appear before him, demands a vast sum of money from them, to the annual value of their

wool, or more, for the use of the King or Pope; which they refusing, he caused the King to oppress them, who would have aydes and money as well as prayers from them, 846, 847. The King grants him 300 Marks a year in Prebends and Benefices in his gift which should first fall voyd, 855. The chief Collector of the *Dismes* and *Crosse-money*; Writs issued to him concerning *H. 862*, to 867, 921. His industry in collecting them, 871. The Kings Writ to provide a speedy passage for him at *Dover*, upon his return to *Rome*, 868. The Popes grant and Privilege of *Sicily*, with other Writs and Procurations, delivered to him, to be carried and delivered by him to the Kings Embassadors and Proctors to the Pope concerning that affair, and moderation of the hard conditions imposed by the Pope on the King, 914, 916, 920, 943. His account of the *Dismes* collected, and their disbursements, 917, 918, 958, 959, 960. Accused to the Pope for overmuch intending his own profit, and over-vigilantly heaping up possessions, rents, monies in *England*, so that he was as wealthy as most Nobles, and swayed the King and Bishops; for which he incurred the indignation of the Pope and many others, upon his return to *Rome*: Pretended himself the Kings natural born Subject, and principal promoter of his affairs in the Court of *Rome*; grievously reprehended by the Pope, and deprived of his former dignity, power with disgrace, 927, 928, 930. Employed, sent by King *Henry* to the Court of *Rome* about his affairs, as his Proctor, when he left *England*, 943, 944, 946, 947, 948, 957, 1035.

S.

**The Bishop of Sabie**, a Cardinal of *Rome*, sent Legate by Pope *Innocent* 4. to *Harso* King of *Denmark*, *Norway* and *Sweden*, King *H. 3.* refused to grant him a license to enter *England*, till he had first sworn upon his Soul, that he came into *England* for no detriment of the King, Kingdom, or Church, but only that he would passe quietly through it from the port of *Dover* to the port of *Leam*, presently upon the next opportunity and prosperous winde, to depart thence to those further Realms, because Popes Legates of what sort soever, and all Papal Nuncios are always accustomed to improve, or by some means to disturb the Realm into which they enter: After his license obtained, visit of, and free gifts from the King, he stayed here near three months, could not refrain his innate *Roman* covetousnesse, but sent private Messengers to Bishops, Abbots and Priors, to send him large Procurations and precious gifts; preaching often to the people, that he might palliate all things under the shew of Holinesse; He furnished his Ship (built like *Noahs Ark*, with many rich Cabines for his entertainment) most plentifully, with much Corn, very many Tuns of choycest Wines, and other victuals, at the *English* Clergies prodigality, on whom he bestowed his benediction, being enriched by them; celebrates Masse in the Ship by a Facer Predicant, to the admiration of many, 697. See *Guido* before.

**Simon**, Pope *Urban* 4. and *Clement* 4. their Nuncio, Proctor in *England*, to receive the arrears of the annual rent due from King *H. 3.* 310, 311. and concerning the business of *Sicily*, 932.

**Simon Præfatus**, a Cardinal Bishop, his Clerk collects Procurations in *Ireland* by the Kings license, as a Legate there, 559.

**Stephen**, Pope *Gregory* the 9th. his Chaplain, Nuncio to King *H. 3.* to collect the *Dismes* promised him by the Kings Nuncios at *Rome*, to maintain his Wars against the Emperor *Frederick*; summons all the Archbishops, Bishops, Abbots, Priors to *Westminster*, read the Popes Bull to them exacting a *Disme* from *England*, *Wales*, and *Ireland*, who like natural Children ought to relieve their Mother the Church of *Rome* in her necessities; which the

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the King condescended to as obliged by promise; but all the Lay-Barons peremptorily denied to grant out of their Lay-possessions, yet the Clergy submitted to it in a qualified manner, for fear of Excommunication, 424, 425, 426. He extorted the collection of Dimes not according to the 10th. part formerly paid to the King, but at the improved value of all profits, possessions, without fraud or collusion, to be paid in a short time under pain of Excommunication, and sent to the Pope before autumn or harvest was over, for the corn then growing; to enforce them to borrow monies from the Foreign Usurers he brought with him, on hard terms, to the undoing of many, 426, 427.

I.

**T**He Bishops of *Tusculum* and *Sabine*, the Abbot of *St. Martin*, and Cardinal Deacon of *St. Nicholas* in *Carcere Tulliano*, with others, sent as Legates by Pope *Honorius*, and Gregory 9. his successor, to the Emperor

*Fredrick*, to admonish him to submit to their Papal mandates under pain of Excommunication, 409, 410. *Thomas*, a *Templar*, Pope *Gregory* the 9th. his Nuncio into *England* to gather monies by dispensations for Vows of those who were criss'd for the Holy Land, as more useful than their personal service; which the *Crucignani* discovering, admired the covetousness of the *Roman Court*, conceiving grand indignation against it in their minds for draining the peoples purses impudently by so many devices, and moving war against people, to shew his power, or out of indignation, only to exact vast sums of money, collect Dimes to defend the Church; then making peace, and detaining the moneys without restitution, 470, 471.

II.

**W**illiam, one of Pope *Innocent* the 3. his Chamberlains, sent to King *John* to hasten his journey to the Holy land, which the Barons rebellion against him hindered, p. 346.

These 2. last *Indexes* of Popes and their Legates, evidence, that *Mammon* was the principal *Deity* they adored; *Gain* the chiefest part of their *godliness*, and *Covetousness* which is *Idolatry*, their prime *Cardinal Virtue*, *Theoretical* and *Practical* worldly *Divinity*.



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by Oath) strenuously endeavoured to restore: For which the Pope growing very angry, in the presence of his Cardinals on *Palme Sunday* solemnly excommunicated, delivered him to *Satan* to be destroyed, and deposed him; in such a dreadfull thundering fury, as made all auditors greatly to tremble: The form of his Excommunication, absolving his Subjects from their allegiance, and deposing, upon pretext of his raising sedition in *Rome* against the Church, to thrust him and his Cardinals from their seat, trample the privileges, dignities, honours, liberties of the Apostolick See, Church under feet; hindring presentations to vacant Churches; apprehending, imprisoning, banishing, slaying some rebellious Clergymen, (sent abroad to raise monies, forces against him) spoyleing some Templars, Hospitals, Churches of their goods; laying Taxes upon Churches, Monasteries, compelling Bishops, Abbots, Cistercians to contribute towards the building of Castles; thinking ill of the Catholick Faith, and other particulars, 514, 515, 516. His high indignation against Pope Gregory for publishing these scandalous Excommunications, Letters against him by his Legates in all Kingdoms, Churches: He surpriseth *Mount Cassini*, where the Monks published his Excommunication; writes severe reprehensive Letters to the *Romans*, for suffering him the chief Prince of Princes, their Emperor, natural Lord to be excommunicated in his own chief City; and to the Cardinals, for suffering the Pope so rashly, unjustly to draw his Spiritual Sword against him the *Roman* Emperor, and advocate of the Church; for fomenting and not restraining his unbridled authority according to their duties, which necessitated him for his own defence against this persecutor, more grievously to offend those who resisted his just power, 517, 518, 519. Prophecies concerning his or the Popes ceasing to be Head of the whole World, 519, 520. His answer to all the Popes scandalls comprised in his Bulls of Excommunication, 520, to 525. The Popes Legate published his Excommunication at *Pauls* and *St. Albans*, commanded him to be excommunicated with Bells and Candles, in all Churches, every Lords-day and Holy-day, 525, 526, 527. His Letters to *Richard Earl of Cornwall*, against his injurious Excommunication and Popes slanders, to vindicate his innocency; wherein he largely describes the unparallel'd injustice, malice, treachery, slanders, calumnies of Pope Gregory the 9th. against him, divulged by Letters, Nuncios in all places; his raising rebellions, seditions in *Italy*, *Germany*, *Lombardy*, *Millain*, against him the supreme of Christian Princes: That he reputed him not to be a Judge competent to excommunicate or depose him; who declared himself his capital enemy both in words and deeds, by fostering his enemies, instigating his Subjects to rebell, yea causing hereticks in *Millain* to rise up against him and the Empire: That he deemed him unworthy to be reputed Christs Vicar, Peters Successor, and Steward of Christian souls, for selling dispensations privately in his Chamber, like a Merchant, without advice of his Cardinals, (with whom he was bound to deliberate) against Oaths solemnly made, divorces judicially pronounced, to marry within degrees prohibited, for dilapidating not only the monies, but lands and possessions of the Church of *Rome*, wherof he was the supreme Patron, to raise Soldiers to fight against him: Therefore the Universal Church and people of God might not wonder, that he dreaded not the sentence of such a Judge; not in contempt of the Papal Office, or Apostolical Dignity, but in respect of the prevarication of the person, who demonstrated himself unworthy the chair of so great a dignity; that all Christian Princes might acknowledge his holy intention, purpose, zeal, that he the *Roman* Prince had for most just cause opposed the *Roman* Prelate, out of fear lest the *Lords* flock should be lead into by-ways under such a *Pastor*, 527, to 532. Pope Gregorys reply thereto, fraught with new defamations, for asserting,

That he as Christs Vicar had no authority to excommunicate him; That Christ had given to St. Peter and his Successors, no power in the Church of such binding and loosing: concluding him from thence to be an heretick, having no good opinion of the Articles of Christian Faith, whiles he endeavoured to take away this privilege and power from the Church, on which the Catholick Faith is built; recharging him with the promised blasphemies against Moses, Christ, and the Eucharist, which he denied: By which Epistles the whole world had been unanimously exasperated, and risen up against him as an apparent Enemy of Christ and the Church, had not the Popes detestable avarice, and execrable dishonesty of the *Roman* Church, rendered his Bulls so contemptible, that none or very few believed them: They being perswaded, that the Church of *Rome* was more obliged to the Emperor, who according to his Oath manfully intended to regain, restore the rights of the Empire, then he was to the Church, 532, to 540. The Popes Nuncios, Letters to the French King, published before all his Barons, declaring he had judicially deposed him from the Empire for his wickedness, elected the French Kings brother Earl Robert Emperor in his place, whom the Church of *Rome* and Universal Church would generously assist. Upon which the French King and his Council demanded; By what spirit or rash attempt the Pope had disinherited and precipitated from the Imperial dignity so great a Prince, then whom there was not a greater, yea not an equal, nor being convicted of, nor confessing the crimes objected? That if he deserved to be deposed, he was not to be adjudged, cashiered but by a General Council; That no credit was to be given to the crimes objected against him by professed enemies, wherof the Pope was known to be the principal; That he was yet guiltlesse as to them, and a good neighbour, who never discerned any infidelity in him in secular matters, or in the Catholick Faith; That they knew he faithfully warred for our Lord Jesus Christ against the Saracens, jeopardizing himself both by Land and Sea for his cause; That they found not so much Religion in the Pope, who instead of assisting, promoting, proceling him warring in Gods cause, as he ought to do, wickedly endeavoured to confound and supplant him whiles absent; That they could not precipitate themselves into so great dangers to impugn Frederick himself, being so potent, whom so many Kingdoms would assist against them, and whose just cause would afford him assistance; That the Pope cared not for the prodigal effusion of their blood, so as they might satisfy his wrath: That if he should conquer him by them or others, he would tread down all other Princes of the world under his feet; assuming honours of boasting and pride, because he had broken in pieces the great Emperor Frederick himself; That they would send messengers to him, to enquire diligently, and certify them of the Orthodoxy of his Faith; That if they found nothing in him but what was found, why should they impugn him? If otherwise, they would persecute both him, yea and the Pope himself if he shall think evil of God, or any other mortal even unto death: whereupon the Nuncios departed confounded. His satisfactory pious answer to the French Messengers, concerning the Orthodoxy of his Faith, the treacheries of the Pope, and prayer to God to avenge them, 540, 541. He maketh a Truce with the Soldan, recovers the Cities taken from him by the Popes forces, marched towards *Rome* against the Pope, who endeavoured not only to depose, but murder him; writes Letters to the King of *England*, relating the Popes impious proceedings, Rebellions, Wars raised against, and ingratitude towards him; exhorts him to adhere to, and assist him in this cause, which concerned the Jurisdiction, honour, security of all other Kings, Princes, whose rights he patronized; which Letters much discredited the Popes authority, and prejudiced the Clergies honour, 542, to 545. His ex-postulatory Letters to King H. 3, for permitting the Popes Agents continually to export vast sums of money out of his

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Realm, to maintain Wars against him; and suffering his scandalous Bulls to be published in all places to his infamy, against the Law of Nature, Nations, bonds of affinity between them, being his Son-in-law, Brother, Friend, against whom he had declared no War; his cause concerning the Interest, Prerogative of other Kings Crowns, and his own; the Pope to his infamy claiming a Lordly Dominion over him as his Vassal: To which he unworthily answered, *That he durst not contradict the Popes will*, 546, 547, 548. The Pope to divert his march to Rome, stirs up the Earl of Flanders to invade his Territories, 548. He makes peace with *Milain* and *Bononia*, reduceth the Cities near Rome to obedience by his forces and Letters, causeth the *Romans* and most of the Cardinals to desert the Pope, who desired a General Council to settle a peace between them, which he assented to: The Pope despairing of his cause, consents to a Truce till the Council: His Legate in France persuades him to break it, and bid open defiance to the Emperor, having raised monies enough to maintain one years War against him; He summons all the Emperors enemies to the Council, to depole him; who thereupon by his Letters to the King of England and others, prohibits the Bishops to repair to it, stops all their passages by Land; who upon the Popes Letters repairing thither with a strong Convoy sent from *Jenna* by Sea, three Popes Nuncios, above one hundred Archbishops, Bishops, Abbots, and Proxies of Prelates, besides Embassadors from Cities in Rebellion against the Emperor, and above 4000 Mariners of *Jenna* were taken prisoners by the Emperors Gallies, and some Bishops slain, drowned in the fight, wherein God signally owned his cause against the Pope; his Letters concerning it, 549, to 558. He surpriseth the Popes new Castle built with the *Croyado* money, whereupon he dyed of grief and discontent, 647. The Cardinals desire his release of the imprisoned Cardinals, and license to elect a New Pope, to which he condescends: Their division, double election; he assents to one, but dislikes the other, being a *Roman*, and his professed enemy, 647, 648. Cardinal *Colonna* taken prisoner, his Castles demolished for seeming favourable to him, 648. The *English* Bishops Embassy to him, to remit his indignation against the Church of Rome, though justly provoked; to permit, command the Cardinals to elect a New Pope, after *Celestine* the 4. his death, *Ibid*. His answer, *That the pertinacious pride, and insupportable covetousness of the Church of Rome, not he, hindered the proceedings to a New Popes election; That if he hindered the successes of the Roman and English Church, none might admire, since the one endeavored by all means to depole him from his Imperial dignity, and the other desired not to excommunicate, not a little to defame him, and pour forth their money to his detriment*, 648, 649. He commanded the disagreeing Cardinals to elect a Pope, to take off the infamy, that he hindered the election; releaseth all the imprisoned Cardinals and Prelates at their request, for the Churches peace; who thereupon became more obstinate, schismatical, and hating each other then before: He thus deluded, besieged Rome and the *Romans*, as the authors of this schisme, to the detriment of the Church and Empire, from which suspicion the *Roman* Citizens freeing themselves by their Agents, and laying all the blame on the schismatical Cardinals, he by public Proclamation in his Camp commanded all the Cities and possessions of the Church and Cardinals to be depopulated by his Souldiers; which they vigorously pursuing, the Cardinals petitioned him to forbear his indignation and plunder of them, promising faithfully speedily to elect a Pope profitable both to the Church and Empire; they elect *Innocent* the 4. Pope, 649, 650, 651. This Pope being confirmed, trayterously ratified his former sentence of Excommunication, raised forces against him, rous his Army, publicly defamed him, *That he*

never heard *divine service* nor prayers, (occasioned by his Excommunications, and Prelates refusal to communicate with him) *that he did not worthily reverence Ecclesiastical persons; that he did neither rightly speak nor think of the Catholick Faith; that he lay with Saracen women; that he called Saracens and other Infidels into the Empire, wherein they built fortified Cities: Which calumnies caused many Noble, grave persons to depart from him, and his dejected enemies to lift up their heads: After which he caused the Germans to elect another Emperor, the Landgrave, who upon conference sided with him against the Pope; who refused all termes of peace, unless he would swear absolutely to stand to his Ecclesiastical censure, which he refused to do, unless he knew before hand the causes and all conditions of it; without restoring the places he had gained, belonging to the Empire of ancient right*, 651. The Pope refuseth all sorts of cautions he tendered to him to settle peace, to the great rejoicing of Saracens, Turks, and other Pagans, who invaded, spoyled the Christians in all places during their dissensions: Upon which he stops all passages to Rome by Sea and Land, employing his Son *Cosrode* therein, forced the Pope and Cardinals to fly out of Rome and Italy disguised into France; his jeer against the Pope for this his dishonourable flight, 651, 652, 653. By assistance of the French King, the Pope summoned a General Council, excommunicated, deposed the Emperor afresh, absolves all his Subjects from their allegiance, prohibits any to own or converse with him under pain of Excommunication, in a most insolent manner, notwithstanding all his Embassadors, Advocates allegations and proffers of satisfaction, 643, to 654, 664, 753. The Bulls, causes of his Excommunication and dethroning, 644, to 660. His notable stout speech after his dethroning by the Pope and Council: He sets his Crown on his head, bids defiance against the Pope; sends notable Letters to the King of England and other Princes, against the pride, insolency, ingratitude of the Pope and Prelates, occasioned by their great endowments, riches, by the bounty of Christian Emperors, Kings, to the impoverishing of their Realms; asserts, it would be an act of charity very acceptable to God, to resume their possessions, riches, which made them cast God behind their backs, choaked their Religion, caused them ungratefully to conspire and set themselves against their advancers Heirs; exhorting them to reduce them to their primitive humility, condition, to substract their great noxious revenues from them, which made them mad, riotous, rebellious, and unlike the Primitive Bishops in the Apostles times, who subdued Emperors, Kings by their piety, holiness, not by Armes, 660, 661, 662. The great dangers many Princes, Prelates apprehended would ensue by this Emperors deposing, by encouraging Popes (though of mean birth) to trample all Emperors, Kings, Princes, Prelates under feet at their pleasures, and grow intollerably proud, insolent; to boast, *we have trampled the very greatest Lord and Emperor Frederick under feet, and who art thou, who rashly believest thou art able to resist us?* 662. The Pope exhorts the *Cistercians* to live and dye in his and the Churches quarrel against him, who thereupon inclined to his party, 662, 663. All Christendome troubled with Wars by the hatred, discord between the Pope and him, and the Universal Church every where endangered, 753, 754. The French Nobles adhere to him, detest the pride of the Pope, the Servant of Servants, who rejected all the honest conditions of peace which he offered him, 755. He the greatest of all Christian Princes, who had not his equal; an enemy to Pope *Innocent* the 4. generally hated in most Kingdoms, 676. Two new Emperors successively set up against him, their forces defeated, one of them slain in battle, the other dyes, 753. Appendix 27. He is poisoned by his intimate Counsellor and Advocate *Peter de Vinea*, corrupted by

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*free the Realm of England from the Tribute wherewith Pope Innocent the 4. had unjustly obliged it, and all other Papal grievances wherewith it was daily oppressed: which if he refused to do; the Emperor would grievously punish every of his he could find within his Dominions, 611, 612, 613. His breach of the Great Charter, notwithstanding his Oath to observe it, and publick Excommunication by St. Edmund Archbishop of Canterbury against all intruders of it. The Nobles proposited to prevent it, by having the power to elect his Counsellors, Chancellor, Chief Justice, and other Officers, to publish a New excommunication against all intruders of it, and enter into a New Oath to observe it, upon concession whereof they would grant him an Ayde, 610, 611. He condescends that the Bishops in every Diocese should publish a sentence of excommunication against him, and all who went against the great Charter of Liberties in any Article: They grant him an Ayde to marry his daughter, 20 s. out of every Knights fee held in Capite, and repeating what aydes they had granted him, and how much moneyes he had extorted from them from time to time, 613, 614. His prohibition to all Bishops, Abbots, others who held Baronies of him in Capite, to oblige their Lay-fee to the Church of Rome, whereby he might be deprived of his due service, 614. His Prohibition to Martin the Popes Legate, declaring, that no Popes Legate ought to come into the Realm, unless specially requested by him from the See Apostolick; That the Legats so requested did never pervert the Popes Mandate, nor endeavour to subvert the rights of the King and his Great Nobles, of which nature Bishops and Abbots were justly reputed, who held Baronies of him like other Nobles, whom he needed to protect as well as Laymen, if he would preserve his Realm; who were ready to mutinie against him by reason of his provisions to their livings, which neither he nor they could or would any longer patiently endure, to the subversion of the Realm; threatening to put a bridle to this his insolence, injury, and to complain thereof to the Pope and Cardinals, if he carried not himself more modestly, without intrenching upon his or his Nobles rights, who proceeded notwithstanding, 615, 616. His Writs to inquire in all Counties the annual sum of the Romans, Italians rents, wherewith the Court of Rome had fraudulently, violently enriched them in England; found to amount to 60000 marks in rents, besides other profits; to the 3. part of which all the Kings standing revenue amounted not, 616, 617, 620. His Writs to all Ports to intercept all Popes Letters, Bulls to levy moneyes, brought by Clergy-men, Monks, or other of what degree soever, whethere aliens or denizens, and imprison the importers, 617. To prohibit all Taxes to the Pope in England or Ireland, 618. His Speech and malediction to Martin, desiring of his shelter against the Nobles fury, who threatened to hew him in pieces; and safe conduct to him in his timorous flight out of England, 619, 620. The Pope grinds his teeth at him, for that he would not accept of his coming into England, when the Kings of Aragon and France forbade him entrance into their Realms, and so reproachfully cast out his Nuncio and Clerk out of England with an execration, wishing the Devil to carry him to hell, saying in a great rage with a murmuring voyce, rolling his eyes, and shriveling his nose; It is expedient for us to compound with the Emperor, that we may break in pieces these rebellious Petty Kings; for the Dragon being qualified or pacified, the Little Serpents will quickly be trodden under foot: which Speech divulged, ingendred grand offence and indignation in the hearts of many, 620. Alexander King of Scots his Charter of Peace and Fealty to him, ratified by his and his Nobles Oathes and subjection of him and his heirs to the Popes Jurisdiction, censures in case he violated it, to compel him to satisfaction, 620, 621. He commands the Bishop of Worcester to excommunicate David Prince of Northwales his*

*Vassal, & interdict it, for breach of his Charter, Homage, Fealty, Oath by his rebellions, according to his submission by his Charter: who by bribes procured an absolution from them all of Pope Innocent the 4. who is injuriously usurped his Land, to hold it under the yearly Tribute of 500 marks. He is summoned to appear before the Pope concerning the Contents of Prince Davids Charter, and answer certain injuries done by him, as he said, to David. His and his Nobles indignation, detestation of this avarice of the Pope: They persuade him not to regard these injurious Papal mandates, and invade Wales, to repress this new insolence of ingratefull David; He wastes Wales with fire and sword, which the Pope winks at, and passeth over in silence, 621, 622, 623, 624. His opposition, contests against the elections of the Bishops of London, Durham, Coventry, together with a Writ to the Mayor of Chester, not to permit the Bishop elect or any of his to enter the City gates: his seising, detaining the temporalties of Bps. elected against his will, 623, to 628, 637. His Writs, care to preserve his royal Jurisdiction & rights of his Crown against the Usurpations of the Bishops in Ireland, 628. His Writs to inquire what lands, tenements, rents Archbishops, Bishops, Priors, aliens, or any Normans had in England, 630, 631. The Councils and Parliaments held under him: See Councils, Parliaments: He dispenseth with the Bishop of Dunham attendance in Parliament by reason of danger from the Scots, 632. His Liberties granted to the Abby of Westminster, 632. His Patent that no Freer Minor should be a Bishop in Ireland, 632, 633. His Writs prohibiting any ayde to the Archbishop or Pope without his assent, 634. His License for a Popes Legate to go into Ireland only to absolve such who laid violent hands on Clerks, and collect Dismes, without exercising any other Jurisdiction, till his further order, 634. His Writ to his Chief Justice in Ireland to proceed to give judgement in an Assise, notwithstanding any menaced excommunication, and attach, imprison Bishops and others for holding plea of Layfee in the Ecclesiastical Court, to the prejudice of his Crown and dignity, 635. His Licenses to Bishops to make wills, and their executors to execute them, without him or his heirs interruption, 636. He sends Proctors to the Pope to complain of, redresse the injuries done to him, for creating divers Bishops without his assent; for nulling due elections confirmed by him, upon false, forged, frivolous malicious pretences, against his ancient and approved right used in former ages; to the great detriment of the Church and Realm, 637. His Letters to the Pope to excuse some of his Bishops and Abbots summoned to the Council of Lins from appearing in it, by reason of age, sickness, poverty, their employments in the Custody of the Realm, and other publike services; with his answer, assent thereto, except only to one of them, 638. He sends solemne Embassadors to the Council of Lins to complain of the daily grievances done to the Realm of England by the Court of Rome, and against the Tribute, Charter extorted from K. John in time of War, to which the Nobles never assented, nor would assent, and which the Archbishop protested against; and to present the Nobles Letters against Papal grievances and extortions: their proceedings therein, 299, 638, 639, 644, 645, 646, 647, 663. His Writs to all his Bishops, Abbots of England and Ireland resorting to this Council, according to their Oathes to defend the rights and royal dignity of the King in all things, to use all fidelity and diligence therein to preserve, defend the rights of his Crown, kingdoms and not to assent or assent to any thing contrary or prejudiciall thereunto, 640, 641. He denies Pope Innocent the 4. his request to come into England, wherein he had a special right, by reason of the prejudice that would arise to it, and infamy of the Popes Court, whose stink ascended to heaven, 654. The Emperors notable Letter to him against*



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gainst the ingratitude, pride, insolency, treachery of Popes, Prelates, Clerks; against Emperors, Kings, others, from whom they received their endowments; oppressing the Sons of their Donors, by whose almes they were fattened, enriched; forgetting their native condition, being the Sons of their poor Subjects, yet neither reverencing, fearing Emperor or King, when made Popes or Prelates: The injustice, tyranny of Pope Innocent 4. in denouncing a sentence of Excommunication and deprivation against him, without any citation, hearing, conviction of any fraud or pravity, to the enormous prejudice of all Kings, who might justly expect the like proceedings, if he a Christian Emperor, lawfully, unanimously elected, approved by the Church, whiles the Clergy flourished in Faith and Religion, owned Emperor by God, and magnificently governing other Kingdoms, was thus dethroned, who had nought to do with him in temporal matters, if peccant in them: That he was not the first, neither should he be the last who was thus infected by the abuse of Papal authority; since their ambition sought to swallow down *Jordan* and all earthly powers, though the turpitude of the Court of *Rome* was such, as all might execrate, and honestly, shame prohibited to recite: That their plentiful rents, revenues wherewith they were enriched, to the impoverishing of most Realms, made them mad: That the more they received, the more they coveted; insatiable, dethroning their Patrons, advancing: That he intended to reduce all Clerics, especially the greatest, to their primitive humility, state, condition in the Apostles age, when they were famous for piety, miracles, conquering Kings, Princes by their Apostolical lives, humility, sanctity, not aimes: That those now being addicted to the world, drunken with delights, cast God behind their backs, all their Religion being suffocated by the affluence of riches and wealth: That it was a work of charity for him and all Christian Kings to substract their hurtfull riches, wherewith they were damnablely burdened; and that they should serve God in doing it, exhorting him to joyne therein, 661, 662. His extraordinary anger against the *English* Bishops, for setting their hands and seals out of off-manner fear, to the transcript of King *John* detestable Charter burnt at *Lyons*, at the Popes command, after his and the Nobles protestation against it therein, and resolution never to pay, or suffer the Tribute therein mentioned to be paid: His Oath after the Nobles protestation: *That although the Bishops were dishonestly incouraged, yet he would firm stand for the liberty of the Realm, neither would he wiles be lived pay the Church of Rome the annual rent under the name of Tribute, 300, 663.* The Popes sacred rancour, and great anger against him and the Realm, for daring to bewaile or mutter against his manifold injuries; his vaunting speeches, *That if he could tame Frederick, he would easily tread under feet the insolent pride of the English, who complained of the oppressions of the Roman Court, especially of the Tribute, in the Council: instigating the King of France in a secret conference at Clugny, to wage war upon the King of England for so great an injury, till he had dishonoured, or so earnestly hurt him, that he should wholly submit to the will of the Roman Court, valent against; which he refused, because he was King *Henries* Kinsman, and their Queens Sisters; because he had no manifest right to the Crown of England; because there was a Truce between him and the King of England, which he would rather prolong, that so he might relieve the Holy Land; because much Christian blood would be shed, before the Realm of England would yield to France; because the Christians in the Holy Land were now oppressed, besieged by the Pagans, who expected his relief; and because he had a stronger and more hurtfull enemy to the Church of Rome to be first conquered, to wit *Frederick*, 663, 664. His priviledge, that no Legate should come into his Realm*

unless requested; fraudulently abused by the Popes sending certain sophistical Legates, having greater power to extort rents, money, and were more insolent then Legates in all things, although they had not the ensignes of Legates, being Clerks, or Freers Minors, or Preachers, who made them his Beadles and Tax-masters, to the scandal and detriment of their Order, 664, 690, 691, 692. He summons a Parliament at *London*, by reason of the Popes indignation against him and all his Nobles, oppressing them with many daily intollerable grievances, and divers new devices to extort monies more then before; their complaints against his grievances, which they could no longer tolerate without the brand of flagitiousness and imminent ruine, being done in contempt and spite; his Papal indignation so swelling against the miserable *English*, for that they durst complain against their daily injuries and oppressions in the Council; which he so multiplied without intermission, that the *English* were more vile in his eyes, Court then any other even of the remotest Nations: Insolently saying; *It is expedient for us to compound with the Emperor Frederick, that we may trample the little King of England, our Vassal, under feet, who now kicks with the heel against us, 664, 665.* The King, Archbishops, Bishops, Abbots, and Nobles, draw up 7. Articles in Parliament against the Popes grievances and oppressions: 1. In extorting, collecting several sums of money by general Taxes and Assesses, without the Kings assent or consent, against the ancient Customs, Liberties, and Rights of the Realm, and against the Appeal and contradiction of the Proctors of the King and Kingdom, made in a General Council. 2. In hindring Patrons to present their Clerks to vacant Livings, and bestowing them by Provisoes on other *Roman* Clerks, utterly ignorant of the *English* tongue, to the peril of the peoples souls, and impoverishing of the Realm beyond measure, by transporting money out of it. 3. In granting pensions out of Livings by Provision, and more Provisions of Benefices then he promised after his Bull against them. 4. That one Italian succeeded another. 5. That Subjects causes were drawn out of the Realm by the Popes authority, against the Custome of the Realm, against the written Laws, that men ought not to be condemned amongst their enemies; and against Indulgences granted by his predecessors to the Kings and Realm of England. 6. The frequent mention of that infamous word *Non-obstante* in his Bulls, by which the Religion of an Oath, ancient customes, vigor of writings, the established authority of Charters, Laws, Priviledges were debilitated, vanished away; and his not carrying himself courteously towards the Realm, in revoking the plenitude of his power as he promised. 7. That in the Benefices of *Italians*, neither their rights, nor sustentation of the poor, nor hospitality, nor preaching of Gods word, nor the full ornaments of the Churches, nor cure of souls, nor divine services in the Churches, were performed as they ought to be, and according to the custome of the Country; That their houses, walls fell down together with their roofs, and were dilapidated. To which other complaints to the King and Parliament against the Court of Rome were superadded, which they sent to the Pope by their respective Messengers, with five several Letters; two from the King to the Pope and his Cardinals; a third from all the Archbishops, Bishops; a 4th. from all the Abbots, Priors; the 5th. from all the Earls and Temporal Lords, speedily to reform all these their grievances, to prevent unavoidable mischiefs to the King, Pope and Church of Rome, and their revolt from subjection to them, 666, to 672. They complained, the Pope demanded Knights-service, due only to the King, Lords from their Tenants, from Prelates, Clergymen, to find him so many Horse or Foot for half a year, or pay a great rancome in lieu of it, under pain of Excommunication, which they must reveal

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to no man: That he granted one years fruits of all Benefices that fell voyd within the Province of *Canterbury* to Archbishop *Boniface*: That he by sealed Bulls required the Abbots of the *Cistercian* Order in *England*, to send him golden Jewels to adorn his Planets and Copes, as if they might be got for nothing: That he published this new unheard of Statute in *England*, not without the brand of covetousnesse, That if any Clerk should from thenceforth dye intestate, his goods should be converted to the use of the Pope; which he commanded the Friers Preachers and Minors diligently to execute, seising on the money, plate, and goods of three rich Archdeacons; which the King hearing of, prohibited, detesting the multiplied and manifold cunning avarice of the Court of *Rome*; and by the common advice of his Prelates and Nobles in Parliament, issued several successive Prohibitions to the Abbot of *St. Albans* and others, not to pay any Tallage to the Pope or his Agents, before the return of their Messengers sent to *Rome* against these grievances, under pain of seising his Barony; and to the Bishops not to exact or levy any such Tax for any Clerk, Religious person, or Layman, to the prejudice of his Royal dignity, against his and his Nobles Provisions in Parliament, which he neither would nor could endure, 671, 672, 673, 674. The Pope placing his confidence in gold and silver, contemned the zealous Letters and memorable complaints of the King and whole Kingdom against his exactions, requiring the Bishop of *Norwich* and others to levy a subsidie for him, at which all were amazed, they receiving such a new grievance instead of the relief expected; the Kings wrath and indignation thereat, and new memorable Prohibitions against it; the *English* Church thereby ground as it were between two Millstones, and placed between *Sylla* and *Corydon*; the King by the general advice and assistance of his Nobles endeavouring the salvation and instauration of the Realm on the one side, and the Pope endeavouring its impoverishing on the other: Many Prelates fearing the instability and effeminacy of the King, and his Counsils resolutions, fomented the Papal part, though they never had seen that the Church received any happy increase, but rather incurred unhappy detriment by such effusions of their money, 673, 674. He summons a new Parliament at *Winton*, concerning the manifold dissolutions of the whole Realm, and especially of the Church; wherein the Messengers sent to the Court of *Rome* reported, That they could discern no humility nor moderation in the Popes gestures or words, concerning the oppressions wherein the Realm, Church of *England* were grieved and complained: That when they expected a pleasing answer, the Pope told them, The King of *England* who now kicks the heel and Frederizeth, hath his Counsil, and I have mine, which I will pursue: That from that time scarce any Englishman could dispatch any business in Court; yea they were all repul'd, and reviled as Schismatics; so as so many and such Epistles of the King, and Universality both of the Nobles and Prelates of the Realm, had no efficiency at all. At which report the King and Nobles being much grieved, exasperated at the repulse of their just petitions by the Court of *Rome*, to which they had so often freely contributed, the King by their advice commanded proclamations to be made through all Counties, Cities, Boroughs, and Villages of the Realm, That no Prelate, Clerk, or other person throughout the Realm, should consent to any Contribution to the Pope, or transmit any money toward his aid, or in any wise obey his Papal command in contributing aydes; which was accordingly done. The Pope hearing thereof, fell into a vehement anger, writ to the *English* Prelates more sharply then before, under pain of Excommunication and suspension, to pay in the ayd he demanded to his Nuncio in the New Temple before the Feast of *Assumption*: which the King resolving manfully to resist as he had begun, for the freeing of the Realm and

Church from Papal extortions, by the threats of Earl *Richard* his brother, (to whom the Pope granted a Croysado) and the whisperings of certain ambitious Clergymen and Papal Bishops his Counsellors, (whereof the Bishop of *Worcester* was principal, to whom he granted a power of interdicting the Realm) was so inclined by their counsils more then was just, that his constancy was enervated with the same levity it was conceived, being so terrified with the Popes menaces, that he trembled for fear where no fear was, yea womanishly relinquished what he had manfully undertaken, submitting to him as conquered, affrighted: whereupon the whole endeavour as well of the Nobles as Bishops, and the hope of freeing the *English* Church and Realm, miserably withered and came to nought, not without the bleeding grief of many hearts, all this resistance vanishing like a cloud before the shining Sun, the Clergy satisfying the gapings of the *Roman* avarice with this Contribution without resistance; the richest Prelates & Clergymen who had greatest revenues, which they over-heartily loved, fearing to lose them by the Popes indignation, complying with his designs; and those who resolved to resist through the Noblemens encouragement, (the Kings eyes being averted, and his ears closed against them by the Court Prelates) being forced to comply and pay 6000 Marks to the Pope, to the great impoverishing of the Realm; which was transported by the Popes Nuncios and Merchants to ayd the *Landgrave* against the Emperor *Frederick*; part whereof he intercepting, grievously reprehended the effeminacy of the *English* and Earl *Richard*, complaining much of it before his fellow Soldiers, who seemed to have consented to the Popes party, to the destruction of the Realm of *England*, and detriment of the Empire; because he gathered much treasure together out of the assistance of the *Crucesignati*, by the Popes permission, whereby the audacious rapines of the *Romans* were infinitely increased, by how much they found no contradiction in them; flying from those who chased them, and pursuing such who fled from them; so as all the hope and consolation of relieving the *English* expired, whose enemies were their Judges, 674, 675, 676. Pope *Innocent 4.* informed by his Nuncios of the Kings and *English* fear, intended to interdict the Realm had they not paid his 6000 Marks Tax, and the King by his Nuncios signified his compliance to it, notwithstanding Cardinal *John* an *Englishmans* sharp reprehension of his indiscreet anger and violence, by which the Holy Land was endangered, the *Greek* Church departed from them, the Emperor the greatest, powerfulllest of all Princes, an adversary to them, he and his Cardinals (the top of the *Roman* Church) expelled *Italy*, *Hungary* and its confines exterminated by the *Tatars*, *Germany* shaken with Civil Wars, *Spain* raging mad against them, to the cutting out of Bishops tongues, *France* reduced to poverty, conspiring against them, and *England* so frequently hurt by their injuries, like *Balaams* Ass, beaten with spurs and clubs, at last enforced to speak and revile them, complaining she was over-intollerably wearied and irreparably damaged; so that like *Israel* they were now odious to all, and provoked all to anger: Yet the Pope took so much boldnesse from what was past, more imperiously then before to trample upon the miserable *English*, most of them being trodden down, dissipated, effeminated; he demanding, that all resident beneficed persons in *England* should pay the third part, and all Non-residents the moiety of their Benefices to him: The Prelates opposed this Tax as impossible, and the Kings Proctors strictly prohibited all the Clergy of *England*, not to assent to so execrable a demand of the Pope, or consent to this Contribution to the Kingdoms desolation; which they obeyed, appealing against it as intollerable, impossible; which they had more effectually contradicted, if they had had any confidence in the Kings wavering words and promises: The Clergies



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Clergies answer thereunto, and appeal to Jesus Christ and the next general Council against it: Their complaint against it to the King and Parliament, with their Nuncios and Epistles to the Pope and his Cardinals, in behalf of the whole Clergy of England, against his unsupportable exaction, 676, 677, 678, 679, 680. The Court of Romes indignation against their Letters, as well reprehending as restraining their avarice, who thereupon reduced their demands to 11000 Marks subsidie, excluding all the exempt Abbots of England out of this sum, to be more perilously exposed to the Romes rapacity, 679, 680. The Popes delusory grant to him, that whereas he before indifferently granted provisos of Ecclesiastical Benefices in England to *Italians*, to its intollerable grievance, he would from thenceforth by Gods grace, when he granted any such provisions to any of his or his Cardinals Nephews, importunately treat the King, that he would be pleased to condescend to such a provision, whereby they more strictly ensnared him; this being but a baited hook to enrich the Popes Secretaries, by such rhetorical Epistles from the Pope to the King on their behalf, 682, 683. His indignation, exclamation, prohibition against the Popes grant of the first years fruits of all vacant Benefices with in the province of *Canterbury* for 7. years to Archbishop *Boniface*, till he should raise the sum of 10000 Marks, to be levied by this Apostolical authority without any appeal: His effeminacy in condescending to it afterwards, and not standing for the defence of the Realm, and honour of the Archbishops of *Canterbury*, against the debts of that Church as he ought, the Suffragan Bishops being compelled by the Popes authority, excommunicating all who durst speak against it, to submit thereto, not daring nor being able to oppose or contradict it, 682, 683. He commanded the keepers of the Ports by his Writs to prohibit the importation of any Bulls, for provisions or exacting monies from the Church of England by the Popes authority, to impoverish the Realm, or suffer any to wander with them by land to the Prelates; and if any such were found, to apprehend and imprison the bearers of them, 684. He prescribes a special Masse to be said upon the Canonization of St. *Edmund*, 685. He augments the dignity of the Abbot of *Westminster*, that celebrating Masse in his Pontificalibus, he should give the benediction solemnly to the people when *Agnus Dei* was sung, 686. He seileth the Temporalities of the Archbishop of *Rome*, for not coming personally into England to swear his Fealty for them, 686. He prohibits the collection of one years Disme in England from the Monks of the Order of *Cister*, granted to the Abbot by the Popes authority, (who was to have part thereof) without his Royal assent, and seileth all the monies collected thereby, 686, 687. He restores the Temporalities of the Bishoprick of *Conversy*, long detained in his hands, out of his meer grace, to *Roger de W. seham* made Bishop thereof by the Pope, to the prejudice of his Prerogative, 687. His high resentment of Bishops excommunicating his Officers for executing his Writs, in removing a force out of a Church to the prejudice of his Royal dignity and authority, and making a fraudulent appropriation to his and the Churches prejudice, 688, 689. His license for the Pope to grant a provision, though odious, at two of his Clerks requests, so as this his license were not drawn into consequence, 690. His care to prevent the Popes provision to the Archbishoprick of *Ardmab*, 690. He summoned a Parliament at *London*, to oppose an importable Contribution to the Pope, to which the Bishops had unhappily obliged the Clergy in a General Council, who thereupon absented themselves, lest they should seem to oppose their own facts far off, wherewith they knew the hearts of all men were not undeservedly wounded, even to the bitterness of soul, 690. Another Parliament of all the Nobles convened by him at *Oxford*, to which the Bishops were

strictly summoned, to prevent the manifold exorbitant exactions of the Pope and his sophistical Legates, to the apparent danger of the Realm, impoverishing of the Prelates, by Papal extortions and frequent exportations of the Treasure of the Realm, without any benefit to the Church, yea to its great disadvantage, and Gods displeasure; where all the Prelates consented to a grant of 11000 Marks to the Pope, which some of them before resolved to oppose; besides the exempted Abbots, exposed to the Popes arbitrary demands, which rendered the Bishops and Clergy suspected to the whole Realm, 696. The Pope and King suspected to comply together to force exactions from the Church and State by turns; the Pope writing to the Nobles to grant the King an Ayde, and the King conniving at, or assenting to his Papal exactions from the Clergy, ground between the Pope and King as between two Mill-stones, 696, 716, 717. He refused to license the Bishop of *Sabine* a Cardinal Legate, to enter England in his passage to *Haco* King of *Denmark*, *Norway* and *Sweden*, till he had first taken an Oath upon his soul, That he came into England for no detriment of the King, or Kingdom, or Church, but only to passe peaceably through it from the Port of *Dover* to *Lenn*, and to passe from thence to those Northern Realms with the next opportunity and wind; because all sorts of Legates and Popes Nuncios, were accustomed to impoverish, or by some means to pervert the Realms into which they entered: his free gifts to this Legate coming to visit him, 697. His notable Prohibitions upon the complaint of Nobles and others, to the Bishop of *Lincoln*, his Officials, rural Deans, and others, against summoning and enforcing Lay-persons by Ecclesiastical censures, to appear before them in their Courts and Visitations, to make Inquisitions and give in Informations or testimony upon Oath against their wills, in cases of Incontinency and other scandals, never formerly used, against his Crown, Dignity, the Laws, Customs of the Realm, to the scandal, vexation of his Subjects, and danger of their reputations, souls, 699, 704, 705, 706, 718. His carrying of the Viol of Christs blood brought from *Jerusalem*, from *St. Pauls* to *St. Peters* at *Westminster* with his own hands, in a solemn procession, bestowing it on that Church, to be there reserved, adored as a most precious (though forged) Relique, 711, 712. His new Fair granted to *Westminster*, and suppression of all other Fairs and sale of goods in *London* for several dayes, to draw company thither to adore this Relique, 715. His notable Letter to the Bishop of *Durham*, charging him with contempt against his Crown, Dignity, and ingratitude in distreining the Cattle of the Prior of *Tinmouth*, 716. His pusillanimity in not recalling the Popes suspension of the Prelates to collate to Benefices, till the Romes covetousnesse was satisfied; and not protecting the Abbot of *Abendunne*, against the Popes citation to, and vexations at *Rome*, for conferring the Church of *St. Helin* on *Abelmar* his half brother, at his request, who had given it to a *Roman*, to whom the Pope enforced the Abbot to pay an annuity out of his Chamber, to his Churches great detriment, 716, 717. His and his Officers spoyles, rapines, during the vacancy, of the Abby of *St. Edmund*, and Bishoprick of *Bath* and *W. Ill*, 717, 721. His Prohibitions against citing his Clerks out of the Realm, and levying First fruits granted by the Pope to Archbishop *Boniface*, out of Lay-mens Benefices, 718, 719. His confirmation of the ancient liberties of the Dean and Chapter of *Tork*, saving the ancient Rights and Liberties of the Crown, of which he was in actual possession, 719, 720. He summons a general Parliament at *London*, wherein he demands an Ayde, for which he was sharply reprehended, being contrary to his late Charter to the Nobles; and for his indiscreet prodigality to aliens, whom he called in, marrying his Nobles to ignoble aliens, against their wills, assents, and disrespecting his native Subjects;

for



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for keeping vacant Bishopricks, Abbies long in his hands, whereof he was to be the guardian, defender, protector, who spoiled, impoverished them to their destruction, against the first and chief branch of his Coronation Oath, 721, 730. That he had no Chief Justice, Chancellor or Treasurer, made by the Common Council of the Realm, as was fit and expedient, he alwayes making such as followed his own will for his gain, and promoted not the publick, but their own singular profit, by scraping wealth, and gaining wards and rents for themselves: At which he blushing, as conscious, promised he would most freely, certainly and thankfully reform all these things, thinking by this feigned humility to win all their hearts to condescend to his demands; who often deceived by such promises, delayed to grant an Ayde for a time, till they saw an actual reformation; whereupon the Parliament was adjourned, 721, 722. At the second meeting, he taxed the Nobles for dealing uncivilly with him their King, Lord, in denying him that liberty which every of them used, to chuse what Council, Officers, Servants he pleased, and preferre, depreff; remove them at his pleasure: Adding, That Servants ought not to judge or fetter their Lord with their own conditions, much lesse Vassals their Prince; that all inferiors ought rather to be directed, ordered by the will of their Lord, *The Servant not being above his Lord, nor the Disciple above his Master*: That he should not be reputed their King, but their Servant, if they might thus incline him at their pleasure; wherefore he would neither remove his Justice, Chancellor or Treasurer, as they propounded, nor substitute others; yet demanded an Ayde of money from them to acquire his rights in foreign parts, which concerned them likewise: Upon which subtle answer by those who feared to be displaced had he followed the Barons general advice; they all unanimously answered, they would by no means unprofitably impoverish themselves, to make foreigners proud with their goods, and strengthen the enemies as well of the King as Kingdom, as of late happened in *Poitou* and *Gascogne*: The Parliament thus dissolving in discontent, he fell out with his Counsellors for losing the hearts of his Nobles; who to raise monies, caused him to sell his place, jewels; oppress and extort money from the *Londoners*; to take up provisions for his Household by force, without paying for them; to beg money from particular Nobles, Prelates, Abbots when severed, who denied him any ayde whilst conjoynd, by Letters, Messengers to them one after another, which took small effect with any, 722, to 725. His Messengers to the Pope, and prohibition to some Bishops his Delegates, charging them upon their Oaths of Fealty, not to prejudice the rights of his Crown, in putting the Popes provisor into a Benefice, to which he presented a Clerk by his Royal Prerogative, under pain of seising their Baronic, 725. The Dean, Chapters, Bishops of *St. Asaphs* two Charters to him under hand and seal, *That they ought not to elect a Bishop without humbly petitioning him and his Heirs for a license to elect*; and that he ought to confirm their election before any consecration, 726, 727. His Writs, and Pope *Innocent's* Bull concerning the Priviledges and Exemptions of his Free-Chapples from Episcopal Jurisdiction or Taxes, 727, 728, 734, 735. See *Free-Chapples*. He sendeth forth, and craves pardon from the *Londoners* for injuries done them; crosseth himself for the Holy Land, to extort monies from his Nobles under that pretext, who formerly denied him an Ayde, 729, 730. He for money procures a Bull from the Pope to his Nobles, when they had sold, mortgaged their Lands, and prepared all things for their journey to the Holy Land, not to repair thither under pain of Excommunication, till he might go with them as their Captain; commanding the Cohillables of *Powys* and other Ports, to suffer no Nobleman who was crossed to passe beyond the Seas: He exacts vast sums of

money from the Jews and Christians under that pretext, 730. His Letters to the Bishops of *Ireland*, to preach the Crosse and raise monies for his pretended voyage, 732, 733. His Patent to the Master of the Jews Law in *London*, to excommunicate all such Jews who promised any monies towards their Church-yard in *London*, and payd them not, so as he might receive the amends for it, 736. His indignation against *Grosbeard* Bishop of *Lincoln*, for excommunicating the Sheriff of *Noteland* for not apprehending a Clerk excommunicated by him, after 40. dayes; and Popes Letter he procured concerning it, 738. His Prerogative to have all Royal Fishes wherever they arrive, and Writ concerning it, 738, 739. His notable Writ to Bishop *Grosbeard*, to appear and answer his contempt before him, for endeavouring to deprive him of his ancient Prerogative to attach Clerks in his Diocesse; for contempts, in proceeding against his Writs of Prohibition in the Ecclesiastical Court, which exorbitant injury and contempt he neither would nor ought patiently to endure; with his special Mandate to his Justices of the Kings Bench, to keep him in possession of this liberty, not permitting any thing of this his right to be diminished, 739, 740. He refuseth to hear or redresse the complaints of the Prior of *St. Bartholomews*, and Canons of *Pauis*, against Archbishop *Baniface*, for beating, wounding him and his Canons, and tearing his Miter when he came to visit them; he excusing and justifying himself before him: His Proclamation throughout *London*, that none under pain of losse of life or member, should presume to intermeddle in that quarrel to prevent a sedition; the *Londoners* resolving to ring their common bell, and hew the Archbishop in peices if they found him, for this fray and riot; who backed by the King and Queen, excommunicated the Canons afresh in his Chapple at *Lambeth*, 742. Pope *Innocent* 4. desires his license to repair to *Burdoux* in *Gascogne*; the King of *France* his brothers charging the Pope, that his covetousnesse in prohibiting the voyage of the *Crucifigiani*, and dispensing with their vows for money, was the cause of the *French* Kings overthrow; soliciting King *Henry* to joyn with the Emperor, and hasten his voyage to the Holy Land according to his vow, as he tendered the honour of Christ; which put the King to a great Dilemma, either to displease the Pope, or the Emperor and *French* King, 746, 747. He used all diligence to procure the Monks of *Winton* to elect his brother *Athelmar* Bishop of *Winton*, though a foreigner, youth, unlearned; His Letters, speech to them, to induce them to chuse him Bishop; and menace, to confound all the Monks if he found them rebellious to his personations; who despairing of any assistance from the Pope by appeal, where any thing might be obtained by gifts, they unanimously elected him out of fear, against their consciences: The Kings Letters, Messengers to the Pope for his confirmation, which he obtained by great gifts, and by a provision of 500 Marks a year rent, which the Pope exacted for the Duke of *Burgundies* young son, 748, 749. He commands the Woods of the Bishoprick of *Winton* to be cut down, sold, and the money brought into his Treasury, but distracted not the goods thereof, because his brother *Athelmar* was to enjoy them, 751. He enricheth his brethren and Queens kinsed with Ecclesiastical Livings; writes on their and *Baniface* his behalf to the Pope, against his Suffragans, 752. Prescribes an anniversary obsequy for his Mother *Qu. Isabel*, and prayers to be made for himself, his Queen and Children, 755, 756. He refused to assent to a Disme granted by the Popes Letters to his brother *Goeffry* in the province of *Burdoux*, because he should suffer damage thereby; yet consents to his grant of a Disme in the province of *Dublin* to *Stephen Langeffre*, 757. His Letters to the Pope to appoint auditors named by him, to take the account of the Bishop of *Worcester*, of the Disme he granted him for the Holy

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Holy Land, and not to hearken to his complaint for seizing his Barony for excommunicating the Sheriff of *Roseland* against his prohibition, to the prejudice of his royal dignity, 738. His license to transport stones from *Bristol Castle* to *Ireland*, to build a Church in *Dublin*, 758. He seizes the Liberties, and attacheth the Bayliffs and 12. Burgesses of *Rochester*, for thrusting a condemned person into the Church to prevent execution, 759. The Massing furniture he provided for his Chapel in *Windsor Castle*, 759. His Patents, Temporal Courts defiled with *Non-obstantes* like the Popes, by whose *Non-obstantes* he justified his, 760. He sides with the *Convent of Westminster* against the Abbot, grants them the Custody of the temporalities of the Abby, and goods thereof, during the vacancies: His prohibition to foreign Merchants, Usurers to lend any monies to the Abbot or *Convent* thereof, without his Royal and both their joint assents thereto, 763, 764. He Feasts with his brother the new Bishop of *Winton* upon his return from *Rome*, 764. His injuries, grievances to the Church of *St. Albans*, spoiling Prelates and religious persons by the Popes command, reducing them to extreme servitude, 765. His hydropical thirst after gold, silver, jewels, which he extorted from Jews and Christians, 768. The Pope animates him to go to the Holy Land to ayde the King of *France*; he takes on him the Croffe, and summons all the *Londoners* to *Westminster* to crosse themselves for the Holy Land, only to gain money, 766, 767, 771, 772. His Writs to the Archbishops, Bishops of *England* and *Ireland*, to promote the preaching of the Croffe to raise monies, by Freers Predicants and others, and to publish the Popes indulgences to such who crossed themselves, 766, 767, 768. Several Writs concerning it, and his voyage to the Holy Land. His Letters to the Queen of *France* for restoring the lands taken from him in *France*, which would be a great encouragement for him and his Nobles to relieve the distressed Christians and King *Lewis*, 769, 770. He summons a Parliament, reads the Popes Bull to the Prelates to grant him an ayde, which the Bishops opposed, lest it should be drawn into custome by a double act; They promise him an ayde, conditionally, to confirm the Great Charter of their Liberties so often agreed to, promised; to swear anew, inviolably to observe it for the future; and so as the money might be faithfully collected, reserved in safe hands for his use, till he actually went to the Holy Land, and not prodigally spent, to the prejudice of the Realm and his faithfull subjects, and advantage of his enemies, like former aydes; whereupon he swore horribly in a great rage, that he would never whiles he lived, intrall himself to such a servitude; Their further debates concerning it, his discourse with the Bishop of *Ely*, with his stout answer, refusal to ayde him to the impoverishment and servitude of the Church; in imitation of *The Becket*, and *Edmund of Canterbury*, who were martyred: His indignation against his brother, Bishop of *Winchester*, for his ingratitude in opposing his ayde, he committing him to the living Devil, at his departure: The Parliaments dissolution in great discontent without ayding him, they telling him he was born only to extort money and empty their purses, 770, to 775. He and the Pope favoured, furthered each other in their tyranny, exactions, which provoked the anger and internal hatred of all against them, yea a manifest departure (although not of bodies, yet of hearts) from the Church of *Rome*, and a general exasperation against her, extinguishing as it were the fire of mens devotion to her, 773. He resolved to send for a Legat, which should compell the Bishops by the Popes authority to pay the contribution demanded, although an heavy Tribute, and new intollerable servitude to the Church, 774. He extorts gold from the *Londoners* against their Charters, as if slaves of the basest condition, 773. He oppressed, exacted great sums

of monies from several religious houses, the world being then so addicted to spoyle and rapines, that whoever could extort any thing from religious houses, thought he rather merited then demerited, 775. He gave away his escheats, vacant rents, Churches to unworthy illiterate scurrilous Foreigners, in contempt and revenge to the *English*, committing and causing to be committed many thousands of souls to such aliens as were altogether unlearned, unworthy, obscene, and knew not the *English* tongue, to provoke the anger, hatred of those *English* who were worthy and learned against him, 775. His Speech, Oath against the pride, insolency of the Prelates, Religious persons, Templars, Hospitalers, occasioned by their Liberties, Charters, and great superfluous possessions, which made them mad, and ought to be prudently, advisedly resumed, as they were imprudently and unadvisedly dispersed by Kings: That as the Pope sometimes, yea very often revoked, null'd his former Bulls, Acts by *Non-Obstantes*, so he might likewise revoke all Charters he and his ancestors had unadvisedly granted them. Whereto the Master of the Hospital of *Jerusalem* answering: *what is this you say, my Lord the King? God forbid such a displeasing and absurd word should fall from your mouth; So long as you observe Justice, you may be a King; and so soon as you shall infringe it, you cease to be a King: To which he replied too uncircumspectly; O you Englishmen, what means this? will you precipitate me from the kingdom as you did my father, and kill me being deposed?* 776. The Pope by *Albertus* his Nuncio prohibits him to invade the King of *France* his Lands, whiles employed in the holy war, proffers the Realm of *Sicily* to his brother *Richard*, who refused it: The Kings Letter of thanks to the Pope for this proffer of *Sicily* to his Brother, and all other favours received from the Church of *Rome*; requiring that a competent ayde might be given his brother by the Clergy to gain it, yet with a saving the ayde he had granted himself for the Holy Land, 776, 777. Pope *Innocent* by his connivance granted more provisions, and more oppressed the Church of *England* during his Papacy, then all his predecessors; the rents of the *Romans*, besides other revenues, amounting annually to above 70000 marks, his own regal rents not to the 3d. part thereof, 777. *England* trodden under foot by aliens, *subiect to many Lords*, deprived of his sincere love, languished without consolation to despair, enthralled in extreme conditions, whereby (which was most grievous) the venomous hatred between the Church and people daily encreased, 778. His Writs against Bishops for contempts to admit his Clerks upon preferments, 781. He prohibits Bakers by proclamation to imprint the signe of the cross, *Agnus Dei*, or name of *Jesus* on any bread put to sale, 781. His Writs to sundry Noble men, not to foment the difference between Archbishop *Boniface* and the Bishop of *Winton*, nor take part with, or bear arms, or make tumults for either of them, 788. He summons a new Parliament at *London*; demands an ayde of money: The Archbishop and two Bishops sent to him, to perswade him according to his Oath to permit the Church to enjoy her Liberties, especially in elections, not to intrude persons into them by regal power, to the destruction of the Prelates, Subjects, and great damage of the Church; to correct these and other his Errors, according to his Oath, and the Great Charter: which done they would yield to his request: His sharp, satyricall reply to all 3. Bishops promoted by his meer grace, though unworthy, wishing them first to repent, resign their Bishopricks, as unfit for them, to give him good example; who would thereupon elect fit-ter for the future: They grant him an ayde upon condition to confirm the Great Charter, though frequently violated by him and his Father *K. John* against their Oathes, for which they got infinite sums of money. He confirms the Great Charter. A solemn excommunication denounced against all infringers of it and the Churches Liberties, by



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the Archbishop and Bishops in *Westminster* hall, in presence of the King and Nobles: His Promise, Oath to observe all Articles of the Charter as he was a man, a Christian, a Knight, a Crowned and anointed King, 795, 796, 797. When he had a lighted Taper put into his hand while the excommunication was read, he delivered it to a Bishop to hold, saying he was no Priest, holding his hand upon his breast, with a serene and chearfull countenance, *ibid*. His Letters to the Pope on behalf of the Bishop of *Chichester* and his Chaplains for provisions for them, 797. to excite all Christian Princes to joyne with him in ayding the Holy Land, 798. He gives one Cup to put the Eucharist in of 4. marks price to every Archbishop, and of 3. Marks to every Bishops Cathedral in *Ireland*; the sum of 100 marks to be distributed to the Hospital of St. *Johns*, Freers Minorites and others in *Ireland* as his Chief Justice should deem meet, 798. Pope *Innocent* 4. in a great passion against Bishop *Grosbeard*, said of K. H. 3. with a proud minde: *Is not the King of England our Vassil, and that-I may say more, our Bondslave? who com at our beck imprison and enbrail him to ignominy?* 800. His Writs to Earl *Richard*, & Guardians of the Realm in his absence, to bestow livings on particular Clerks which next fell void in his gift of such and such values by the year, 806. His Writs to promote the *Croyfado*, and certify the number of those who crossed themselves in *Ireland*, 807, 808. His protection from suites to the Archbishop of *Ardmach* during his journey to *Rome*, 808. His Writ to celebrate the Masse of St. *Edward* every day in his Chappel during his absence in foreign parts, 808. The Pope offers him and his Sonne *Edmund* the kingdom of *Sicily* and *Apulia*, which his brother Earl *Richard* refused; he indiscreetly accepts thereof: binds himself by Oath and Covenant to perform the hard conditions contained in the Popes Priviledge whereby he granted it; obligeth himself by Letters, Writs under his seal in vast sums of money, debts to the Pope and his Merchants under pain of interdict, disinheretance, spends a world of Treasure about it, yet never got possession thereof, being cheated of all his money and it at last: The Writs, Procurations, transactions between him, the Pope, Cardinals and Parliament concerning it, 807, 821, 834, 859, 860, 865, 866, 871, 914, 915, 916. See *Apulia*, *Sicily*, Index 13. His Nobles, Parliaments opposition against it, 910, 931, 932. His great joy and elevation for this shadow and vain grant of the Pope, and investing his Sonne in possession of *Sicily* by a ring: He stiled him King of *Sicily*, recommends him by that Title to his Parliament, *ibid*. 809. He opposeth *Sewalds* election, confirmation to the Archbishoprick of *York*, which the Pope notwithstanding confirms, 811. See Index 3. *Sewald*. Dismisses granted him by the Pope for the Holy Land; Writs concerning the collecting, disposing compositions for, accounts concerning them, 814, to 817, 814, 835, 843, 846, 860, to 868, 870. See *Aydes*. The Prelates much opposed them, 918, 919. He prohibits the Archbishop to exact aydes for making the Kings sonne a Knight, or marrying his daughter; from the Bishop of *Rochester*, and him to pay them, till determined by his Counsil whether he ought to have them by Law, 819. He seized the Lands of the Dean and Canons of *York*, for invading the Citizens temporal Liberties, 820, 825. He assigned 3000 *l*. a year out of his Exchequer for repair of *Westminster* Church, which was to be new consecrated, 820. His Inquisitions of all the particular Mannors, Lands, rents, services of religious persons, and their values, 820. His vain expedition to, vast expenses in *Gascogne*, more then it was worth to be sold, 820. His vain liberality to the French and French Churches, in passing through *France*, 821. Pope *Alexander* absolved him from his Vow, Voyage to the Holy Land against the Saracens, so as he went with an Army into *Apulia* to conquer *Manfred*, the strong

enemy of the *Roman* Church, 821, 822, 825. He reviled the Bishop of *London* for opposing *Russlands* demands on behalf of the Pope and him, saying, *That neither be nor any of his loved him*; with his bold reply, 824. See Index 3. The Pope and King, like the Shepheard and Wolf, confederated together to devour the flock, 826, 845. He seized on the persons, goods of all Clergymen, whether justly or unjustly suspended, excommunicated by *Russland* after 40. dayes, seeking whom he might devour. The Pope, Church of *Rome* never so tyrannously, cruelly oppressed Christians, wounded the souls of all Christs servants, as *Annus* 38 & 39 H. 3. by his connivance, so as almost all the devotion of the Prelates, Clergy, people towards their mother the Church of *Rome*, and their Father the Pope expired; who nulled all their former Priviledges, used his Papal power for their edification to their destruction, converted 3. years Dismisses into 5. and the *Croyfado* against the Saracens, against *Apulia* and Christians; forcing Christians falsly to break their Oathes, Vowes, yea to turn Idolaters, Apostates, in renouncing the Truth: Selling Prelates, like Sheep or Asses, for money, 824, 825, 848. His Writs for solemnizing St. *Edwards* Feast at *Westminster*, make oblations for him; to feast the Poor; for the Mayors, *Londoners* solemn processions thither, 826. For all the *Croyfignats* to learn to draw their bowes, and publish the indulgence granted them, *ibid*. His Writ to punish the riot done to the Bishop of *Durham* and his servants, in abusing, beating, imprisoning them, 826, 827. To Prince *Edward* to reform the grievances of his Judges, Sheriffs, Bayliffs, temporal Officers in *Ireland*, done to the Bishops Clergy, Tenants, upon their complaints, by advice of his Counsil, Nobles there, that he might have the honour thereof, 827, 828. To make an exchange for Bishops Lands to build a Castle in *Ireland*, 828. For allowing the Dean and Chapter of St. *Martins* their Tenants amerciaments; To pay his Chaplains wages twice a year; and to the Cistercians to make prayers for his, his Queens, Childrens, and affairs prosperity, 828, 829. His Notable Prohibitions against prosecuting the Mayor of *London*, and Sheriff of *Warcester* in Spiritual Courts, and excommunicating them, with his Officers, Citizens of *York* and others, for executing his Writs, in contempt of his Crown, Dignity, Law, Custom of his Realm: Mandates to absolve them, 829, 830, 831, 860. He prohibits the sequestration of the Priory of *Winton*, and any to lend monies to the Monks or Church thereof, who had brought their Church in debt by prodigal expenses, suits, 832, 833. He founds the Priory of *Ravenstone*, and constitutes a Prior therein, 833. He claims the Cup, Pallory of every Bishop and Abbot of the Realm that dyes, by his Prerogative, 834. He sends many Jewish Converts by his Writs to several Monasteries, Priors in *England*, to be maintained by Corodies in them, by several successive Writs; whom they generally refused to receive, 835, to 841. He reconfirms the *Great Charter*, renewing the solemn excommunication against the intriguers thereof in another Parliament, with King *Johns* Charter for Freedom of Elections, which were sent to the Pope to confirm, 841. His tyranny toward vacant Churches; The Pope and *Roman* Court durst not offend him therein for their own interest, but connived thereat, 841, 842. He seileth on the Archdeaconsry, goods of *John Roman* Archdeacon of *Richmond*, one of the richest and most covetous of the Clergy, who promoted the *Romans* most of any to prey upon the English Church, Clergy, 842. He could not move Archbishop *Basilface* to do Justice to the Bishop of *Rochester*, after manifold complaints, 842. His Letters to the Pope and a Cardinal, on behalf of the Church of St. *Albans* about a Provision, and against drawing suits out of the Realm, 842, 843. The strange form, conditions, penalities, usury reserved in his Proctors Obligations made in his Name for monies



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monies borrowed from the Popes Usurers, 845, 846. The Popes Letters to him on behalf of the Cistercians, whom he oppressed notwithstanding for denying him an ayde, 844, 845, 846. The Popes consolatory Letters to him and his Queen, touching the overthrow, taking, imprisonment of the Duke of Savoy by his Citizens, against whom he warred with the spoiles of *Canterbury*, 849. He prohibits any Prelate, Souldier or Clerk to go beyond Seas, or Popes Bulls to be imported: yet specially licenseth *Ruffand* and the Bishop elect of *Sarum* to passe over privately about his own secret affairs, 850. His royal authority and the kingdoms dignity daily declined by the Popes consecrating Bishops, whose elections he opposed, and obtaining Palls, consecrations at *Rome* from the Pope for money, whether he would or not. The English Bishops, Clergies discords encreased the Popes and his Courts revenues, 852, 853, 854. His ratification of an accord between the Bishop and Prior of *Winton*, 852, 853, 854. His Writ commanding the Dean and Chapter of *Tork* to install *John Mansell* his Clerk in a Prebendary at *Tork* by Proctor in his necessary absence, notwithstanding any Oath or custom to the contrary, 854. His Writ of *quod dampnum*, concerning the enlarging of the Cathedral Church at *Lincoln* upon the Dean and Canons petition, 855. His Writ for providing 300. marks a year for *Ruffand* the Popes Nuncio, out of Livings and Prebendaries in his gift, which should first fall void, 855. His proceedings against the Jewes of *Lincoln* for crucifying a Christian child in contempt of Christ, 855, 856, 857. Sends the Bishop of *Elv* Ambassador to *Spain*; and satisfied the Debts wherein he was engaged for him to the Popes Merchants; and the Debts of the Bishop of *Hertford*, bound only to decoy the other Bishops, 859, 860, 861. His Writs to the Wardens of the Cinque-ports, to permit no Clerk to passe beyond Seas, unless he would first swear if he went to the Court of *Rome*, he would impetrate nothing against the King concerning *Sicily*, or the ordinance made thereon by the Pope, nor other things against the Crown and dignity of the King of *England*, 865. His Writ to *Ruffand* to collect and deposite the money of the Disute in a safe place, and to dispose of none of it, untill he knew the Popes pleasure concerning it, 865. Obligated not to go in person, or send a Caprain to *Sicily*, till he had first paid the Pope and his Merchants 133540 marks by a short day; which involving him in great difficulties, he craved longer time for payment by Letters to the Pope and Cardinals, 868, 869, 870, 871. How much he had then actually paid for it, 871, 872. Judge *Bractons* passages concerning his Royal Jurisdiction, Prohibitions to Ecclesiastical Courts and Popes Delegates, 872, to 880. He summons the Abbots of the *Cistercian* Order by his Writs to *London*, demanded a great ayde of money from them; which they unanimously denied to pay, for which he and his officers molested them: but the Bishops gave him an ayde of 4000 marks, to the irreparable losse and damage of the Church, to conquer *Sicily* and *Apulia*, 889, 890, 891. The chief end they gave it was, to induce him to grant 50. Articles they had drawn up, (much like those for which the glorious *Marty Becket* contended to death) for which they resolved to fight if denied. Archbishop *Boniface* summoned a Council to confirm these Articles; the King by his Writs prohibited him and the Bishops to meet therein, which yet they did in contempt of his Royal authority. The Articles, Canons they drew up and confirmed in it, to the subversion of the Kings, Civil Officers, Judges Ecclesiastical and Civil Prerogatives, his Nobles, Commons Liberties, Properties, his Laws and Courts of Justice, subjecting them all to their Ecclesiastical Censures, Jurisdications, Interdicts, Excommunications for acting ought against them, and wholly exempting the Clergy from the Kings Temporal Jurisdiction, 890, to 913. The

Kings and Nobles Appeals, Proctors sent to *Rome* to complain against, repeal these their Antimonarchical Constitutions, as grievances highly prejudicial to the Crown, Liberties, Laws, Customs of the Kingdom, 983, 986, 990, 991. The Archbishop forced to fly the Realm thereupon, not permitted by the King and Nobles to return, but upon condition to reverse all his Excommunications denounced against any man by these Constitutions, and by reason of the late troubles; to act nothing for the future in matters concerning the affairs of the Church or Realm, but by the major and discreeter part of his Suffragans, and other discreet men of the Realm; And that he or the Clerks coming with him, should bring with them nothing in Letters, Messages, Mandates, nor do or procure any thing else whiles they continued in the Realm, whereby any damage, peril or prejudice might come to the King or any of the Kingdom, 997, 998. See Index 3. Archbishop *Boniface*. His Writs concerning the sequestration of, and monies raised by the profits of vacant Bishopricks, to be reserved under lock and key in his Treasury of the New Temple *London*, 912, 913. He refuseth the Bishop elect of *Elv*, made against his Letters for another, and in indignation fells the Woods, impoverished the Tenants, dammified the Monks by *John Valeran*, to whom he committed the custody of it, and exposed that Church to extreme servitude, depredations, condemning the fear of God, and reverence of Saints, 913. His prohibition to the Archbishop not to consecrate him, and Letters to the Pope, Cardinals not to confirm him, his election tending to disinherit him of his ancient Prerogative, in ordaining Bishops in Cathedrals; yet they at last confirmed him, to his great dishonour, 922, 923, 924. His Procurations granted to renounce his and his Sons interest in the Realm of *Sicily*, if expedient for the good of the Church of *Rome*, 914, 915, 916, 917, 918, 919, 920. His Letter to Pope *Alexander* concerning *Sicily* and *Apulia*, so to dispose of that affair, that he, his Heirs, and whole Realm of *England* might alwayes obey the Church of *Rome* with accustomed devotion; and that by occasion of that affair, from whence he received no fruit, he might incurre no further damage: That he would consider, if he had obliged himself to the prosecution of that affair under divers penalties; to wit, that if he did not pay the Pope the monies promised, or not send or go in person to *Sicily*, it should be in the Popes power alone to null and make voyd his grant thereof; yet notwithstanding he, as King, should be excommunicated, the Realm of *England* interdicted, forfeited: He desired these penalties might be remitted, other propositions he proposed therein accepted of; submitting the whole businesse to the meer mercy, will of the Pope and his Cardinals, to order and dispose thereof as they should think meet for the honour of God, of the Church of *Rome*, of himself and his Son *Edmund*, whom they called King of *Sicily*: protesting he undertook this affair not for any temporal respect, but out of that sincere affection and devotion he alwayes had to the Church of *Rome*, and See Apostolick, in whom he had singular confidence, having alwayes stood by him in his adversities, and by whom when infested as well by his own Subjects as Foreigners, not supported by the help of any other, he evaded the subtilties of his enemies, and triumphed laudably over them, 918, 919, 920. He seals 20. blank white papers and schedules with his own great seal, 8. with the seal of Prince *Edward*; and 10. blanks more with the golden seal of *Edmund* his Son, to be sent to *Rome* concerning *Apulia* and *Sicily*, 920. He brought his Son *Edmund* into the Parliament with an *Apulian* habit, commends him, prays their counsil, or an effectual ayde for his assistance, a turning that by the counsil and loving favour of the Pope and Church of *England*, to acquire the Realm of *Sicily*, he had obliged himself under pain of losing his Realm,

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Realm, to pay one hundred and forty thousand Marks to the Pope, besides use money which daily encreased: That he had obtained the Tenth of all the Clergy for 5. years, according to the new Taxations, without any expences deducted; & the first years fruits of all vacant Benefices from the Pope, which made all mens ears to tingle and hearts to bleed: That his debts and expences after he became a dilapidator of the Realm, amounted to nine hundred thousand and fifty thousand Marks, which was horrible to think of, 921. Pope *Alexander* earnest Letter to him, to right the Bishop of *Rochester* against the oppressions of Archbishop *Basile*, which he had neglected to do after frequent complaints, to his defamation and dishonour in foreign parts, being obliged by the Great Charter he had ratified, against the infringers whereof the Bishops had by his assent denounced a general Excommunication, and by his Coronation Oath, to defend the Liberties, Rights of the Church, and of this and all other Bishops; requiring him by a day to restore him and all other Archbishops, Bishops, Prelates, and Ecclesiastical persons to their rights, out of reverence to Jesus Christ, who had made him his anointed one with holy oyl; for the honour of the Cross, whose badge he had taken upon him, and for the salvation of his own soul; considering that sins were never remitted, unless rapines were restored; else himself according to his duty would proceed to hear their complaints against the Archbishop: Yet the King after this: and many other complaints, encouraged the Archbishop, who was thereupon cited to Rome to answer, satisfie the unrepaired injuries before the Pope, 928, 929, 930. The Pope and he so ipoyled, impoverished *England*, that for want of monies Lands lay untilld, and multitudes of people dyed through penury: Yet he then called in *Arlet* to flea off their skins; whereupon the Nobles seeing the Kingdom desolated on all hands, by the extortions, tallages as well of the King as Court of Rome, and by the presumption, advancements of Foreigners, who swayed all things, confederate and provide for their own security, raise forces under pretext of going against the *Welsh*, met together with Horse and Armes at a Parliament at *Oxford*; their proceedings, Provisions made therein to redresse these grievances, expell all Foreigners by force, confirm, maintain the Great Charter and these Provisions, which all were sworn to observe, committed to 24. to execute: The Kings half brothers refuse to swear to these new Provisions; swore by the death and wounds of Christ, they would never resign the Castles committed to their custody; the high contests, words between them and the Barons about it; th y depart from *Oxford* to *Winster*, whither they are pursued with Horse and Armes by the Barons; who refusing to stand to the judgement of a Parliament there held, fled the Realm, 930, 931, 936, 937. Their monies seized at *Dover*, *London*, elsewhere by the Kings Writs, 937, 938, 939. The Parliaments and Nobles oppositions against, and reprehension of his folly in accepting *Sicily*, *Apulia*; refusal to ayde him therein, being undertaken without their advice; complaints of the manifold frequent rapines of the Pope and his Legates, to the undoing of the Church, Realm, to promote that design, 931, 932. He employed *Simon Passeve* to carry Letters to several Abbots to borrow monies; his subtilty, falshood in that affair discovered, defeated, 932, 933, 934. The Parliament adjourned; the altercations between him and the Nobles at their re-assembling, concerning his violations of the Great Charter so oft redeemed, purchased, against his Oath, Promises, Excommunications denounced; promoting, enriching aliens, impoverishing his natural Subjects and himself, so that he could not recover the rights of his Realm, nor repulse the injuries of the *Welsh*, the despicablest of men: His conviction, confession of these his crimes, that he had oft been bewitched with ill

counsil; his Oath upon the high Altar, and St. *Edwards* Coffin, to reform his pristine errors, and be advised, ruled by his native Subjects; yet not believed, because so frequently violated, 935. His and his fathers frequent breach of Oaths, and the Great Charter; He and Prince *Edward* enforced to swear to the Provisions made at *Oxford*, 935, 936. *Manusius*, after *Arlets* revocation; by his procurement sent by the Pope into *England* to fleece it; his prodigal expences on this and other Popes Nuncios, 932, 932. He had power to absolve the King and all others from their Oaths, to supply his present necessities, to furnish the Pope with monies for *Apulia* and *Sicily*, 934. His safe conduct to *William de Valencia* to depart the Realm, 937. His Writs for the banishment and transportation of the Archdeacon of *Winster*, a *Paislovian*, 938. He induced the Abbot of *Wesminster* by fallacious promises, to set his and his Convents seal as a surety for him to a bond of 2500 Marks, to give a pernicious example to other Abbots, to extort monies from them who opposed it, 932, 933, 934, 935. The Abbots chuse rather to incur the indignation, in not being bound for him in great sums of money, then the Popes; who had expressly prohibited them to enter into any bonds, under pain of Interdict and Excommunication, 933, 934. A *Proteus*, whom his Nobles knew not how to binde by his Oaths, Charters, promises, or otherwise, to observe the Great Charter and their Liberties, 935, 936. His Writs concerning the Archbishopricks, Archbishops of *Tuam* and *Dublin*; and Patent concerning his right of Patronage and Presentation to Churches as Patron, or in right of his Prerogative, in the Mannors of Archbishops and Abbots, 939, 940, 941. His Patent to defray the expences of his Nuncio to the Court of Rome, 940, 941. His Letters to the Pope and Cardinals, for prorogation of the business of *Sicily* till a further time then formerly appointed, 942, 943. Concerning a peace with *France*, to end the old and new controversies between the two Crowns, 944, 945. His Letters to the Pope, that he had earnestly demanded an Ayde from his Nobles for *Apulia*, who promised to grant one, if he would reform the grievances of the Realm by their advice, and the Pope mitigate his conditions in his Instrument, which they deemed overhard, and prayed to have them moderated, 945, 946. His procurations to oblige him, his Realm, and Son *Edmund* in any conditions, and to swear on his soul to observe them, 946. His Patent to a Proctor to demand a Legate from the Pope, 947. He assigned the Disme the Pope granted him for 3. years, to satisfie 30000 Marks due by him to the Pope and Church of Rome, 947. His Letters to the Pope to ratifie the Barons Provisions made at *Oxford*, for the good of him and his Realm, 947. He repents of his Oath to these Provisions, and to avoyd the brand of perjury, sent secretly to the Pope to absolve him and his Son from their Oaths inviolably to observe them; which he easily obtained by his Letters and Nuncios from Pope *Alexander 4.* and *Urban 4.* his successor; Pope *Urban* Bull published for dissolving all these Confederacies, Statutes, Provisions, absolving all from their Oaths to observe them, and excommunicating all who should maintain them, 948, 986, 988, 989, 1015, 1016, 1018, 1021, 1022. Pope *Alexander* the 4. his Letter to him for continuing an annual pension to *Arlets* Nephew, who came into *England* upon his own calling, 952, 953. He would permit none to be elected Bishop of *Winchester* by the Monks, but such as were most dear to him, 954. His license by advice of his Counsil to the Bishop of *London* elect, (*Wingham* his Chancellor) to hold all his former Ecclesiastical dignities, benefices of his patronage in *England* and *Ireland* with it, so long as the Pope would indulge him; his protection peaceably to enjoy those livings; his grant to him of 5000 sheep, 200 cows, and



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and 10. bulls of the flock of the Bishoprick of *Winchester*, to stock his Bishoprick of *London*, which he warranted to him against any Bishop elect of *Winton*, unless *Adomar* his brother were restored to it, 954, 955, 984. His Writ to the Guardian of the Temporalities of *Winton*, to put his Clerk into possession of a parcel of Tithes, in default of the Archbishop's Official, who delayed to do it, 955, 956. His Letters to the *Roman* Cardinals, 958. His Writ to the Bishop of *Hereford*, concerning the particulars of the vast sums wherein he obliged him, and the Bishops, Abbots of the Realm, to the Court of *Rome*, for the business of *Sicily*, 958, 959. His exemptions of some of his Clerks from the Dimes granted, 961, 962, 996, 1007. His Letters to the Pope and Cardinals, in defence of his ancient right in conferring Prebendaries and Benefices by his Prerogative, during the vacancies of Bishopricks; and his grant of the Prebend of *Fenton* to *John Masfell* his Clerk, against the Popes provision thereof to a Cardinals Nephew; and to the Nobles of his Council to assist him in defence of this his right, 962, 963, 964. His Writs to Sheriffs, not to permit any of his Clerks to be ejected out of their possessions of Benefices to which he presented them, by provisors or others, 964, 974, 975. His Letters to the Pope not to restore his brother *Adomar* to the Bishoprick of *Winton*, to prevent sedition, discord, and danger in the Realm, the Nobles, people being extremely incensed against him; and his Queen with himself for withdrawing the Prince his Son from obedience to him, 966. His Proctors and appeal against his and others grievances to him and his Realm, 967. His Writ to the Barons and Bayliffs of *Dover* and other Ports, to apprehend all *Italian* or other Clerks, of what order soever, or Laymen arriving with Papal Bulls prejudicial to him or his Realm, and to arrest them with their Bulls, Letters, till further order, 968. His Writ to remove a Lay-force disturbing a sequestration of a Benefice, being both willing and obliged to defend the Rights and Liberties of the Church, to which he could not be wanting, 968. His notable Writs to the Bishop of *Durham* and his Officials, against vexing, impoverishing the Inhabitants of *Newcastle* by Citations, and compelling them by Ecclesiastical censures to take an Oath, and answer Articles in their Courts and Visitations, 969, 970. He intended not by his Writs to disservice any man of his rights, 970. His Writ to promote his Queens Chaplain to a Benefice, when it should fall voyd, 971. His Letter to the Pope on behalf of the Bishop elect of *Bordeaux*, whom he had approved as fit and faithfull to him, 971. His Writ to the Bishop of *Lincoln*, to correct the extravagant proceedings of his Archdeacon, to the manifest prejudice of the Rights of his Crown and Dignity, according to his duty, 972. His Writs to the Chief Justice of *England*, to preserve the rights of him and his Clerks against all new evasions and disturbances to obtain possession of the Churches to which he presented them, that no disinherison might come to him or his Heirs thereby in process of time, 972. His Letter to the King and Queen of *Scots* at the Popes request, to restore the Temporalities of the Bishoprick of *Glasgow* to him the Pope made Bishop by his provision, unless he could shew good cause to the contrary, 973. His Writs to prohibit the Archbishop of *St. Andrews* or any of his followers, to land in *England* with Bulls tending to the infamy or disinherison of the King of *Scots*, or any other of his enemies, and to arrest them till further order, 973. His Writ for a Prior to improve a Wood and great waste, leaving the Commoners sufficient Common, 973, 974. His Writs to Abbots and Convents to receive the Monks he sent them from *Winton*, where they could not follow their contemplations as they ought, 975, 976. His Patent to the Archbishop of *York* Tenants, to move them to a liberal Contribution towards the satisfaction of the Archbishopricks debts, 977. His Writs to sequester

the Benefices of a Clerk accountant indebted to him, 977, 978. His Patent to provide 30 Marks a year for his Bicheator in *Ireland*, out of the Benefices of Bishops, Abbots, Priors which should fit fall voyd there, during their vacancies, 979. The *Romans* and their Legates domineered in *England* over the Laity and Clergy, disposing of their best Benefices at their pleasures, excommunicating the Bishops, Abbots, Priors who contradicted them, through his folly and sluggishness, 980. His Son *Edmunds* Letter to the *Sicilians*, styling *Sicily* his Kingdom, granted him by the Popes special grace, desiring them to admit him for their King and promote his affairs, promising to prosecute that affair, to preserve the Charter of their Liberties, and readily to promote their honour, 985. His flattering Letters and Proxies to the Pope, *Urban*, and other Cardinals, extolling the benefits, protection he received from his pious mother the Church of *Rome* and them continually upon all occasions, to procure an absolution from his Oath to observe the Provisions of *Oxford*, and not to ratify them at the Barons request, or their Agents, being made to the depredation of his Regal liberty, and prejudice of his right, 985, 986, 987, 988, 989. His memorable Writs to all the Sheriffs of *England*, reciting the Barons breach of their promises and conditions made at *Oxford*, his absolution by Pope *Alexander 4.* and *Urban 4.* from his Oath to observe their Provisions and Confederacies there made, to the prejudice and derogation of his Royal right and dignity, and disturbance of the Kingdoms peace: His promise freely to use his royal power, and exhibit the fulness of Justice to all great and small; and to make publick Proclamations throughout their Counties, that all should obtain justice from him with all security and confidence, and prosecute and obtain their right against great and small before him, and in all Courts by his Royal authority; that he would be wanting in his justice to none, whether great or small; that he would maintain the Great Charter and Charter of the Forest in all points: And that if any should adhere in their Counties to their former Confederacies, or attempt any thing against the right of his Regality, or the Sheriffs Office appointed by him, or preach any thing against him or his honour, or persuade the people to do ought against it, they should apprehend and detain them prisoners, till further order received from him, 989. His and the Nobles Procurations, Appeals against the Antimonarchical Ordinances, Constitutions, Statutes of the Archbishop and his Suffragans in the Council at *London*, to the prejudice and grievance of his Crown, and Liberties of the Realm and people; yet printed in *Lindewode* and *Atas* as the Canon Law of our Church and Realm, 983, 990, 991. He grants the Wardship of the Bodies and Lands of two Wards, to *Arlets* Nephew, 991. His Writs concerning the case of the Bishop of *Elphin* in *Ireland*, 991, 992. See Index 4. *Elphin*. His Writs to the Archbishop of *Cantebury*'s Tenants, to contribute towards the discharge of his debts, 992. He prohibits the *Cistercian* and other Monks to buy and sell Wools or other Merchandizes, against their profession and order, to the impoverishing of the Merchants of *Lincoln* and other Towns, under pain of severe penalties if they transgressed therein for the future, 992, 993. He minures, lowers the Temporalities of the Bishoprick of *Strum* in his hands, sells the corn and fruits thereof by Inquisition of honest men, the money to be answered for them in his Exchequer, 993. The Bishop of *Winton* compounds to give him 22 s. 13 s. 1 d. for the corn and stock upon his Temporalities, 994. His prohibition to Sheriffs to distrain Religious and Beneficed persons, to find Horse and Foot for the common defence of the Realm against enemies, being appointed by accord to find Horse or Foot, or pay such a sum of money in lieu thereof as the Bishops should appoint, 994. His Epistle



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to Pope *Urban 4.* to congratulate his election to the Papacy, from which he was for a time interrupted by the Barons Rebellion, 994, 995. His Writ against the Bishop of *Bath and Wells*, for suing the Abbot of *Glasgow* out of the Realm for a matter belonging to his Temporal Court, against the custome of the Realm, and in contempt, prejudice of his Royal dignity, 995. His Proclamations and Writs against offering violence to the persons, Churches, houses, lands, goods or liberties of any Ecclesiastical or Religious persons within the Diocese of *St. Davids*, whose Liberties he was bound and specially desired to maintain, 996, 997. His Charter to *Richard Earl of Cornwall*, chosen King of *Romans*, to tax his Tenants in Boroughs and Mannors which were the Kings Demesne, for this time, towards his journey to *Rome*, for most weighty affairs concerning his and the Kings profit and honour, 997. His Treaty and Articles with the Nobles, concerning Archbishop *Boniface* and his Clerks return into *Engl* and upon certain conditions, to absolve all excommunicated, to act nothing relating to the Church or State but by common consent of his Suffragans, and the Nobles; and bring with them no Letters, Mandates, or act ought to the prejudice of the King or Realm, or carry any money out of it, 997, 998. He permitted Archbishop *Boniface* to confirm and consecrate Bishops beyond Sea, against the Rights and Customs of the Realm; His Writ to him to appoint some of his Suffragans to confirm, consecrate the Bishop elect of *Bath and Wells* in *England*, who could not come to him to be confirmed; which he notwithstanding neglecting, he commanded him to come forthwith into *England* in person, or appoint others to do it, else he would seize the profits of his Archbishoprick, and not suffer them to be carried to him out of the Realm, where he refused to execute his Episcopal Cure, 998, 999. His Writs, Commissions by advice of, and Articles of agreement with his Barons, to enquire diligently of all who by reason of the troubles, seized and spoiled the goods, tithes, fruits of Churches, Bishops, and Clerks who were Aliens, Non-residents, or beyond the Seas, and of other Clerks; to remove all Lay-force, to secure their goods and rents from violence, and give complainants full satisfaction according to Justice, 997, to 1006. His and the Barons submision of the differences between them, concerning the Ordinances of *Oxford*, to the French Kings and Popes Legates arbitrement, 1001, 1002. His safe conduct, protection, and Letter of advice to the Popes Legate sent for into *England*, 1006, 1014, 1015. A Disme granted him by the Clergy for the common defence of the Realm and Church; his Writs for the Bishops to levy and pay it by a certain day, to prevent its levying by his Bayliffs on their default, 1006, 1007, 1008. He seileth the Baronies of Archbishops, Bishops, Abbots, who refused or neglected to send Horse and Armes to ayde him according to their Tenures, upon summons, 1008, 1009. He commands the Bishop of *Bangor* by Writ to release an Interdict against *Lewellen*, in a Lay-cause not belonging to his Court, 1009. He revokes his presentation under his Great Seal to the Treasurership of *York*, whiles a prisoner under *Simon Montfort*, and confers it on another when free; and commands other Commissioners of his appointment to install him, upon the Canons refusal, 1010, 1011. His memorable Writ to the Bishop of *Hereford*, expressing the reason of instituting Bishops, Pastors, and their duty, checking him for his neglect thereof and non-residence, commanding him to return to, reside on his Bishoprick, and discharge his duty; and the Archbishop and his Official to enforce him to it by Ecclesiastical censures, under pain of seizing his Temporalities, since he was unworthy to reap the Temporalities, who feared not irreverently to subtract and neglect the spiritual duties of his Office, taking the milk and wool of the

flock, but neither knowing, feeding, nor caring for them; which neglect he could not permit to go unpunished, 1011, 1012. His Patent to some Citizens of *Lincoln*, to protect the Jews there from all violence to their persons or goods, 1013. His Writ to the Bishops of the Province of *Canterbury*, to excommunicate the Earl of *Gloucester* and others for not going over into *Ireland*, and seizing the Kings Castles, Towns in an hostile manner, drawing the Prince to violate the late agreement made with the Barons, against former and late publick Excommunications; without sparing any great or small, for this their contempt of God and the keys of the Church, 1013, 1014. His Inquisition to punish the violations of the rights of the Church of *Norwich*, which he was obliged to defend, by the Inhabitants of *Len*, 1016, 1017. His privilege granted to the Archbishop of *Dublin* and his Tenants, concerning distresses for debts, 1017. He sends for two Legates successively to excommunicate the Barons, and suspend the Bishops and Clergymen from their Office and Benefices, who fomented them in their Rebellions, 1018, 1019. He summons a Parliament at *Kemilworth*, Commissioners there elected and sworn to make an accord between him and those who had been and were in Armes against him, who drew up a Statute and Articles accordingly, 1019, 1022. His protection and safe conduct to Clerks and others who had been against him, to repair to the Legate to make their peace or demand Justice, 1019, 1020. The Popes Provisions of Benefices; his intollerable exactions touching the business of *Sicily*; the heavy yoke of the *Roman* Church; Usurers, the principal causes of the differences, Wars between the King and his Barons; whereupon the Prelates, Barons assembling in Council, against the Lord and his anointed, said; *You see how we profit nothing; if we thus let the King alone, the Romans will come and take away our purses and money: Let us therefore constitute 24. Elders round about his Throne, which excluding the Parthians, Medes and Elamites coming from Rome, may free Jerusalem from Egyptian servitude, may order all and singular affairs of the Realm, may receive the first seats in Feasts and salutations in the Market-place, with reservation of the Kings magnificence*: Whereupon most of them mad with envy and ambition, forthwith made the Constitutions at *Oxford*, swore all men and the King himself to observe them, the Bishops excommunicating all infringers of them: The Bishop of *Worcester* and some other Prelates, the Fathers and Judges of mens consciences, gave their assent unto them, contrary to their corporal Oath to preserve the rights and terrene honour of the King and his Heirs, consenting to so great a depression of Royal power. For which the Popes Legate suspended them from their Office, Bishopricks, Benefices; interdicted, excommunicated them and the Barons by a publick sentence, who appealed against them to the See Apostolick, and if need were to the next General Council, and the Church as well Triumphant as Militant; condemn the Spiritual relying on the Material Sward, 1020, 1021, 1022. The Bishops encouraged all to fight manfully, and promised heaven to those who dyed in this quarrel against him, who yet were routed, and their chief Captain slain at *Evesham*, 1022. The disinherited persons in the Isle of *Elly*, their high and sharp answers to the Legates propositions sent to them, wherewith the King and he were much incensed, 1022, 1023. His summons of all Earls, Barons, Archbishops, Bishops, Abbots, and others who held by Knight-service, to meet with Horse and Armes to besiege the Rebels in the Isle of *Elly*; the Earl of *Gloucester* refused to come, though he raised forces to prosecute his enemies, 1024. He summoned a Parliament, to which the Earl of *Gloucester* refused to repair, but sent a Charter, he would never bear Armes against him or his Son Prince *Edmund*; his and the Legates demand

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they would fire the Monastery, and burn them in it if they refused to go: whereupon all the Monks but 13, who were sick, departed into *Flanders*, where they lived in exile. The King seized upon their Goods, Lands, and Temporalities of the Archbishoprick. He likewise sent Messengers and Letters to the Pope, wherein he reprehended him for nulling *Grays* legal Election, approved by him, and presuming to confirm *Langton*, a Person unknown to him, converting very long amongst his publick Enemies in the Realm of *France*, without either demanding or receiving his or the Monks assent to his Election, to the prejudice and subversion of the Liberties and Rights belonging to his Crown: At which he could not sufficiently admire, for that as well the Pope as whole Court of Rome did not call to memory how much his love had hitherto been necessary to the See of Rome, and that they received plentifuller Fruits from his Realm of *England*, than from all other Countries on this side the *Alpes*. Adding, that if need should be, he would stand for the Liberties of his Crown even unto death; immutably affirming, that he could not be removed from his Election, and promotion of the Bishop of *Norwich*, who was so beneficial unto him. Concluding, that if the Pope would not right him in the Premises, he would stop all passages by Sea to those who would go to Rome, lest his Land being any longer enervated, should be less able to repulse Enemies from it. That since the Archbishops, Bishops, and other Prelates of Churches, as well in *England* as other his Territories, sufficiently abounded in the treasures of all Sciences, if necessary shall compell, he would not seek, beg for Justice or Judgement from Foreigners out of his own Lands, 248, 249. The Popes insolent Letter in answer to him, that he needed not his assent to *Langtons* Election, the See Apostolick not using to wait for Princes consents to Bishops Elections: That he had his implied assent thereto; that if he received not *Langton*, he would involve himself in inextricable difficulties; Since he to whom the keys of all things in Heaven, Earth, and under the Earth did bow, whose Vicar he was, though unworthy, would overcome. That he should not listen to their advice, who loved to fish in troubled waters, but submit himself to his Masters will and pleasure, for his praise and honor: Because it could not be safe for him to resist in this Cause of God and his Church, for which *Becket* had so lately shed his Blood; and his Father and Brother *Richard* had abjured, 249, 250. He peremptorily refusing to receive *Langton* for the Popes Flatteries, or Menaces; the Pope writ Letters to the Bishop of *London*, *Ely*, and *Worcester*, earnestly to solicit the King to accept of him; and if he persisted contumacious and rebellious therein, then to Interdict the whole Realm by his Apostolical Authority: Adding, if he still persisted in his obstinacy, he would then aggravate his hand upon him; since he must of necessity conquer, who for the safety of the holy Church had conquered the Devil and his Angels, and spoiled Hells Cloysters, 250, 251. Upon this intimation, admonition by the Bishops, he was so highly incensed, that he swore, if they or any other should rashly Interdict his Lands, he would forthwith banish all the Prelates, Clerks, and Persons in Orders out of *England*, send them to the Pope, and confiscate all their Goods: That wherever he found any Romans with a ray of his Dominions, he would send them to Rome with their Eyes pulled out, and their Noses cut off; that by these marks they might be distinguished from other Nations: Commanding the Bishops to depart speedily out of his sight, if they would avoid the danger and scandal of their own Bishops. Having formerly told them, He was ready to do what should be reasonable by the advice of his Loyd Subj<sup>ts</sup>, saving to himself and his Heirs in all things their Right, Dignities, and Liberties, 251. He gave the like Answer to *Simon Langton*; who returned him this peremptory Reply, That he would do nothing therein, unless the King would wholly put himself into his hands, 250. The Bi-

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divied Bishops in their Convocation at London, to give nothing out of their Baronies to the King or Popes Legate, 841. The King and Nobles often solicited in vain by the Bishops to redress Grievances against their pretended privileges; they thereupon resolved to redress them themselves; and by their own new exorbitant Constitutions, subjected the King, his Judges, Officers, Barons to new Excommunications, Interdicts, Censures for opposing their pretended Churches privileges, 897, to 912. Against which the King by their advice appealed in his own and Kingdoms behalf, 983, 990, 991. Their proceedings and Ordinances in the Parliaments at Oxford & London against the intolerable rapines, insolencies of the Popes Agents, *Poishevines*, and other Foreigners whom they banished England, to preserve the Kingdom from utter desolation by the subtilties of the Church of Rome and King, 930. They animated the cowardly Prelates, reprehend the King for his folly, and uncircumspection in embracing the Popes proffers of Apulia to him, without their counsil or advice, which involved him in Infinite Debts, and not refusing it as his Brother Richard did: deny to grant him any Ayde towards it, or Debts contracted for it, telling him they neither could nor would endure such Extortions; whose President all the Abbots but one followed, 931, 932, 933. They sharply reprehend the King for breach of the Great Charter against his Oath, Excommunications denounced against the Infringers, promoting all manner of Alien, contemning, opposing his English Nobles, Subjects, exhausting the Kingdoms Treasure, reducing him self to extrem poverty, contempt; whereupon he did humbly acknowledge his errors, and frequent bewitching by ill counsel, promised by solemn Oath on the High Altar and St. Edwards Coffin to amend all his former errors fully and plainly; which they not crediting, by reason of former violations of this kind, adjourned the Parliament to a further day to Oxford, provide Horse and Arms for their own defence against the *Poishevins* treacheries; exact the confirmation of the Great Charter, with other particulars for the Kingdoms peace, ease, wealth, swore solemnly to each other to prosecute, and not give over their resolution for the loss of Money or Lands, nor yet for the life of them and theirs, caused the King and Prince Edward to swear to obey, pursue their counsel in all things; swearing they would not leave one foot of Land in England to such Nobles who refused to take the like Oath, 935, 936. They pursue the *Poishevins* from Oxford to Winton, force them to fly, and banish them out of England, seise their Monies in all places where found, and forced Herles the Popes Nuncio to fly secretly out of England for fear till quieter times, 937, 938, 939. They forced the King to swear involably to observe their provisions made at Oxford, who privately procured an absolution from them, the Pope nulling his Oath and their provisions, 948. They send a notable Letter to the Pope concerning the business of Apulia, as undertaken without their advice, without whom the King ought not to undertake it, complaining against the Bishop of Winchester, his Brothers and Officers opposing of their Ordinances for the Kingdoms settlement, the intolerable rapines, oppressions of his Officials; his refusal to stand to a legal Tryal, who was so detestable to the Commonalty of England, that they would by no means permit his return into England, though the King and Nobles desired it; and that it was the fixed resolution of all and every of them, that they would never suffer this Author of Schism, discord and scandal to live among them: representing other his tyrannical and detestable facts to the Pope, together with their Letter by four eloquent Knights they sent with it, lest he should



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Of Scripture Texts, by Robert

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## To the Reader.

Kind Reader,

**T**HE Reasons why I have enlarged these Tables in sundry particulars, beyond the ordinary brevity of Tables, with very great pains, were three; 1. That those of our English Nation who understand not the Latine Tongue, may read the substance of this Tome in these English Tables, and so reap benefit by it. 2ly. That those Statesmen, Noblemen, Judges and others, who want either leisure, or patience to read over this whole Tome distinctly, may read the Epitome of it, or any part thereof they desire satisfaction in, in these Tables. 3ly. That Statesmen, Divines, Common, Civil Lawyers, Heraldry, and others who delight in History, may read over what most concerns their several callings, studies, in each distinct Table, if they mind not to peruse the whole; which they could not so easily have done, had I digested all these Indexes into one; not so well understood, had I contracted them into the shortest sort of Indexes, forcing their Readers to turn to every page for every thing they look after, and peruse it ere they can discern the purport thereof; which now they may read in these Indexes, without further trouble, and peruse what they please at large in the Text.

LAUS DEO.

FINIS.

Of Scripture Texts, by Robert

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